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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4007/87**of 22 December 1987****extending the period referred to in Articles 90 (1) and 257 (1) of the Act of Accession of Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 90 (2) and 257 (2) thereof,

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

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

Whereas Articles 90 (1) and 257 (1) of the Act of Accession provide, in the case of Spain and Portugal respectively, that transitional measures may be adopted during a certain period in order to facilitate the passage from the national arrangements applicable at the time of accession to the EEC market arrangements applicable under the Act, particularly in order to deal with appreciable difficulties arising from the application of the new arrangements on the scheduled date; whereas the period in question expires on 31 December 1987;

Whereas those difficulties cannot, in the case of certain groups and products, be overcome by the scheduled date

and whereas the period in question should therefore be extended as authorized under the Act of Accession; whereas, since the specific difficulties experienced in both Member States have varied according to the group of products concerned, the transitional period should be extended by two years in the case of Spain and three years in the case of Portugal,

HAS ADOPTED THIS REGULATION:

Article 1

The period which is referred to in Article 90 (1) of the Act of Accession and which is applicable with regard to Spain is hereby extended until 31 December 1988.

The period which is referred to in Article 257 (1) of the Act of Accession and which is applicable with regard to Portugal is hereby extended until 31 December 1990.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 22 December 1987.

For the Council

The President

N. WILHJELM

⁽¹⁾ OJ No C 322, 2. 12. 1987, p. 4.

⁽²⁾ Opinion delivered on 18 December 1987 (not yet published in the Official Journal).

COMMISSION REGULATION (EEC) No 4008/87
of 23 December 1987

on rules for implementing the import arrangements for products of combined nomenclature code 0714 10 90 originating in countries other than Thailand that are at present Contracting Parties to the GATT

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

Having regard to Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff and coming from third countries, and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the markets in cereals⁽²⁾, as last amended by Regulation (EEC) No 3808/87⁽³⁾, and in particular Article 12 (2) thereof,

Whereas Commission Regulation (EEC) No 481/87⁽⁴⁾ laid down rules for implementing the import arrangements for manioc originating in third countries other than Thailand and the People's Republic of China; whereas the light of experience some of these rules should be altered; whereas rules applicable to imports originating in countries, other than the People's Republic of China, that are not members of the GATT are contained in a separate Regulation;

Whereas in particular in order to ensure that the import arrangements are properly run and that the quotas set for 1988 and for 1989 are not exceeded specific rules on the lodging of licence applications and the issuing of certificates should be laid down; whereas these either supplement or derogate from the provisions of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EEC) No 2082/87⁽⁶⁾; whereas the tariff reference of the products concerned should be altered to that of the new combined nomenclature applicable from 1 January 1988;

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 arrangements set out in Article 1 of Regulation (EEC) No 430/87 shall, the provision of this Regulation

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 357, 19. 12. 1987, p. 12.

⁽⁴⁾ OJ No L 49, 18. 2. 1987, p. 19.

⁽⁵⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽⁶⁾ OJ No L 195, 16. 7. 1987, p. 11.

applying, apply to products of combined nomenclature subheading 0714 10 90 originating in countries other than Thailand that are Contracting Parties to the GATT.

Article 2

1. Licence applications may be lodged with the competent authorities of each Member State on Mondays, or if Monday is not a working day, on the first working day following, up to 1 p.m.
2. By 6 p.m. of the same day Member States shall notify the Commission by telex of the quantities applied for, their origins and the identity of the importers.
3. By Friday of the same week the Commission shall notify by telex the quantities for which licences are issued for each country or group of countries as indicated at (b) and (c) of Article 1 of Regulation (EEC) No 430/87.
4. Without prejudice to the application of paragraph 3 licences shall, barring exceptional circumstances determined by the Commission, be issued on the fifth working day following that on which the application was lodged. Licences shall be valid throughout the Community.

Article 3

One of the following shall be entered in section 20 (a) of licences:

- Exacción reguladora a percibir 6 % *ad valorem*
- Importafgift: 6 % af værdien
- Zu erhebende Abschöpfung: 6 % des Zollwerts
- Εισπρακτέα εισφορά: 6 % κατ' αξία
- Amount to be levied: 6 % *ad valorem*
- Prélèvement à percevoir: 6 % *ad valorem*
- Prelievo da riscuotere: 6 % *ad valorem*
- Toe te passen heffing: 6 % *ad valorem*
- Direito nivelador a cobrar: 6 % *ad valorem*.

Article 4

Notwithstanding Article 12 (1) of Commission Regulation (EEC) No 2042/75⁽⁷⁾, as last amended by Regulation (EEC) No 1665/87⁽⁸⁾, the security for licences shall be 20 ECU per tonne.

⁽⁷⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁸⁾ OJ No L 155, 15. 6. 1987, p. 10.

Where, through application of Article 2 (3), the quantity for which the licence is issued is less than that applied for, the amount of the security corresponding to the difference shall be released.

The third indent in Article 5 (1) of Regulation (EEC) No 3183/80 shall not be applicable.

Article 5

1. Licence applications and licences shall indicate in section 14 the name of the third country in which the product originates. The certificate shall make it obligatory to import from that country.

2. Notwithstanding Article 8 (4) of Regulation (EEC) No 3183/80, the quantity put into free circulation may

not be greater than that indicated in sections 10 and 11 of the import licence and the figure 0 shall be entered accordingly in section 22 of the licence.

Article 6

Import licences issued in 1988 and 1989 shall not be valid after 31 December of the year of issue.

Article 7

Regulation (EEC) No 481/87 is hereby repealed.

Article 8

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

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

Done at Brussels, 23 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 4009/87

of 22 December 1987

fixing, for 1988, the quotas for imports into Portugal of certain egg and poultry-meat products from Spain and certain detailed rules for the application thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 thereof,

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

Whereas, as a result of an error of substance, the correction of which is being considered, the Act of Accession does not provide for the application of quantitative restrictions on imports into Portugal of products falling within subheading 0407 00 30 of the combined nomenclature from the Community as constituted at 31 December 1985; whereas, therefore, such restrictions have not been included in Regulation (EEC) No 3792/85 for imports from Spain into Portugal; whereas pending the rectification referred to above, Regulation (EEC) No 619/86 of the Commission⁽²⁾, amended by Regulation (EEC) No 1996/86⁽³⁾, laid down such restrictions as temporary measures until 31 December 1987; whereas Council Regulation (EEC) No 4007/87⁽⁴⁾ extended the period referred to in Article 257 of the Act until 31 December 1990; whereas a quota may therefore be fixed for 1988;

Whereas the initial quotas for imports into Portugal of certain egg and poultry products from Spain are set out in the Annex to Commission Regulation (EEC) No 619/86; whereas the quotas for 1988 should be fixed by applying the minimum rate of annual rise of 10 % provided for in Article 4 (4) (a) of Regulation (EEC) No 3792/85; whereas

these quotas are in addition to those applicable under Article 269 of the Act of Accession to imports from the Community as constituted at 31 December 1986;

Whereas obtained rules should be laid down for the implementation of these provisions to be analogous to those laid down in Regulation (EEC) No 619/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quotas that the Portuguese Republic may apply in 1988, to imports of certain egg and poultrymeat products from Spain shall be as shown in the Annex hereto.

Article 2

Save as otherwise provided in this Regulation; Articles 3 and 4 of Regulation (EEC) No 619/86 shall apply to the quotas referred to in Article 1 of this Regulation.

Article 3

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 22 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽²⁾ OJ No L 58, 1. 3. 1986, p. 51.

⁽³⁾ OJ No L 171, 28. 6. 1986, p. 28.

⁽⁴⁾ See page 1 of this Official Journal.

ANNEX

CN code	Description	Quota for 1988
		- 1 000 units -
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls:	
	- Weighing not more than 185 g:	
0105 11 00	- - Fowls of the species <i>Gallus domesticus</i>	1 474
0105 19	- - Other:	
ex 0105 19 10	- - - Geese and turkeys:	
	- - - - Turkeys	180
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:	
	- Of poultry:	
	- - For hatching:	
ex 0407 00 11	- - - Of turkeys or geese:	
	- - - - Of turkeys	22
ex 0407 00 19	- - - Other:	
	- - - - Others of the species <i>Gallus domesticus</i>	64
		- tonnes -
0407 00 30	- - Other:	536

COMMISSION REGULATION (EEC) No 4010/87
of 22 December 1987

fixing, for 1988, the quotas for imports into Portugal of certain egg and poultrymeat products from third countries and certain detailed rules for the application thereof

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 thereof,

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

Whereas, as a result of an error of substance, the correction of which is being considered, the Act of Accession does not provide for the application of quantitative restrictions on imports into Portugal of products falling within subheading 0407 00 30 of the Combined Nomenclature from third countries; whereas, pending the correction referred to above, Regulation (EEC) No 618/86 of the Commission⁽²⁾, amended by Regulation (EEC) No 1996/86⁽³⁾, provides for such restrictions as transitional measures until 31 December 1987; whereas Council Regulation (EEC) No 4007/87⁽⁴⁾ extended the period referred to in Article 257 of the Act until 31 December 1990; whereas a quota may therefore be fixed for 1988;

Whereas the initial quotas for imports into Portugal of certain egg and poultrymeat products from third countries are set out in the Annex to Commission Regulation (EEC) No 618/86; whereas the quotas for 1988 should be fixed by applying the minimum annual rate of increase of 10 % provided for in Article 4 of that Regulation;

Whereas detailed rules should be drawn up for the implementation of these provisions to be analogous to those laid down in Regulation (EEC) No 618/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quotas for 1988 that the Portuguese Republic may apply to imports of certain egg and poultrymeat products from third countries, shall be as shown in the Annex hereto.

Article 2

Save as otherwise provided in this Regulation, Articles 3, 4 and 5 of Regulation (EEC) No 618/86 apply to the quotas referred to in Article 1 of this Regulation. However, the second indent of Article 3, paragraph 1 of that Regulation is hereby repealed.

Article 3

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

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 23.

⁽²⁾ OJ No L 58, 1. 3. 1986, p. 48.

⁽³⁾ OJ No L 171, 28. 6. 1986, p. 28.

⁽⁴⁾ See page 1 of this Official Journal.

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 22 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

CN code	Description	Quota for 1988
		— 1 000 units —
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls :	
	— Weighing not more than 185 g :	
0105 11 00	— — Fowls of the species <i>Gallus domesticus</i>	26
0105 19	— — Other :	
ex 0105 19 10	— — — Geese and turkeys :	
	— — — — Turkeys	35
0407 00	Birds' eggs, in shell, fresh, preserved or cooked :	
	— Of poultry :	
	— — For hatching :	
ex 0407 00 11	— — — Of turkeys or geese :	
	— — — — Of turkeys	14
ex 0407 00 19	— — — Other :	
	— — — — Others of the species <i>Gallus domesticus</i>	12
		— tonnes —
0407 00 30	— — Other :	161

COMMISSION REGULATION (EEC) No 4011/87

of 30 December 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 3808/87 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1944/87 ⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 29 December 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 1944/87 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 31 December 1987.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 357, 19. 12. 1987, p. 12.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 38.

ANNEX

to the Commission Regulation of 30 December 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	9,46	196,69
10.01 B II	Durum wheat	50,21	258,39 ⁽¹⁾ ⁽²⁾
10.02	Rye	44,06	167,12 ⁽⁶⁾
10.03	Barley	34,51	184,65
10.04	Oats	91,32	148,95
10.05 B	Maize, other than hybrid maize for sowing	5,48	173,82 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	34,51	101,06
10.07 B	Millet	34,51	111,94 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	29,10	178,54 ⁽⁴⁾
10.07 D I	Triticale	(7)	(7)
10.07 D II	Canary seed; other cereals	34,51	63,82 ⁽⁵⁾
11.01 A	Wheat or meslin flour	27,35	290,21
11.01 B	Rye flour	75,79	248,07
11.02 A I a)	Durum wheat groats and meal	91,25	413,92
11.02 A I b)	Common wheat groats and meal	28,33	312,22

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 4012/87
of 30 December 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 3808/87⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1945/87⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 29 December 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 coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 December 1987.

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

Done at Brussels, 30 December 1987.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 357, 19. 12. 1987, p. 12.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 41.

ANNEX

to the Commission Regulation of 30 December 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

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

B. Malt

(ECU/tonne)

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

COMMISSION REGULATION (EEC) No 4013/87

of 29 December 1987

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3808/87⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 3877/87⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Commission Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 3794/85⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 357, 19. 12. 1987, p. 12.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 365, 24. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹⁰⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹²⁾ OJ No L 367, 31. 12. 1985, p. 20.

gements arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as amended by Regulation (EEC) No 1821/87 ⁽²⁾;

Whereas, in respect of products falling within subheadings 0714 10 and 0714 90 10 of the combined nomenclature, Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheadings 0714 10 and 0714 90 10 of the combined nomenclature coming from third countries and amending Regulation (EEC) No 950/68 on the combined nomenclature ⁽³⁾ lays down the terms on which the import levy may be charged at 6 % *ad valorem* and provides for the Common Customs Tariff to be amended accordingly;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁴⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾,

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 29 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 29 December 1987 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Imports		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10	37,85	188,76 (!)	183,93 (!) (?)
0714 10 90	34,83	185,74 (!)	183,93 (!) (?)
0714 90 10	34,83	185,74 (!)	183,93 (!) (?)
1102 20 10 (?)	16,93	315,57	309,53
1102 20 90 (?)	9,19	178,42	175,40
1102 30 00 (?)	11,12	197,14	194,12
1102 90 10 (?)	68,73	340,37	334,33
1102 90 30 (?)	172,49	260,51	254,47
1102 90 90 (?)	33,43	184,42	181,40
1103 12 00 (?)	172,49	260,51	254,47
1103 13 11 (?)	16,93	297,57	291,53
1103 13 19 (?)	16,93	315,57	309,53
1103 13 90 (?)	9,19	178,42	175,40
1103 14 00 (?)	11,12	197,14	194,12
1103 19 10 (?)	86,41	309,18	303,14
1103 19 30 (?)	68,73	340,37	334,33
1103 19 90 (?)	33,43	184,42	181,40
1103 21 00 (?)	38,49	358,98	352,94
1103 29 10 (?)	86,41	309,18	303,14
1103 29 20 (?)	68,73	340,37	334,33
1103 29 30 (?)	172,49	260,51	254,47
1103 29 40 (?)	16,93	315,57	309,53
1103 29 50 (?)	11,12	197,14	194,12
1103 29 90 (?)	33,43	184,42	181,40
1104 11 10 (?)	38,55	192,47	189,45
1104 11 90 (?)	75,70	377,52	371,48
1104 12 10 (?)	97,34	147,22	144,20
1104 12 90 (?)	190,98	288,78	282,74
1104 19 10 (?)	38,49	358,98	352,94
1104 19 30 (?)	86,41	309,18	303,14
1104 19 50 (?)	16,93	315,57	309,53
1104 19 91 (?)	19,79	335,67	329,63
1104 19 99 (?)	59,70	326,15	320,11
1104 21 10 (?)	58,75	300,20	297,18
1104 21 30 (?)	58,75	300,20	297,18
1104 21 50 (?)	93,12	470,39	464,35
1104 21 90 (?)	38,55	192,47	189,45
1104 22 10 (?)	169,47	257,49	254,47
1104 22 30 (?)	169,47	257,49	254,47
1104 22 50 (?)	150,97	229,21	226,19
1104 22 90 (?)	97,34	147,22	144,20
1104 23 10 (?)	12,70	278,16	275,14
1104 23 30 (?)	12,70	278,16	275,14
1104 23 90 (?)	9,19	178,42	175,40

(ECU/tonne)

CN code	Imports		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10 10 ⁽²⁾ ⁽⁹⁾	27,00	263,81	260,79
1104 29 10 20 ⁽²⁾ ⁽⁷⁾	62,40	227,01	223,99
1104 29 10 30 ⁽²⁾ ⁽⁸⁾	50,72	287,56	284,54
1104 29 10 40 ⁽²⁾ ⁽⁹⁾	50,72	287,56	284,54
1104 29 10 90 ⁽²⁾ ⁽¹⁰⁾	50,72	287,56	284,54
1104 29 30 10 ⁽²⁾ ⁽⁹⁾	31,87	316,75	313,73
1104 29 30 20 ⁽²⁾ ⁽⁷⁾	74,46	272,48	269,46
1104 29 30 30 ⁽²⁾ ⁽⁸⁾	50,72	287,56	284,54
1104 29 30 40 ⁽²⁾ ⁽⁹⁾	50,72	287,56	284,54
1104 29 30 90 ⁽²⁾ ⁽¹⁰⁾	50,72	287,56	284,54
1104 29 91 ⁽²⁾	21,41	203,02	200,00
1104 29 95 ⁽²⁾	48,56	174,80	171,78
1104 29 99 ⁽²⁾	33,43	184,42	181,40
1104 30 10	19,56	153,10	147,06
1104 30 90	10,58	135,01	128,97
1106 20 10	37,85	188,76	182,11 ⁽⁹⁾
1106 20 91	30,29	281,31	257,13 ⁽⁹⁾
1106 20 99	30,29	297,41	273,23 ⁽⁹⁾
1107 10 11	42,97	359,90	349,02
1107 10 19	34,86	271,67	260,79
1107 10 91	72,88	341,50 ⁽⁹⁾	330,62
1107 10 99	57,20	257,91	247,03
1107 20 00	64,87	298,78 ⁽⁹⁾	287,90
1108 11 00	60,22	421,13	400,58
1108 12 00	30,29	281,31	260,76
1108 13 00	30,29	281,31	260,76
1108 14 00	30,29	281,31	130,38 ⁽⁹⁾
1108 19 10	42,44	290,95	260,12
1108 19 90	30,29	281,31	130,38
1109 00 00	253,46	909,66	728,32
1702 30 91 ⁽²⁾	109,43	436,84	340,12
1702 30 99 ⁽²⁾	76,23	327,25	260,76
1702 40 90 ⁽²⁾	76,23	327,25	260,76
1702 90 50 ⁽²⁾	76,23	327,25	260,76
1702 90 75	110,03	453,03	356,31
1702 90 79	75,75	314,29	247,80
2106 90 55	76,23	327,25	260,76
2302 10 10	15,52	83,53	77,53
2302 10 90	26,40	172,13	166,13
2302 20 10	15,52	83,53	77,53
2302 20 90	26,40	172,13	166,13
2302 30 10	15,52	83,53	77,53
2302 30 90	26,40	172,13	166,13
2302 40 10	15,52	83,53	77,53
2302 40 90	26,40	172,13	166,13
2303 10 11	193,44	505,26	323,92

- (¹) This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (²) For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications :
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.
- (³) Pursuant to Regulation (EEC) No 2730/75 the products falling within subheadings 1702 30 51 and 1702 30 59 are subject to the same levy as products falling within subheading 1702 30 91 and 1702 30 99.
- (⁴) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (⁵) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- arrow-root falling within subheading 0714 90 10,
 - flours and meal of arrow-root falling within subheading 1106 20,
 - arrow-root starch falling within subheading 1108 19 90.
- (⁶) Taric code : wheat.
- (⁷) Taric code : rye.
- (⁸) Taric code : millet.
- (⁹) Taric code : sorghum.
- (¹⁰) Taric code : others.
-

COMMISSION REGULATION (EEC) No 4014/87

of 29 December 1987

fixing the import levies on compound feedingstuffs

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 3808/87⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural

products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87⁽⁶⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁷⁾, as last amended by Regulation (EEC) No 3877/87⁽⁸⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹⁰⁾, as last amended by Regulation (EEC) No 31/76⁽¹¹⁾, and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Council Regulation (EEC) No 2658/87⁽¹²⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹³⁾, as last amended by Regulation (EEC) No 1636/87⁽¹⁴⁾,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 327, 19. 12. 1987, p. 12.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 61, 26. 2. 1986, p. 4.

⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁸⁾ OJ No L 365, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽¹⁰⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹¹⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹²⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 29 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 December 1987 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	Third countries (other than ACP and OCT)	ACP and OCT
2309 10 11	10,88	38,39	27,51
2309 10 13	10,88	656,85	645,97
2309 10 31	10,88	96,86	85,98
2309 10 33	10,88	715,32	704,44
2309 10 51	10,88	182,84	171,96
2309 10 53	10,88	801,30	790,42
2309 90 31	10,88	38,39	27,51
2309 90 33	10,88	656,85	645,97
2309 90 41	10,88	96,86	85,98
2309 90 43	10,88	715,32	704,44
2309 90 51	10,88	182,84	171,96
2309 90 53	10,88	801,30	790,42

COMMISSION REGULATION (EEC) No 4015/87

of 30 December 1987

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community, and in particular Article 5 thereof,
Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3996/87⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is given for dried fodder as described under Article 1 (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices for dehydrated fodder and for protein concentrates; whereas the aid for fodder otherwise dried includes an amount to be deducted;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1961/87 of 2 July 1987 fixing the guide price for dried fodder for the 1987/88 marketing year⁽³⁾;

Whereas Commission Regulation (EEC) No 2334/87⁽⁴⁾, fixed the rate referred to in Article 5 (2) of Regulation (EEC) No 1117/78;

Whereas, in the absence of the guide price for dried fodder and of the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 and of the intervention price for barley for the 1988/89 marketing year, the rate of the aid in case of advance fixing for the months concerned has been obtainable only provisionally and should be confirmed or replaced once the guide price and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 and of the intervention price for barley for the 1988/89 marketing year are known;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 1173/87⁽⁶⁾, the average world market price for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend;

whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁷⁾, as last amended by Regulation (EEC) No 2334/87⁽⁸⁾;

Whereas, when no offer of or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price, it is to be determined from offers on the world market of, and quotations on, the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas, under Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, this price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, under Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Council Regulation (EEC) No 1315/85⁽⁹⁾; whereas when for one of the months following that of the introduction of aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78, the price determined for the previous month is used to calculate the difference; whereas when for two or more consecutive months following that of the introduction of aid, the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78, the prices for the months in question are determined by applying the criteria laid down in Article 3 of Regulation (EEC) No 1417/78;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC)

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 184, 3. 7. 1987, p. 7.

⁽⁴⁾ OJ No L 210, 1. 8. 1987, p. 63.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 113, 30. 4. 1987, p. 13.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 210, 1. 8. 1987, p. 63.

⁽⁹⁾ OJ No L 137, 27. 5. 1985, p. 28.

No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 for the product concerned; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the aid applicable in these two Member States is to be adjusted by an amount equal to the inci-

dence of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage and the amount referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.
2. The rate of the aid in case of advance fixing for the 1988/89 marketing year shall, however, be confirmed or replaced with effect from 1 January 1988 to take into account the prices and measures in the Annex fixed for the 1988/89 marketing year.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 December 1987 fixing the rate of the aid for dried fodder

Aid applicable from 1 January 1988 to dried fodder

(ECU/tonne)

	Fodder dehydrated by artificial heat-drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	65,270	85,613	87,330	22,270	42,613	44,330

Aid in case of advance fixing for the month of :

(ECU/tonne)

February 1988	65,989	86,345	88,049	22,989	43,345	45,049
March 1988	65,989	86,345	88,049	22,989	43,345	45,049
April 1988	67,725	88,114	89,785	24,725	45,114	46,785
May 1988 (1)	70,568	91,010	92,628	27,568	48,010	49,628
June 1988 (1)	70,568	91,010	92,628	27,568	48,010	49,628
July 1988 (1)	70,250	90,686	92,310	27,250	47,686	49,310
August 1988 (1)	70,606	91,049	92,666	27,606	48,049	49,666
September 1988 (2)	0,000	0,000	0,000	0,000	0,000	0,000
October 1988 (2)	0,000	0,000	0,000	0,000	0,000	0,000

(1) Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

(2) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 4016/87
of 30 December 1987
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans⁽¹⁾, as amended by Regulation (EEC) No 4002/87⁽²⁾, and in particular Article 2(7) thereof,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 2946/87⁽³⁾, as last amended by Regulation (EEC) No 3750/87⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2946/87 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of amended Regulation (EEC) No 1491/85 is hereby fixed in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission
 Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.
⁽²⁾ OJ No L 377, 31. 12. 1987.
⁽³⁾ OJ No L 278, 1. 10. 1987, p. 75.
⁽⁴⁾ OJ No L 353, 16. 12. 1987, p. 5.

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in:			
— Spain	0	33,441	33,441
— Portugal	21,615	0	33,441
— another Member State	21,615	33,441	33,441

COMMISSION REGULATION (EEC) No 4017/87
of 29 December 1987
altering the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3808/87 ⁽²⁾, and in particular the fifth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, and in particular Article 15 thereof,

Whereas the export refunds on malt were fixed by Regulation (EEC) No 3803/87 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁶⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87,

the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽⁷⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No 1441/84 to the information at present available 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 malt listed in Article 1 (d) of Regulation (EEC) No 2727/75, subject to Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 3803/87 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 29 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 357, 19. 12. 1987, p. 12.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 356, 18. 12. 1987, p. 52.

⁽⁵⁾ OJ No L 281, 1. 1. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 29 December 1987 altering the export refunds on malt

Product code	Refund <i>(ECU / tonne)</i>
1107 10 19 000	146,30
1107 10 99 000	183,42
1107 20 00 000	213,76

COMMISSION REGULATION (EEC) No 4018/87
of 30 December 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 3994/87⁽²⁾ and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 3882/87⁽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 1869/87⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1987/88 marketing year were fixed by Regulations (EEC) No 1917/87⁽⁷⁾ and (EEC) No 1918/87⁽⁸⁾

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 1917/87;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1987/88 marketing year, has been fixed by Commission Regulations (EEC) No 2292/87⁽⁹⁾ and (EEC) No 2295/87⁽¹⁰⁾;

Whereas the standard quality for sunflower seed has been changed by the Council for the 1987/88 marketing year; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation (EEC) No 2869/87⁽¹¹⁾;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which

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

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 365, 24. 12. 1987, p. 13.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 176, 1. 7. 1987, p. 30.

⁽⁷⁾ OJ No L 183, 3. 7. 1987, p. 14.

⁽⁸⁾ OJ No L 183, 3. 7. 1987, p. 16.

⁽⁹⁾ OJ No L 209, 31. 7. 1987, p. 40.

⁽¹⁰⁾ OJ No L 209, 31. 7. 1987, p. 43.

⁽¹¹⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹⁴⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0,242 ECU;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should

be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as amended by Regulation (EEC) No 935/86⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 3857/87⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 5.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 363, 23. 12. 1987, p. 26.

and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86⁽²⁾ of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain;

Whereas Council Regulation (EEC) No 1920/87⁽³⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal; whereas the amount of this subsidy should be fixed;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 2138/87⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price less 7,5 % or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate,
- (b) for the other Member States, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ECU and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ECU in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

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 Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 183, 3. 7. 1987.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 200, 21. 7. 1987, p. 9.

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

3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed

harvested and processed in Portugal is fixed in Annex III.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 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 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	21,937	22,373	23,047	23,444	24,106	24,106
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	53,46	54,50	56,10	57,15	58,71	59,02
— Netherlands (Fl)	59,26	60,42	62,22	63,39	65,15	65,46
— BLEU (Bfrs/Lfrs)	1 050,72	1 071,69	1 104,14	1 122,56	1 154,45	1 149,55
— France (FF)	157,71	160,98	165,86	168,32	173,39	174,10
— Denmark (Dkr)	189,13	192,95	198,90	202,38	208,22	206,39
— Ireland (£ Irl)	17,526	17,890	18,460	18,757	19,319	19,236
— United Kingdom (£)	12,312	12,603	13,080	13,340	13,808	13,678
— Italy (Lit)	33 338	34 036	35 002	35 457	36 546	36 340
— Greece (Dr)	1 905,33	1 936,11	2 029,60	2 045,35	2 145,87	2 073,95
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Pta)	3 303,41	3 370,74	3 445,94	3 494,39	3 597,78	3 566,70
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 239,69	4 309,15	4 426,53	4 476,28	4 595,28	4 549,46

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
1. Gross aids (ECU):						
— Spain	2,500	2,500	2,500	2,500	2,500	2,500
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	24,437	24,873	25,547	25,944	26,606	26,606
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	59,42	60,46	62,06	63,11	64,67	64,98
— Netherlands (Fl)	65,94	67,11	68,90	70,07	71,83	72,14
— BLEU (Bfrs/Lfrs)	1 170,88	1 191,85	1 224,31	1 242,72	1 274,61	1 269,71
— France (FF)	176,40	179,67	184,55	187,01	192,07	192,79
— Denmark (Dkr)	211,01	214,84	220,79	224,26	230,11	228,28
— Ireland (£ Irl)	19,605	19,969	20,538	20,835	21,397	21,315
— United Kingdom (£)	13,953	14,244	14,720	14,981	15,448	15,318
— Italy (Lit)	37 330	38 028	38 994	39 450	40 539	40 333
— Greece (Dr)	2 226,18	2 256,96	2 350,45	2 366,20	2 466,72	2 394,80
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	385,53	385,53	385,53	385,53	385,53	385,53
— in another Member State (Pta)	3 688,95	3 756,28	3 831,47	3 879,92	3 983,32	3 952,24
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	429,31	429,31	429,31	429,31	429,31	429,31
— in another Member State (Esc)	4 669,00	4 738,46	4 855,84	4 905,59	5 024,59	4 978,77

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
1. Gross aids (ECU):					
— Spain	3,440	3,440	3,440	3,440	3,440
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	33,967	34,090	34,423	34,756	35,159
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	82,10	82,42	83,24	84,15	85,11
— Netherlands (Fl)	91,40	91,74	92,64	93,64	94,73
— BLEU (Bfrs/Lfrs)	1 629,11	1 634,94	1 650,92	1 666,22	1 685,57
— France (FF)	247,91	248,69	250,86	252,79	255,77
— Denmark (Dkr)	294,57	295,59	298,48	301,37	304,89
— Ireland (£ Irl)	27,558	27,645	27,913	28,150	28,482
— United Kingdom (£)	20,293	20,331	20,532	20,733	20,988
— Italy (Lit)	52 621	52 780	53 158	53 493	54 128
— Greece (Dr)	3 487,59	3 457,56	3 483,87	3 482,98	3 530,59
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	530,49	530,49	530,49	530,49	530,49
— in another Member State (Pta)	3 970,38	3 988,51	4 008,92	4 046,28	4 108,08
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 744,42	6 753,41	6 805,95	6 842,97	6 912,79
— in another Member State (Esc)	6 549,20	6 557,94	6 608,96	6 644,91	6 712,71
3. Compensatory aids:					
— in Spain (Pta)	3 921,61	3 939,75	3 961,95	3 999,32	4 062,92
4. Special aid:					
— in Portugal (Esc)	6 549,20	6 557,94	6 608,96	6 644,91	6 712,71

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,029807.

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 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
DM	2,064870	2,059500	2,054110	2,049060	2,049060	2,033820
Fl	2,321810	2,317270	2,313300	2,309760	2,309760	2,298000
Bfrs/Lfrs	43,176700	43,169700	43,171100	43,167900	43,167900	43,161000
FF	6,987310	7,001830	7,016130	7,028200	7,028200	7,070720
Dkr	7,957360	7,972270	7,989900	8,010760	8,010760	8,069730
£ Irl	0,777525	0,778392	0,779554	0,780692	0,780692	0,784848
£	0,691816	0,693042	0,694133	0,695179	0,695179	0,698347
Lit	1 518,18	1 524,30	1 530,31	1 536,45	1 536,45	1 553,93
Dr	163,53500	165,68900	167,72600	169,55200	169,55200	175,61200
Esc	168,70500	169,92600	171,11000	172,46800	172,46800	175,43400
Pta	140,08500	140,63600	141,19900	141,84300	141,84300	143,82100

COMMISSION REGULATION (EEC) No 4019/87
of 22 December 1987
fixing the sluice-gate prices and levies for poultrymeat

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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 3907/87⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽³⁾, as last amended by Regulation (EEC) No 3986/87⁽⁴⁾;

Whereas, pending the amendment of Regulation (EEC) No 2777/75, the Commission had, by way of an exception, limited by Regulation (EEC) No 3226/87⁽⁵⁾ the fixation of the sluice-gate prices and levies for poultrymeat to a period ending on 31 December 1987; whereas, after adoption by the Council of Regulation (EEC) No 3907/87 following the introduction of the combined nomenclature, the amounts for January 1988 may be fixed on the basis of the calculation figures used for the fixation of the sluice-gate prices and levies by Regulation (EEC) No 3226/87 taking into account the coefficients to calculate the levies for derived products as set out in Regulation (EEC) No 3986/87;

Whereas, Commission Regulation (EEC) No 631/86 of 28 February 1986 on the application of import levies on

products from Portugal suspended the application of import levies on poultrymeat products from Portugal⁽⁶⁾ owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other hand; whereas the situation still pertains;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 in respect of the products specified in Article 1 (1) of that Regulation and the sluice-gate prices provided for in Article 7 of that Regulation in respect of the like products shall, for the period 1 to 31 January 1988, be as fixed in the Annex hereto.
2. However, for products falling within subheadings 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90 of the combined nomenclature for which the rate of duty has been bound under GATT, the levies shall be limited to the amount resulting from that binding.
3. For imports of products specified in paragraph 1 from Portugal, application of the levies shall be suspended.

Article 2

This Regulation shall enter into force on 1 January 1988.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 370, 30. 12. 1987.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁴⁾ OJ No L 376, 31. 12. 1987.

⁽⁵⁾ OJ No L 307, 29. 10. 1987, p. 29.

⁽⁶⁾ OJ No L 60, 1. 3. 1986, p. 11.

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

Done at Brussels, 22 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 22 December 1987 fixing the sluice-gate prices and levies for poultrymeat

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 00	21,89	7,53	—
0105 19 10	97,73	23,50	—
0105 19 90	21,98	7,53	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	75,63	31,23	—
0105 99 10	84,60	48,77	—
0105 99 20	110,50	48,06	—
0105 99 30	100,86	35,70	—
0105 99 50	116,32	50,35	—
0207 10 11	95,02	39,24	—
0207 10 15	108,04	44,61	—
0207 10 19	117,72	48,61	—
0207 10 31	144,09	51,00	—
0207 10 39	157,94	55,90	—
0207 10 51	99,53	57,38	—
0207 10 55	120,86	69,67	—
0207 10 59	134,28	77,42	—
0207 10 71	157,85	68,65	—
0207 10 79	148,40	73,38	—
0207 10 90	166,17	71,93	—
0207 21 10	108,04	44,61	—
0207 21 90	117,72	48,61	—
0207 22 10	144,09	51,00	—
0207 22 90	157,94	55,90	—
0207 23 11	120,86	69,67	—
0207 23 19	134,28	77,42	—
0207 23 51	157,85	68,65	—
0207 23 59	148,40	73,38	—
0207 23 90	166,17	71,93	—
0207 31 00	1 578,50	686,50	3
0207 39 11	276,55	130,35	—
0207 39 13	129,49	53,47	—
0207 39 15	89,38	40,38	—
0207 39 17	61,88	27,95	—
0207 39 21	178,27	73,61	—
0207 39 23	167,46	69,15	—
0207 39 25	275,02	124,24	—
0207 39 27	61,88	27,95	—
0207 39 31	302,59	107,10	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 33	173,73	61,49	—
0207 39 35	89,38	40,38	—
0207 39 37	61,88	27,95	—
0207 39 41	230,54	81,60	—
0207 39 43	108,07	38,25	—
0207 39 45	194,52	68,85	—
0207 39 47	275,02	124,24	—
0207 39 51	61,88	27,95	—
0207 39 53	311,64	154,10	—
0207 39 55	276,55	130,35	—
0207 39 57	147,71	85,16	—
0207 39 61	163,24	80,72	—
0207 39 63	182,79	79,12	—
0207 39 65	89,38	40,38	—
0207 39 67	61,88	27,95	—
0207 39 71	222,60	110,07	—
0207 39 73	178,27	73,61	—
0207 39 75	215,18	106,40	—
0207 39 77	167,46	69,15	—
0207 39 81	188,48	100,14	—
0207 39 83	275,02	124,24	—
0207 39 85	61,88	27,95	—
0207 39 90	158,14	71,44	10
0207 41 10	276,55	130,35	—
0207 41 11	129,49	53,47	—
0207 41 21	89,38	40,38	—
0207 41 31	61,88	27,95	—
0207 41 41	178,27	73,61	—
0207 41 51	167,46	69,15	—
0207 41 71	275,02	124,24	—
0207 41 90	61,88	27,95	—
0207 42 10	302,59	107,10	—
0207 42 11	173,73	61,49	—
0207 42 21	89,38	40,38	—
0207 42 31	61,88	27,95	—
0207 42 41	230,54	81,60	—
0207 42 51	108,07	38,25	—
0207 42 59	194,52	68,85	—
0207 42 71	275,02	124,24	—
0207 42 90	61,88	27,95	—
0207 43 11	311,64	154,10	—
0207 43 15	276,55	130,35	—
0207 43 21	147,71	85,16	—
0207 43 23	163,24	80,72	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 25	182,79	79,12	—
0207 43 31	89,38	40,38	—
0207 43 41	61,88	27,95	—
0207 43 51	222,60	110,07	—
0207 43 53	178,27	73,61	—
0207 43 61	215,18	106,40	—
0207 43 63	167,46	69,15	—
0207 43 71	188,48	100,14	—
0207 43 81	275,02	124,24	—
0207 43 90	61,88	27,95	—
0207 50 10	1 578,50	686,50	3
0207 50 90	158,14	71,44	10
0209 00 90	137,51	62,12	—
0210 90 71	1 578,50	686,50	3
0210 90 79	158,14	71,44	10
1501 00 90	165,01	74,54	18
1602 31 11	288,18	102,00	17
1602 31 19	302,52	136,66	17
1602 31 30	165,01	74,54	17
1602 31 90	96,26	43,48	17
1602 39 11	271,74	129,80	—
1602 39 19	302,52	136,66	17
1602 39 30	165,01	74,54	17
1602 39 90	96,26	43,48	17

COMMISSION REGULATION (EEC) No 4020/87
of 30 December 1987

altering the specific agricultural conversion rates applicable in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86⁽⁵⁾, as last amended by Regulation (EEC) No 3490/87⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁷⁾ as last amended by Regulation (EEC) No 1955/87⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Greek drachma recorded in accordance with Regulation (EEC) No 3153/85 during the period 23 to 29 December 1987, requires the specific agricultural conversion rate applicable for Greece to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 4 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁶⁾ OJ No L 330, 21. 11. 1987, p. 18.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 186, 6. 7. 1987, p. 1.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

1 ECU = Bfs	48,2869
= DM	2,34113
= Dkr	8,93007
= Dr	184,681
= Pta	156,526
= FF	7,85183
= £Irl	0,873900
= Lit	1 704,94
= Fl	2,63785
= £	0,787378

COMMISSION REGULATION (EEC) No 4021/87

of 23 December 1987

instituting a system for the authorization of imports in respect of imports into France of certain kinds of beach slippers, slippers and other indoor footwear

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/82 of 30 June 1982 on common rules for imports from the People's Republic of China⁽¹⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level⁽²⁾, as last amended by Regulation (EEC) No 2273/87⁽³⁾, and in particular Article 9 (3) and (4) thereof,

After consultations within the advisory committees set up by the above Regulations,

Whereas :

A. Procedure

- (1) By means of Regulation (EEC) No 3667/84⁽⁴⁾, as amended⁽⁵⁾, the Commission set up a system for the authorization of import into France for certain kinds of beach slippers, slippers and other indoor footwear of Chinese origin. In so doing the Commission took account of the steps taken by the authorities of the principal exporting country, the People's Republic of China, which subjects the export to France of the product in question to an export certificate in order to contain such exports within certain quantitative limits in 1985, 1986 and 1987.
- (2) On 16 July 1987 the Commission was informed by the French authorities that the expiry of the measures in question, due on 31 December 1987, threatened to expose French producers to serious injury once again.
- (3) The French request was supported by evidence regarding the trend of imports and the conditions under which they were taking place, in particular

with regard to prices. Information had also been supplied regarding the effects of such imports on the slipper and beach slipper industries.

- (4) Having decided, after consultations, that the evidence in its possession was sufficient to justify the initiation of an investigation, the Commission accordingly announced, in a notice published in the *Official Journal of the European Communities*⁽⁶⁾, the initiation of a Community investigation in respect of imports into France of the products concerned originating in China and commenced the investigation.
- (5) The Commission officially informed the importers known to be concerned and gave all parties concerned the opportunity to make known their views in writing or to request an oral hearing.

Arguments were presented on behalf of the French producers, notably by the Fédération Nationale de l'Industrie de la Chaussure de France.

- (6) China was given an opportunity to make known its views in writing or to request an oral hearing. Non-confidential parts of the report of the investigation were sent to the authorities of the principal exporting country, the People's Republic of China.
- (7) In the course of its investigation, the Commission endeavoured to gather and verify all the information it regarded as necessary. It carried out checks at the premises of the following companies :

French producers :

- Ets. Etchandy, Mauléon,
- Aguer & Fils SA, Mauléon,
- Ets Victor, Bayonne.

The following importers were consulted :

- Atlex, Paris
- Borsumij Wehy France, Wissous,
- Chauss-Europe, Le Havre,
- Dresco, Saint-Maur (Paris),
- Interco, Saint-Pierre Montlimart,
- Netter & Cie, Paris,
- Rondinaud, Rivières,
- Savignard, Loudun,
- Sogamax, Ales Cédex.

⁽¹⁾ OJ No L 195, 5. 7. 1982, p. 21.

⁽²⁾ OJ No L 346, 8. 12. 1983, p. 6.

⁽³⁾ OJ No L 217, 6. 8. 1987, p. 1.

⁽⁴⁾ OJ No L 340, 28. 12. 1984, p. 30.

⁽⁵⁾ OJ No C 252, 3. 10. 1985, p. 3.

⁽⁶⁾ OJ No C 293, 4. 11. 1987, p. 9.

The importers and their national federation and union were granted a hearing. They were at pains to point out that the Chinese beach slippers and slippers could not compete against the French manufacturers' products as they were not of comparable quality.

- (8) Price comparisons made related to the period 1 January to 31 July 1987.

B Products and industries concerned

- (9) The products which are the subject of the investigation are, first, slippers and other indoor footwear with textile outer soles falling within heading No ex 64.04 of the Common Customs Tariff, corresponding to NIMEXE code 64.04-10, and slippers and other indoor footwear with uppers of textile fabric falling within subheading ex 64.02 B of the Common Customs Tariff, corresponding to NIMEXE code ex 64.02-60, and secondly, all types of beach slippers, including those with outer soles with elastomer (beach slippers falling within subheading ex 64.02 B of the Common Customs Tariff, NIMEXE code 64.02-69) and those without elastomer (beach slippers falling within subheading ex 64.04 of the Common Customs Tariff, NIMEXE code ex 64.04-90).
- (10) The Commission investigation showed that a distinction should be made between slippers and beach slippers, whether with regard to import trends, prices or the impact of imports on French industry, since slipper production and beach slipper production constitute two different industries.

C. Slippers

- (11) The investigation showed that slippers originating in China, whether falling within subheading ex 64.02 B of the Common Customs Tariff, corresponding to NIMEXE code ex 64.02-60, or within other headings, generally have textile soles coated with plastic material and that slippers manufactured in France with outer soles of rubber or artificial plastic material are similar to or directly competitive with such products. For that reason, the impact of imports of the slippers in question was gauged in relation to French production of slippers with soles of rubber or artificial plastic material, whether or not the slippers had textile uppers.

- (12) Following the implementation in January 1985 of the system instituted by Regulation (EEC) No 3667/84 in respect of slippers originating in China, the level of imports originating in China was 20,9 million pairs in 1985, 22,8 million pairs in 1986 and 15 million pairs in the first seven months of 1987, which corresponds approximately with the export limits decided on by the Chinese authorities. Attention must be drawn, however, to the very strong rise in recent years in imports of unprotected slippers falling within NIMEXE code ex 64.02-60 (up by 195 % in 1986 compared with 1985, and showing a similar trend in 1987).

- (13) Resale prices of these imports in France were substantially lower than the prices applied by Community producers; the average price differential varied between 30 % and 70 %, depending on the article.
- (14) With regard to the impact of the imports on the French slipper industry, the Commission investigation highlighted the fact that serious economic difficulties still existed.

The investigation showed that over the period since 1980 apparent consumption has remained relatively steady, at around 70 million pairs. Production of slippers, after falling since 1980 (51 million pairs) has also stabilized at about 45 million pairs with a peak of 48 million pairs in 1986 due to voluntary restraint on Chinese imports. This held the Chinese share of the French market to 30 %, allowing French manufacturers to diversify and to broaden their production towards the middle of the range.

- (15) However, the investigation showed that the French producers remained very vulnerable to Chinese competition. The lower end of the slipper market has now been largely taken over by imports from outside the Community, mainly from China. The tendency for the number of people employed to drop (from 11 000 in 1984 to 9 700 in 1987) and the tendency for the number of undertakings to drop (67 in 1983 and 60 in 1986) has not been reversed. In addition, financial results have remained very unsatisfactory despite the protective measures.

Taking into account the still-large market share of Chinese imports (30 %) and given the very low price levels of these imports, it is clear that if the protective measures were discontinued the inevitable result would be a further substantial increase in imports, which would in itself constitute a source of serious injury.

D. Beach slippers

- (16) The institution in January 1985 of the import system established by Regulation (EEC) No 3667/84 should have reduced imports from China to 3,2 million pairs in 1985, 3,4 million pairs in 1986 and 3,6 million pairs in 1987. Actual imports originating in China exceeded the levels laid down by the Chinese authorities, as communicated to the Commission. As a result, the Commission was forced in 1985 to change the quantitative limits for 1986 and 1987 to 3,15 million pairs and 3,35 million pairs respectively.

Imports of Chinese origin were 3,3 million pairs in 1985, 3,9 million pairs in 1986 and 4 million pairs in 1987 (seven months).

The market share held by Chinese imports, 25 % in 1984, continued to grow in 1985 and 1986, reaching 43 %.

- (17) The investigation showed that there was no apparent difference of quality between the Chinese and the French beach slippers. Resale prices of imported beach slippers on the French market were about 60 % below the prices applied by French producers. It should be noted that the cif sale price of Chinese beach slippers in Europe is well below the production cost, barely covering the cost of raw materials.
- (18) The investigation showed that French producers of beach slippers were still experiencing economic difficulties.

Indeed, the downward trend in the number of jobs was not reversed: numbers continued to fall, reaching 750 in 1987, which represents a loss of 38 % of jobs in three years; at the same time, the number of producers dropped from 16 firms in 1983 to 11 firms in 1987.

After falling from 14 million pairs in 1979 to 10 million in 1984, French production continued to decline in 1985 (9,8 million pairs), 1986 (9,1 million pairs) and 1987 (an estimated 8,7 million pairs).

- (19) It may be considered that the lower end of the beach slipper market has now been taken over by imports from outside the Community, in particular

from China. The French producers have responded to Chinese competition by extensive modernization, which has meant diversifying their production in the direction of more expensive articles and boosting exports to a considerable extent.

- (20) In the light of the results of the investigation, it is clear that, given the prices charged by the Chinese exporters and their considerable and growing production capacity, failure to maintain protective measures would inevitably result in a further substantial increase in imports, which would in itself constitute a source of serious injury and jeopardize the modernization measures.

E. Protective measures

- (21) It emerges from the foregoing that, in the case of both slippers and beach slippers, the abandonment of voluntary restraint would cause serious injury to the French producers. The adoption of further protective measures for a period of three years is necessary in order to impede as little as possible the smooth development of world trade and to permit the French undertakings concerned to pursue their modernization programmes.
- (22) In view of this situation, consultations have taken place between the Commission and the Chinese authorities, in accordance with Article 6 of the Trade and Economic Cooperation Agreement⁽¹⁾ concluded between the Community and the People's Republic of China, which is the principal exporting country, in order to find a solution to the problems created by the imports in question.
- (23) Following these consultations, and in accordance with the spirit of the abovementioned Article 6, the Chinese authorities notified the Commission of the steps taken by their Government to make export into France of the slippers and beach slippers in question subject to export certificates and also to issue such certificates in such a way as to comply with the following quantitative limits for exports of the products in question into France during the calendar years 1988, 1986 and 1990.

⁽¹⁾ OJ No L 250, 19. 9. 1985, p. 1.

Description	CCT heading No	NIMEXE code	CN code	(1 000 pairs)		
				1988	1989	1990
Slippers and other indoor footwear	ex 64.04	ex 64.04-10	ex 6405 10 90 6405 20 91 ex 6405 90 90	25 000	25 900	26 700
	ex 64.02 B	ex 64.02-60	6404 19 10 6404 20 10 ex 6405 90 10			
Beach slippers	ex 64.04	ex 64.04-90	ex 6405 10 90 6405 20 99 ex 6405 90 90	3 700	3 900	4 100
	ex 64.02 B	ex 64.02-69	6404 19 90 ex 6404 20 90			

These quantitative limits are to be increased, where appropriate, by unused quantities carried over from the previous year, or reduced by quantities used in advance from the quantitative limit for the following year.

- (24) In view of the measures taken by the Chinese Government it is necessary, in respect of imports of slippers and beach slippers into France, that appropriate verification procedures are set up to ensure that the machinery introduced by the authorities of the People's Republic of China to limit exports is operating properly.
- (25) As the investigation showed that the increased penetration of imports originating in the People's Republic of China affected the French market only, there is no need for immediate action in respect of the Member States to safeguard Community interests,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into France of the products set out below originating in the People's Republic of China shall be subject to an import authorization issued by the French authorities.

CCT heading No	NIMEXE code	CN-code	Description
ex 64.04	ex 64.04-10	ex 6405 10 90 6405 20 91 ex 6405 90 90	Slippers and other indoor footwear
ex 64.02 B	ex 64.02-60	6404 19 10 6404 20 10 ex 6405 90 10	
ex 64.04	ex 64.04-90	ex 6405 10 90 6405 20 99 ex 6405 90 90	Beach slippers
ex 64.02 B	ex 64.02-69	6404 19 90 ex 6404 20 90	

This import shall be valid only in the Member State in which it was issued.

2. The import authorization referred to in paragraph 1 shall be issued automatically, free of charge, within a maximum of five working days from the date of presentation by the importer of the original of the export certificate corresponding to the quantities request issued by the authorities in China, subject to the annual quantitative limits for the Member State in question.

Article 2

The Community investigation proceeding to re-examine the trends of certain kinds of slippers and other indoor footwear and certain kinds of beach slippers is hereby terminated.

Article 3

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

It shall be applicable from 1 January 1988 until 31 December 1990

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

Done at Brussels, 23 December 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION REGULATION (EEC) No 4022/87

of 23 December 1987

opening, for the 1987/88 wine year, distillation as provided for in Article 39 of
Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 3146/87⁽²⁾, and in particular Article 39 (9), (10) and (11) thereof,

Whereas the data available at present to the Commission, and in particular those in the forward estimate for the 1987/88 wine year, show that a feature of that year is a serious imbalance on the market for table wine and wine suitable for yielding table wine; whereas the conditions laid down in Article 39 (1) of Regulation (EEC) No 822/87 for initiating compulsory distillation are therefore fulfilled;

Whereas, in view of the prices and the desirable level of availabilities at the end of year, the distillation of 34 142 000 hectolitres of table wine appears necessary in the Community;

Whereas Article 39 (3) of Regulation (EEC) No 822/87 lays down the rule for apportioning the total quantity to be distilled between the various production regions as determined by Article 4 (2) of Commission Regulation (EEC) No 854/86⁽³⁾, as last amended by Regulation (EEC) No 1410/87⁽⁴⁾, depending on the quantity of table wine produced by the latter during the wine year as a proportion of a reference production; whereas that reference production was fixed in Article 4 (3) of the abovementioned Regulation; whereas, for the 1987/88 wine year, the production of table wine in Regions 1 and 2 is less than the reference quantity and consequently no quantity is to be distilled in those regions; whereas, as a result of the application of the abovementioned rule and taking into consideration the special situation regarding stocks existing at the beginning of the second year of application of the new system, Region 3 is allotted 25,61 %, Region 4 is allotted 43,09 %, Region 5 is allotted 0,21 % and Region 6 is allotted 31,09 % of the total quantity to be distilled;

Whereas, in view of the derogation provided for in Article 39 (10) of Regulation (EEC) No 822/87, it should be specified that the quantity for preventive distillation is to be deducted from the quantity for compulsory distillation in Greece;

Whereas, the state of the market requires the surpluses to be withdrawn quickly; whereas the aim of compulsory distillations is likely not to be achieved if such withdrawals take place after 15 February only, the final date laid down for the Member States to forward the data enabling the obligation of each producer to be calculated;

Whereas if producers know the overall volume for distillation and the quantities to be distilled in each region of production they may, in particular on the basis of the obligation which they have fulfilled for that purpose during the previous wine year, make an accurate estimate of the quantities to be delivered for the 1987/88 wine year; whereas producers should accordingly be authorized to make deliveries in advance; whereas provision should be made for the quantities thus delivered by a producer to be deducted from his obligation calculated on the basis of the data to be established by the Commission in accordance with Article 5 of Regulation (EEC) No 854/86; whereas it should also be specified that quantities in excess of the obligation are not to qualify for the aid provided for in Article 39 (7) of Regulation (EEC) No 822/87 and that the distilled products obtained from those quantities may not be delivered to the intervention agency;

Whereas experience has shown that the fulfilment of a producer's obligation, through the delivery of wine obtained in a region of production other than that of the production of the said wine-grower, has contributed to the imbalance on the market in certain regions; whereas the obligation should be considered as fulfilled only where wine delivered and wine which is the subject of the obligation are obtained from the same region;

Whereas the application of the rule laid down in Article 39 (6) of Regulation (EEC) No 822/87 results in the buying-in price for table wine to be delivered for distillation being set at 43,68 % of the guide price for each type of table wine concerned; whereas, pursuant to the provisions of the second indent of Article 122 (2) of the Act of Accession, the buying-in price in Spain is to be fixed at 47,47 % of the Spanish guide price;

Whereas, in accordance with Article 39 (7) of Regulation (EEC) No 822/87, distillers may either receive aid in respect of the product to be distilled or deliver the product obtained from distillation to the intervention

(1) OJ No L 84, 27. 3. 1987, p. 1.

(2) OJ No L 300, 23. 10. 1987, p. 4.

(3) OJ No L 80, 25. 3. 1986, p. 14.

(4) OJ No L 135, 23. 5. 1987, p. 11.

agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Council Regulation (EEC) No 2179/83⁽¹⁾, as amended by Regulation (EEC) No 2687/84⁽²⁾; whereas to avoid production of wine spirits of mediocre quality and since there are no provisions on the subject, provision should be made for wine spirits produced to comply with national provisions in force;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Distillation as provided for in Article 39 (1) of Regulation (EEC) No 822/87 is hereby decided for the 1987/88 wine year.

2. The total quantity of table wine to be distilled shall be 34 142 000 hectolitres.

3. The quantities to be distilled in the regions as referred to in Article 4 (2) of Regulation (EEC) No 854/86 shall be as follows:

- Region 1: 0 hectolitres,
- Region 2: 0 hectolitres,
- Region 3: 8 744 000 hectolitres,
- Region 4: 14 712 000 hectolitres,
- Region 5: 71 000 hectolitres,
- Region 6: 10 615 000 hectolitres.

In the case of Region 5, the quantity provided for preventive distillation in that Region pursuant to Commission Regulation (EEC) No 2757/87⁽³⁾ shall be deducted from the abovementioned quantity.

4. Region 6 as referred to in paragraph 3 shall be divided into two parts as follows:

- Part A:
consisting of the Regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Guipúzcoa and Vizcaya,
- Part B:
consisting of any territory in Region 6 not included in Part A.

The quantities to be distilled in the abovementioned parts of Region 6 shall be as follows:

- Part A: 0 hectolitres,
- Part B: 10 615 000 hectolitres.

Article 2

Producers may deliver table wine for distillation as provided for in Article 39 of Regulation (EEC) No 822/87 on the entry into force of this Regulation. The quantities

delivered shall be deducted from their obligation. For quantities of table wine delivered for distillation in excess of the producer's obligation, the aid provided for in Article 4 shall not be payable. Products obtained from the distillation of those quantities may not be delivered to the intervention agency.

Article 3

Without prejudice to the application of Article 44 of Regulation (EEC) No 822/87, the buying-in prices for table wine to be delivered for compulsory distillation shall be:

- 1,36 ECU per % vol alcohol and per hectolitre for white table wine of type A I,
- 1,47 ECU per % vol alcohol and per hectolitre for red table wine of type R I or R II.

Those prices shall be 1,00 ECU and 1,08 ECU respectively per % vol alcohol and per hectolitre for wine obtained from grapes produced in Spain.

Article 4

The respective amounts of the aid for which the distiller may qualify shall, as against the prices laid down in Article 3, be:

- (a) where the product obtained from distillation complies with the definition of neutral spiritis as set out in the Annex to Regulation (EEC) No 2179/83:
 - 0,85 ECU and 0,49 ECU per % vol alcohol and per hectolitre where it is obtained from white wine of type A I,
 - 0,96 ECU and 0,57 ECU per % vol alcohol and per hectolitre where it is obtained from red table wine of type R I or R II;
- (b) where the product obtained from distillation is wine spirits complying with the quality criteria laid down by national provisions in force:
 - 0,74 ECU and 0,38 ECU per % vol alcohol and per hectolitre where it is obtained from white wine of type A I,
 - 0,85 ECU and 0,46 ECU per % vol alcohol and per hectolitre where it is obtained from red table wine of type R I or R II;
- (c) where the product obtained from distillation is raw spirits with an alcoholic strength of at least 52 % vol:
 - 0,74 ECU and 0,38 ECU per % vol alcohol and per hectolitre where it is obtained from white table wine of type A I,
 - 0,85 ECU and 0,46 ECU per % vol alcohol and per hectolitre where it is obtained from red table wine of type R I or R II.

Article 5

1. The respective prices to be paid to the distiller by the intervention agency for the product delivered in accordance with the second indent of the first subparagraph of Article 39 (7) of Regulation (EEC) No 822/87 shall, as against the prices laid down in Article 3, be:

⁽¹⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽²⁾ OJ No L 255, 25. 9. 1984, p. 1.

⁽³⁾ OJ No L 268, 14. 9. 1987, p. 10.

- 1,81 ECU and 1,45 ECU per % vol alcohol and per hectolitre where it is obtained from white table wine of type A I,
- 1,92 ECU and 1,53 ECU per % vol alcohol and per hectolitre where it is obtained from red table wine of type R I or R II.

Those prices shall apply to neutral spirits complying with the definition as set out in the Annex to Regulation (EEC) No 2179/83.

2. For spirits other than those referred to in paragraph 1, the prices given in that paragraph shall be reduced by 0,11 ECU per % vol alcohol and per hectolitre.

Article 6

The respective amounts of aid for which fortifiers of wine for distillation shall qualify shall, as against the prices laid down in Article 3 be :

- 0,72 ECU and 0,36 ECU per % vol alcohol and per hectolitre where it is obtained from white table wine of type A I,

- 0,83 ECU and 0,44 ECU per % vol alcohol and per hectolitre where it is obtained from red table wine of type R I or R II.

Article 7

By way of derogation from Article 13 (2) of Regulation (EEC) No 854/86, in the case of delivery in advance pursuant to Article 2, the buying-in price shall be paid by the distiller to the producer up to 30 April 1988.

Article 8

Pursuant to Article 12 (1) and (2) of Regulation (EEC) No 854/86, the obligation shall be deemed to have been fulfilled only where the wine delivered is obtained from the same region as that of the producer's own production.

Article 9

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

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

Done at Brussels, 23 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 4023/87
of 23 December 1987

providing, for the 1987/88 wine year, for the distillation of table wine referred to in Article 41 (1) of Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3146/87 ⁽²⁾, and in particular Articles 41 (10), 47 (3) and 81 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽⁵⁾, as last amended by Regulation (EEC) No 3882/87 ⁽⁶⁾,

Whereas Article 41 (1) of Regulation (EEC) No 822/87 provides that in years during which the distillation referred to in Article 39 is decided on, support distillation must be introduced as soon as the said measure enters into force ;

Whereas Commission Regulation (EEC) No 4022/87 ⁽⁷⁾ provided, in respect of the 1987/88 wine year, that the distillation referred to in Article 39 of Regulation (EEC) No 822/87 should be introduced ; whereas the distillation provided for in Article 41 (1) of Regulation (EEC) No 822/87 must, therefore, be introduced ;

Whereas, if this measure is to make an effective contribution to the improvement of market conditions it is necessary to introduce distillation for all table wines ; whereas, however, the minimum buying-in prices for the wines delivered for distillation are fixed at a percentage of the guide prices for the various types of table wine ; whereas it is therefore necessary also to define the table wines which have a close economic relationship with each type of table wine ;

Whereas, given the lack of a Commission definition of rosé wine and for the sake of clarity, it should be made clear that rosé table wines are treated as red table wines because of the close economic relationship between them ;

Whereas Article 47 of Regulation (EEC) No 822/87 provides that only producers fulfilling the obligations laid down in Article 35 and, where appropriate, Articles 36 and 39 of that Regulation during a reference period to be determined may qualify for the intervention measures ; whereas that period must therefore be specified ;

Whereas, in view of the improvement in market conditions which is expected to result from the application, during the marketing year in question, of the distillation measure provided for in Article 39 of Regulation (EEC) No 822/87, the overall quantity of table wine which may be distilled under support distillation arrangements should be limited to four million hectolitres and the total quantity of table wine for which each producer may submit one or more delivery contractor declarations for approval by the intervention agency should be limited to an appropriate percentage of the quantity of table wine which he has produced during the 1987/88 wine year ; whereas the quantity of table wine produced to which the said percentage is applied should be that shown in the production declaration provided for in Commission Regulation (EEC) No 2102/84 of 13 July 1984 on harvest, production and stock declarations relating to wine-sector products ⁽⁸⁾, as last amended by Regulation (EEC) No 2528/87 ⁽⁹⁾, and in the records provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers ⁽¹⁰⁾, as last amended by Regulation (EEC) No 3203/80 ⁽¹¹⁾ ;

Whereas, in certain Member States where wine is produced directly from grapes by the growers, it is possible to determine the quantities eligible for distillation by reference to the area utilized ; whereas this approach makes for a fairer distribution of the benefits of the measures, whilst ensuring the same degree of economic effectiveness ;

Whereas support distillation must be carried out in accordance with Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽¹²⁾, as amended by Regulation (EEC) No 2687/84 ⁽¹³⁾ ; whereas, in the context of such distillation, a reminder should also be issued concerning the consequences of failing to submit or of providing incomplete or erroneous declarations ;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 300, 23. 10. 1987, p. 4.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 9.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 365, 24. 12. 1987, p. 13.

⁽⁷⁾ See page 45 of this Official Journal.

⁽⁸⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁹⁾ OJ No L 240, 22. 8. 1987, p. 11.

⁽¹⁰⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽¹¹⁾ OJ No L 333, 11. 12. 1980, p. 18.

⁽¹²⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽¹³⁾ OJ No L 255, 25. 9. 1984, p. 1.

Whereas it should be stipulated that delivery contracts and declarations must contain the particulars necessary for the identification of the wines to which they refer ;

Whereas it is necessary to set certain time limits, applicable to both producers and distillers, for the performance of the operation, in order to ensure that the measure is as effective as possible ;

Whereas the price of wine for distillation is usually such that the products obtained by distillation cannot be offered for sale at market rates ; whereas it is therefore necessary to provide for aid at a level based on the criteria laid down in Article 8 of Regulation (EEC) No 2179/83, account also being taken of the present uncertainty surrounding prices on the market for the products of distillation ;

Whereas it is necessary to avoid the risk that the products of the distillation of certain wines may disturb the market in wine spirits with a designation of origin ; whereas, to this end, provision should be made pursuant to Article 3 (2) of Regulation (EEC) No 2179/83 so that the direct distillation of such wines cannot give rise to a product with an alcoholic strength of less than 92 % vol ;

Whereas under Article 41 (6) of Regulation (EEC) No 822/87 the minimum price payable for the purchase of the wine is that corresponding to the percentage specified in Article 29 of the said Regulation ; whereas the percentage concerned is 82 % in the case of the Member States of the Community as constituted at 31 December 1985 ; whereas under Article 122 of the Act of Accession of Spain and Portugal the percentage in question is 76 % in the case of Spain ;

Whereas provision should be made so that the minimum price guaranteed to producers is, as a rule, paid in time for them to derive therefrom a benefit comparable to that which they would obtain from a commercial sale ; whereas this being the case, it is necessary that payment of the aid for the distillation in question should be made as early as possible, with proper performance of the operations being guaranteed by appropriate security arrangements ;

Whereas certain wines delivered for the distillation provided for in this Regulation may be fortified for distillation ; whereas, consequently, the provisions applicable to the distillation operations should be adjusted in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83 ;

Whereas, in order that all producers are treated in the same manner where a reduction in the quantities of wine for distillation covered by delivery contracts and declarations has to be decided on, provisions must be made so that distillation operations do not commence until all contracts and declarations have been submitted to the intervention agencies and until the total quantities offered are known ;

Whereas the intervention agencies and the Commission must be informed of the performance of the distillation operations and must know in particular the quantities of wine distilled and the quantities of products obtained ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. For the 1987/88 wine year, all table wines shall be eligible for distillation pursuant to Article 41 (1) of Regulation (EEC) No 822/87, subject to a maximum quantity of four million hectolitres.

2. In accordance with Article 47 (1) of Regulation (EEC) No 822/87, producers who, during the 1986/87 wine year, were subject to the obligations referred to in Articles 35, 36 or 39 of Regulation (EEC) No 822/87 shall not be entitled to benefit from the measures provided for in this Regulation unless they provide proper evidence that they have complied with their obligations during the reference periods fixed respectively in Article 16 of Commission Regulation (EEC) No 2672/86⁽¹⁾, Article 13 of Commission Regulation (EEC) No 2705/86⁽²⁾, and Article 22 of Commission Regulation (EEC) No 854/86⁽³⁾.

Article 2

The contracts and declarations referred to in Articles 4 (1) and 5 (1) respectively of Regulation (EEC) No 2179/83 shall be submitted for approval to the competent intervention agency not later than 18 March 1988.

Article 3

1. The total quantity of table wine in respect of which each producer may conclude one or more contracts must not exceed 6 % of the quantity of table wine which he produced in 1987/88.

However, Member States may provide that the total quantity in respect of which each producer may conclude one or more contracts must not exceed five hectolitres per hectare of vineyard used for the production of table wine by the producer in question. Such provision may apply to the entire territory of the Member State or to an entire wine-growing zone or to the part of a wine-growing zone located within the territory of the Member State.

The minimum quantity of table wine which may be delivered by a producer shall be five hectolitres.

⁽¹⁾ OJ No L 244, 29. 8. 1986, p. 8.

⁽²⁾ OJ No L 246, 30. 8. 1986, p. 61.

⁽³⁾ OJ No L 80, 25. 3. 1986, p. 14.

2. The quantity of table wine to which the percentage specified in the first subparagraph of paragraph 1 is applied shall be, in the case of each producer, the sum of the quantities stated in his production declaration and the quantities produced by him after the date on which the production declaration provided for in Regulation (EEC) No 2102/84 was submitted which are entered in the records referred to in Article 14 of Regulation (EEC) No 1153/75.

Article 4

1. The contracts and declarations referred to in Article 2 shall include at least the following particulars:

- (a) the quantity, colour and actual alcoholic strength by volume of the table wine to be distilled;
- (b) the name and address of the producer;
- (c) the place where the wine is stored;
- (d) the name of the distiller or distillery;
- (e) the address of the distillery.

Article 5

1. Member States shall communicate to the Commission, not later than 15 April 1988, the data relating to the quantities of table wine covered by the contracts submitted to the intervention agency.

2. Where the communications referred to in paragraph 1 show that the total quantity of table wines covered by contracts submitted to intervention agencies exceeds four million hectolitres, the contracts can be approved only in respect of a certain percentage of the quantity proposed. The said percentage shall be set by the Commission not later than 6 May 1988 in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87.

3. The intervention agency shall inform the producer of the outcome of the approval procedure not later than 27 May 1988.

4. Approval shall be conditional on compliance with the conditions referred to in Article 10a of Regulation (EEC) No 2102/84.

Article 6

Without prejudice to the second subparagraph of Article 4 (2) of Regulation (EEC) No 2179/83 distillation operations may not commence before 9 May 1988 and may not be carried out after 31 August 1988.

Article 7

Only products with an alcoholic strength of at least 92 % vol may be obtained by the direct distillation of wines made from grapes of varieties which are classified, simultaneously for the same administrative unit, both as wine grape varieties and as varieties intended for the manufacture of wine spirits.

Article 8

1. Without prejudice to Article 44 of Regulation (EEC) No 822/87, the minimum buying-in price referred to in Article 41 (6) of the said Regulation shall be:

- 2,75 ECU per % vol and per hectolitre for table wines of types R I and R II and for table wines having a close economic relationship with those types of table wine,
- 4,08 ECU per % vol and per hectolitre for table wines of type R III,
- 2,55 ECU per % vol and per hectolitre for table wines of type A I and for table wines having a close economic relationship with that type of table wine,
- 5,71 ECU per % vol and per hectolitre for table wines of type A II,
- 6,52 ECU per % vol and per hectolitre for table wines of type A III.

The prices in question shall be 1,73 ECU, 2,58 ECU, 1,60 ECU, 3,59 ECU and 4,11 ECU respectively per % vol and per hectolitre in the case of wine obtained from grapes produced in Spain.

2. The minimum buying-in price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the day on which each consignment of wine enters the distillery.

Article 9

1. The amount of the aid referred to in Article 41 (8) of Regulation (EEC) No 822/87 shall, in relation to the prices specified in Article 8, be as follows:

- (a) where the product obtained by distillation meets the definition of neutral spirits given in the Annex to Regulation (EEC) No 2179/83:
 - 2,26 ECU and 1,23 ECU per % vol and per hectolitre if it has been obtained from red table wines of types R I or R II,
 - 3,61 ECU and 2,09 ECU per % vol and per hectolitre if it has been obtained from red table wines of type R III,
 - 2,06 ECU and 1,09 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A I,
 - 5,27 ECU and 3,11 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A II,
 - 6,09 ECU and 3,64 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A III;
- (b) where the product obtained by distillation is a wine spirit with the quality characteristics laid down by the relevant national provisions:
 - 2,15 ECU and 1,12 ECU per % vol and per hectolitre if it has been obtained from red table wine of types R I or R II,

- 3,50 ECU and 1,98 ECU per % vol and per hectolitre if it has been obtained from red table wines of type R III,
 - 1,95 ECU and 0,98 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A I,
 - 5,16 ECU and 3,00 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A II,
 - 5,98 ECU and 3,53 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A III;
- (c) where the product obtained by distillation is a distillate or raw alcohol with an alcoholic strength of at least 52 % vol:
- 2,15 ECU and 1,12 ECU per % vol and per hectolitre if it has been obtained from red table wines of types R I or R II,
 - 3,50 ECU and 1,98 ECU per % vol and per hectolitre if it has been obtained from red table wines of type R III,
 - 1,95 ECU and 0,98 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A I,
 - 5,16 ECU and 3,00 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A II,
 - 5,98 ECU and 3,53 ECU per % vol and per hectolitre if it has been obtained from white table wines of type A III.

2. Without prejudice to the third subparagraph of Article 3 (1), the aid shall be calculated on the basis of the amount corresponding to the wine actually delivered, account being taken of the tolerance referred to in Article 6 (2) of Regulation (EEC) No 2179/83.

Article 10

1. The provisions of this Regulation relating to red wines shall apply also to rosé wines.
2. The provisions of this Regulation relating to a given type of table wine shall apply also to table wines which have a close economic relationship with that type of table wine.

For the purposes of this Regulation and without prejudice to Article 47 (2) of Regulation (EEC) No 822/87, the following shall be considered as having a close economic relationship with table wine of type:

- A I: white table wines which are not of types A I, A II or A III,
- R I: red table wines which have an actual alcoholic strength of less than 12,5 % vol and which are not of types R I or R III,
- R II: red table wines which have an actual alcoholic strength of more than 15 % vol and which are not of type R III.

3. The product of coupage of a wine suitable for yielding white table wine or of a white wine with a wine suitable for yielding a red table wine or with a red table wine, in accordance with Article 125 (1) of the Act of Accession, may be delivered for distillation in Spain. To that end it shall be treated in the same way as a white table wine of type A I.

Article 11

The distiller must, within four months of the date on which evidence is furnished that the entire quantity of wine specified in the contract has been distilled, provide the intervention agency with evidence that he has paid the minimum buying-in price laid down in Article 8 (1) within the time limit set in Article 8 (2).

If such evidence is not provided within the set time limit, the intervention agency shall recover the aid paid. However, if the evidence is provided after the expiry of the time limit but not later than 28 February 1989, the intervention agency shall recover only 20 % of the aid paid.

If it is found that the distiller has not paid the producer the minimum buying-in price, the intervention agency shall, before 1 May 1989, pay the producer an amount equal to the aid, if necessary through the intervention agency of his Member State.

Article 12

1. The amount of the advance payment referred to in Article 9 (1) of Regulation (EEC) No 2179/83 shall be paid within three months of submission of proof that the security has been lodged.
2. Subject to Article 23 of Regulation (EEC) No 2179/83, the security referred to in the first paragraph shall be released only if proof that the total quantity of wine has been distilled and, where appropriate, proof of payment of the purchase price for the wine within the period set is provided before 1 November 1988.

If the proof referred to in the first subparagraph is provided after the deadline set in that subparagraph but before 1 February 1989, the amount to be released shall be 80 % of the security.

Article 13

1. In cases as referred to in Article 26 of Regulation (EEC) No 2179/83, contracts or declarations concerning the delivery of wine to be fortified for distillation shall be submitted for approval to the competent intervention agency not later than 18 March 1988.

The intervention agency shall notify the producer of the outcome of the approval procedure not later than 27 May 1988.

2. Wine may not be fortified for distillation until the contract or declaration has been approved and, in any case, not before 9 May 1988 and not later than 31 July 1988.

3. The fortified wine may not be distilled after 31 August 1988.

4. The fortifier shall send the intervention agency, by the 10th of each month at the latest, a statement of the quantities of wine delivered to him during the previous month.

5. Fortifiers of wine for distillation shall qualify for aid which, per hectolitre and per % vol of actual alcohol before conversion into wine fortified for distillation, shall be fixed as follows in relation to the prices specified in Article 8 :

- 2,11 ECU and 1,09 ECU for red table wines of types R I and R II,
- 3,44 ECU and 1,94 ECU for red table wines of type R III,
- 1,91 ECU and 0,96 ECU for white table wines of type A I,
- 5,07 ECU and 2,95 ECU for white table wines of type A II,
- 5,88 ECU and 3,47 ECU for white table wines of type A III.

In order to receive the aid the fortifier shall submit an application to the competent intervention agency not later than 14 August 1988, attaching copies of the accompanying documents for the transport of the wine for which aid is requested or a summary statement of their contents.

Member States may require that the copies or statement referred to in the second subparagraph be stamped by a control authority.

The aid shall be paid within three months of the date on which evidence is provided that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged, but in all cases after the date on which the contract or declaration is approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, not later than 28 November 1988, evidence is provided :

- that all the the wine covered by the contract or declaration has been fortified for distillation and distilled, and

- that the buying-in price for the wine has been paid to the producer within the time limit specified in Article 4 (2).

If the evidence referred to in the first subparagraph is not provided by 28 November 1988, the intervention agency shall recover the aid from the fortifier.

However, if the said evidence is provided after the expiry of the time limit but before 1 March 1989, the intervention agency shall recover only 20 % of the amount paid.

If it is found that the fortifier has not paid the producer the buying-in price, the intervention agency shall, before 1 April 1989, pay the producer an amount equal to the aid, if necessary through the intervention agency of his Member State.

Article 14

1. Member States shall notify the Commission not later than 17 June 1988, of the quantities of wine which are covered by approved delivery contracts.

2. Distillers shall send the intervention agency, not later than the 10th of each month, a statement of the quantities of wine distilled during the previous month, broken down by the the categories specified in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

3. Member States shall send the Commission by telex, not later than the 20th of each month for the previous month, a statement of the quantities of wine and fortified wine which have been distilled and the quantities of products obtained, expressed in terms of pure alcohol and broken down as provided for in paragraph 2.

4. Member States shall send notification, not later than 30 November 1988, of cases where distillers or fortifiers have not fulfilled their obligations and of the action taken in consequence.

Article 15

The amounts specified in this Regulation shall be converted into national currencies at the representative rates applicable to the wine sector on 1 September 1987.

Article 16

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

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

Done at Brussels, 23 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 4024/87
of 23 December 1987

amending Regulation (EEC) No 606/86 laying down detailed rules for applying the supplementary trade mechanism (STM) to milk products imported into Spain from the Community of Ten

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 83 (1) and 84 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary trade mechanism applicable to trade⁽¹⁾, as last amended by Regulation (EEC) No 2297/86⁽²⁾, and in particular Article 7 (1) thereof,

Whereas the supplementary trade mechanism in respect of milk and milk products was implemented by Commission Regulation (EEC) No 606/86⁽³⁾ as last amended by Regulation (EEC) No 3952/86⁽⁴⁾; whereas provision should be made, on the basis of the forward estimate for milk products for 1988 referred to in Article 83 (1) of the Act of Accession, for the fixing of the indicative ceilings for imports into Spain from the Community of Ten, and whereas the 'guide' quantities for 1988 must be broken down or allocated;

Whereas Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM)⁽⁵⁾, as last amended by Regulation (EEC) No 215/87⁽⁶⁾, provides that the STM licence application may be withdrawn if, as a result of application of the single reducing coefficient; the licence is valid only for a quantity less than that applied for; whereas, for milk and milk products, a large number of applications are always submitted, especially for certain types of cheese; whereas the use made of the right to withdraw the licence application interferes with the proper operation of the STM; whereas, accordingly, this facility should be discontinued and the rule that the STM licence must be used even for quantities which prove to be smaller than those applied for should be

maintained and whereas the duration of validity of the licence should therefore be lengthened;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 606/86 is hereby amended as follows:

1. In Article 1 (1), '1987' is replaced by '1988'.
2. Article 2 is replaced by the following:

Article 2

1. For the period 1 January to 31 December 1988 the "guide" quantities referred to in Article 84 of the Act of Accession shall be broken down as follows:

- (a) as regards milk and milk cream falling within heading 0401 and subheadings 0403 10 11, 0403 10 13, 0403 10 19, 0403 90 51, 0403 90 53, 0403 90 59, 0404 10 91, 0404 90 11, 0404 90 13, 0404 90 19, 0404 90 31, 0404 90 33 and 0404 90 39 of the combined nomenclature other than in immediate packings of a net capacity of two litres or less:

— January 1988 :	30 000 tonnes,
— February 1988 :	30 000 tonnes,
— March 1988 :	20 000 tonnes,
— April 1988 :	12 000 tonnes,
— May 1988 :	8 000 tonnes,
— June 1988 :	5 000 tonnes,
— July 1988 :	5 000 tonnes,
— August 1988 :	5 000 tonnes,
— September 1988 :	8 000 tonnes,
— October 1988 :	15 000 tonnes,
— November 1988 :	30 000 tonnes,
— December 1988 :	30 000 tonnes;

- (b) as regards the other products, at the rate of one-twelfth per month.

2. In addition, as regard cheese falling within heading ex 0406 of the combined nomenclature, the "guide" quantity referred to in Article 84 of the Act of Accession shall be broken down by category.

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 201, 24. 7. 1986, p. 3.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 365, 24. 12. 1986, p. 49.

⁽⁵⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁶⁾ OJ No L 202, 23. 7. 1987, p. 30.

For the period 1 January to 31 December 1988, the breakdown by category shall be as follows:

Category	Quantity (tonnes)
1. Emmentaler, gruyère	2 446
2. Roquefort	158
3. Blue-veined cheese	3 306
4. Processed cheese	926
5. Parmigiano Reggiano, Grana Padano	147
6. Havarti, fat content 60 %	1 190
7. Edammer in balls, Gouda	6 084
8. Soft ripened cow's milk cheese	1 124
9. Cheddar, Chester	158
10. Other	2 976

3. STM licence applications for cheese must specify the category of each quantity and, where appropriate, the type concerned.
3. In Article 2a, 'heading No 04.04 in the Common Customs Tariff' is replaced by '0406 in the Combined nomenclature'.
4. In Article 3:
- the first subparagraph of paragraph one is replaced by the following:

'1. The quantity for which STM licences are applied for may not exceed by undertaking, the monthly quantity provided for in Article 2 nor be less than:

 - 100 tonnes for products falling within heading No 0401 and subheadings 0403 10 11, 0403 10 13, 0403 10 19, 0403 90 51, 0403 90 53, 0403 90 59, 0404 10 91, 0404 90 11, 0404 90 13, 0404 90 19, 0404 90 31, 0404 90 33, 0404 90 39, other than in packaging of a net content not exceeding two litres,
 - 10 tonnes for products falling within subheadings 0401 10, 0401 20, 0403 10 11, 0403 10 13, 0403 10 19, 0403 90 51, 0403 90 53, 0403 90 59,

0404 10 91, 0404 90 11, 0404 90 13, 0404 90 19, 0404 90 31, 0404 90 33, 0404 90 39, in packings of a net content not exceeding two litres,

- one tonne for products falling within subheadings 0401 30 11, 0401 30 31 and 0401 30 91, of headings 0402, 0405 and 0406 and those falling within heading Nos 0403 and 0404 not mentioned in this paragraph.'
 - paragraph 3 is replaced by the following:

'3. The STM licences shall not be valid after the end of the second month falling the month in which the licence was applied for.'
 - the following paragraph 5 is added:

'5. Notwithstanding the second paragraph of Article 6 (4) of Regulation (EEC) No 574/87, the licence must still be used in cases of application of the single reducing coefficient.'
5. Article 4 is replaced by the following:
- Article 4*
- The amount of the guarantee referred to in Article 1 (3) of Regulation (EEC) No 569/86, as regards the products listed in the Annex, shall be:
- 4 ECU per 100 kilograms products falling within heading No 0401 and subheadings 0403 10 11, 0403 13 10 to 0403 10 39, 0403 90 51 to 0403 90 69, 0404 10 91, 0404 10 99 of the combined nomenclature,
 - 6 ECU per 100 kilograms for products falling within heading No 0402 and subheadings 0403 90 11 to 0403 90 39, 0404 10 11, 0404 10 19 and 0404 90 of the combined nomenclature,
 - 15 ECU per 100 kilograms for products falling within heading No 0405 of the combined nomenclature,
 - 25 ECU per 100 kilograms for products falling within heading No 0406 of the combined nomenclature.'
6. In Article 5 (1) 'heading No 04.04 of the Common Customs Tariff' is replaced by 'heading No 0406 of the combined nomenclature.'

7. The Annex is replaced by the following:

'ANNEX

Indicative ceilings

CN code	Description	Quantity (tonnes)
0401	Milk and cream, not concentrated nor containing added sugar or other other sweetening matter	} 250 000
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa	

		(tonnes)
CN code	Description	Quantity
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter :	} 5 000
	— in powder, granules or other solid forms, not containing added sugar or other sweetening matter :	
ex 0401 10 11 ex 0402 10 19 ex 0402 21	— for human consumption	
	— in powder, granules or other solid forms, containing added sugar or other sweetening matter :	
0402 29 11	— special milk, for infants, in hermetically sealed containers, of a net content not exceeding 500 g and of a fat content by weight exceeding 10 % and not exceeding 27 %	
0405	Butter and other fats and oils derived from milk	2 000
ex 0406	Cheese, excluding curd	20 000'

Article 2

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

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

Done at Brussels, 23 December 1987.

For the Commission
Frans ANDRIESEN
Vice-President

COMMISSION REGULATION (EEC) No 4025/87

of 22 December 1987

amending Regulation (EEC) No 577/86 on the application of accession compensatory amounts to certain processed cereals products in view of the accession of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 (1) thereof,

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 3808/87 ⁽²⁾,

Whereas, on account of the final date for the application of the transitional measures provided for in Article 90 of the Act of Accession of Spain and Portugal, Commission Regulation (EEC) No 577/86 of 28 February 1986 on the application of accession compensatory amounts to certain processed cereals products in view of the accession of Spain ⁽³⁾, as last amended by Regulation (EEC) No 2011/87 ⁽⁴⁾, provides for the application of the said amounts until 31 December 1987 only; whereas, in view of Council Regulation (EEC) No 4007/87 of 22 December 1987 extending the period provided for in Articles 90 (1) and 257 (1) of the Act of Accession of Spain and Portu-

gal ⁽⁵⁾, provision should be made for the accession compensatory amounts fixed by abovementioned Regulation (EEC) No 577/86 to be applicable until the end for the 1987/88 marketing year;

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

In Article 2 (1) of Regulation (EEC) No 577/86 the words 'from 1 July to 31 December 1987' are replaced by 'for the 1987/88 marketing year'.

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 from 1 January 1988.

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

Done at Brussels, 22 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 357, 19. 12. 1987, p. 12.

⁽³⁾ OJ No L 57, 1. 9. 1986, p. 16.

⁽⁴⁾ OJ No L 189, 9. 7. 1987, p. 13.

⁽⁵⁾ See page 1 of this Official Journal.

COMMISSION REGULATION (EEC) No 4026/87

of 22 December 1987

amending Regulation (EEC) No 3351/87 on the introduction of a measure for Spanish maize consigned to the Community as constituted at 31 December 1985

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

Whereas Commission Regulation (EEC) No 3351/87 on the introduction of a measure for Spanish maize consigned to the Community as constituted at 31 December 1985⁽¹⁾, applies to products released for consumption before 1 January 1988; whereas that limitation in time stems from Article 90 (1) of the Act of Accession of Spain and Portugal; whereas, in view of Council Regulation (EEC) No 4007/87 of 22 December 1987 extending the period provided for in Articles 90 (1) and 257 (1) of the Act of Accession of Spain and Portugal⁽²⁾, the application of Regulation (EEC) No 3351/87 should also be extended for the time necessary for its proper implementation;

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 second subparagraph of Article 2 of Regulation (EEC) No 3351/87 is hereby replaced by the following:

'It shall apply to products released for consumption before 29 February 1988.'

Article 2

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, 22 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 317, 7. 11. 1987, p. 34.

⁽²⁾ See p. 1 of this Official Journal.

COMMISSION REGULATION (EEC) No 4027/87

of 23 December 1987

varying for the 1987/88 marketing year the closing date for the submission of
harvest declarations for seedflax

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for linseed⁽¹⁾, as last amended by Regulation (EEC) No 4003/87⁽²⁾, and in particular Article 2 (4) thereof,Whereas Article 9 (1) of Commission Regulation (EEC) No 1799/76 of 22 July 1976 laying down detailed rules for the application of special measures in respect of linseed⁽³⁾, as last amended by Regulation (EEC) No 1208/87⁽⁴⁾, provides that every producer of seedflax shall by 15 December of each year submit a harvest declaration; whereas in certain Member States weather conditions have made it impossible to comply with this time limit in respect of the 1987/88 marketing year; whereas the date in question for that year should therefore be deferred until 31 January 1988;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of a derogation from Article 9 (1) of Regulation (EEC) No 1799/76, harvest declarations for seed flax for the 1987/88 marketing year may be submitted on 31 January 1988 at the latest.
2. The periods provided for in the second subparagraph of Article 9 (1) shall run from 31 January 1988.

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

It shall apply from 16 December 1987.

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

Done at Brussels, 23 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 67, 15. 3. 1976, p. 29.⁽²⁾ OJ No L 377, 31. 12. 1987.⁽³⁾ OJ No L 201, 27. 7. 1976, p. 14.⁽⁴⁾ OJ No L 115, 1. 5. 1987, p. 26.

COMMISSION REGULATION (EEC) No 4028/87
of 30 December 1987
fixing the aid for cotton

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

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2276/87 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2636/87 ⁽⁴⁾, as last amended by Regulation (EEC) No 3742/87 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2636/87 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginning cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 62,680 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 377, 31. 12. 1987.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 209, 31. 7. 1987, p. 5.

⁽⁴⁾ OJ No L 248, 1. 9. 1987, p. 46.

⁽⁵⁾ OJ No L 352, 15. 12. 1987, p. 28.

COMMISSION REGULATION (EEC) No 4029/87

of 30 December 1987

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3994/87⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature

and on the Common Customs Tariff⁽¹²⁾, and in particular Article 15 thereof,

Whereas by Regulation (EEC) No 3131/78⁽¹³⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹⁴⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 28 and 29 December 1987 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas Regulation (EEC) No 2658/87 introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

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

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

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹³⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹⁴⁾ OJ No L 331, 28. 11. 1978, p. 6.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	62,00 ⁽¹⁾
1510 00 90	100,00 ⁽³⁾

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

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	13,64
0711 20 90	13,64
1522 00 31	31,00
1522 00 39	49,60
2306 90 19	4,96

COMMISSION REGULATION (EEC) No 4030/87

of 30 December 1987

fixing for January 1988 the levy applicable in Spain to products subject to the price control system

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 3771/87 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1988, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, the average price of soya oil in Spain during the 1984/85 marketing year and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a state organization; whereas therefore, the system providing for the said levy will make any further intervention by the state superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 429,45 ECU per tonne of oil for January 1988.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 17.

COMMISSION REGULATION (EEC) No 4031/87

of 30 December 1987

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 3994/87⁽²⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of January and February 1988, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 109,00 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- 38,16 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- 34,71 ECU per 100 kilograms for olive oil utilized in Spain,
- 93,90 ECU per 100 kilograms for olive oil utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 4032/87

of 30 December 1987

fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3993/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, and in particular Article 15 thereof,

Whereas the import levy on molasses was fixed by Regulation (EEC) No 2569/87 ⁽⁴⁾, as last amended by Regulation (EEC) No 3902/87 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2569/87 to the information at present available to the Commission

that the levy at present in force should be altered as shown in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within subheadings 1703 10 00 and 1703 90 00 of the combined nomenclature, 0,58 ECU/100 kg.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 243, 27. 8. 1987, p. 48.

⁽⁵⁾ OJ No L 365, 24. 12. 1987, p. 69.

COMMISSION REGULATION (EEC) No 4033/87

of 30 December 1987

fixing the production refund for white sugar used in the chemical industry

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 3993/87⁽²⁾, and in particular Article 9 (6) thereof,

Whereas under Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾ establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in

respect of the production refund for sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 3834/86⁽⁵⁾, specifies the method to be used for establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at 42,014 ECU for three months from 1 January to 31 March 1988.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 356, 17. 12. 1986, p. 13.

⁽⁵⁾ OJ No L 179, 3. 7. 1986, p. 20.

COMMISSION REGULATION (EEC) No 4034/87

of 30 December 1987

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 4004/87 ⁽²⁾, and in particular Article 3 (6) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3741/87 ⁽⁴⁾, and in particular Article 24 thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 1958/87 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested

in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products;

Whereas, under Article 1 of Commission Regulation (EEC) No 2049/82 ⁽⁷⁾, as last amended by Regulation (EEC) No 1238/87 ⁽⁸⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽⁹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas the world market price for peas, field beans and sweet lupins was fixed by Regulation (EEC) No 1935/87 ⁽¹⁰⁾;

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 352, 15. 12. 1987, p. 26.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 184, 3. 7. 1987, p. 3.

⁽⁷⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽⁸⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽⁹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁰⁾ OJ No L 185, 4. 7. 1987, p. 21.

⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹²⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas, since there are no valid activating threshold or guide prices for the 1988/89 marketing year for peas, field beans and sweet lupins or intervention price for barley, the amount of the subsidy in the case of advance fixing for July 1988 for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the prices valid for the 1987/88 marketing year ; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1988/89 marketing year are known,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.
2. However, the amount of the subsidy in the case of advance fixing for the 1988/89 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 January 1988 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1987/88 marketing year.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7 (*)
Peas used :							
— in Spain	13,059	13,239	13,419	13,599	13,599	13,599	12,159
— in Portugal	13,101	13,281	13,461	13,641	13,641	13,641	12,201
— in another Member State	13,420	13,600	13,780	13,960	13,960	13,960	12,520
Field beans used :							
— in Spain	13,420	13,600	13,780	13,960	13,960	13,960	12,520
— in Portugal	13,101	13,281	13,461	13,641	13,641	13,641	12,201
— in another Member State	13,420	13,600	13,780	13,960	13,960	13,960	12,520

Products used in animal feed

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7 (*)
A. Peas and field beans used :							
— in Spain	13,049	13,272	13,452	13,632	14,583	14,583	13,143
— in Portugal	12,751	12,976	13,156	13,336	14,322	14,322	12,882
— in another Member State	13,152	13,375	13,555	13,735	14,673	14,673	13,233
B. Sweet lupins harvested in Spain and used :							
— in Spain	13,601	13,658	13,658	13,658	14,926	14,926	14,926
— in Portugal	13,203	13,263	13,263	13,263	14,577	14,577	14,577
— in another Member State	13,738	13,795	13,795	13,795	15,046	15,046	15,046
C. Sweet lupins harvested in another Member State and used :							
— in Spain	15,173	15,230	15,230	15,230	16,498	16,498	16,498
— in Portugal	14,775	14,835	14,835	14,835	16,149	16,149	16,149
— in another Member State	15,310	15,367	15,367	15,367	16,618	16,618	16,618

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7 (*)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	645,04	653,69	662,35	671,00	671,00	671,00	601,78
— Denmark (Dkr)	117,49	119,07	120,64	122,22	122,22	122,22	109,61
— Federal Republic of Germany (DM)	32,01	32,44	32,87	33,30	33,30	33,30	29,56
— Greece (Dr)	994,39	1 018,01	1 041,63	1 065,25	1 065,25	1 065,25	876,29
— Spain (Pta)	2 069,54	2 097,30	2 125,06	2 152,81	2 152,81	2 152,81	1 930,75
— France (FF)	100,29	101,64	102,98	104,33	104,33	104,33	93,56
— Ireland (£ Irl)	11,143	11,292	11,442	11,592	11,592	11,592	10,394
— Italy (Lit)	21 575	21 866	22 156	22 446	22 446	22 446	20 123
— Netherlands (Fl)	35,88	36,36	36,85	37,33	37,33	37,33	33,14
— Portugal (Esc)	2 156,68	2 187,69	2 218,71	2 249,72	2 249,72	2 249,72	2 001,60
— United Kingdom (£)	7,383	7,502	7,621	7,741	7,741	7,741	6,788

Amounts to be deducted in the case of :

- peas used in Spain (Pta) 55,67
- peas and field beans used in Portugal (Esc) 54,78

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7 ⁽¹⁾
Products harvested in :							
— BLEU (Bfrs/Lfrs)	632,16	642,88	651,53	660,18	705,27	705,27	636,05
— Denmark (Dkr)	115,15	117,10	118,67	120,25	128,46	128,46	115,85
— Federal Republic of Germany (DM)	31,37	31,90	32,33	32,76	35,00	35,00	31,24
— Greece (Dr)	947,14	978,34	1 001,96	1 025,58	1 190,95	1 190,95	1 002,00
— Spain (Pta)	2 028,21	2 062,60	2 090,36	2 118,12	2 262,77	2 262,77	2 040,70
— France (FF)	98,29	99,96	101,30	102,65	109,66	109,66	98,90
— Ireland (£ Irl)	10,919	11,105	11,255	11,404	12,185	12,185	10,988
— Italy (Lit)	21 142	21 502	21 792	22 082	23 600	23 600	21 277
— Netherlands (Fl)	35,17	35,76	36,24	36,73	39,23	39,23	35,03
— Portugal (Esc)	2 108,04	2 146,86	2 177,88	2 208,89	2 379,11	2 379,11	2 130,98
— United Kingdom (£)	7,182	7,334	7,453	7,572	8,275	8,275	7,322
Amounts to be deducted in the case of use :							
— Spain (Pta)	15,88	15,88	15,88	15,88	13,88	13,88	13,88
— Portugal (Esc)	68,86	68,52	68,52	68,52	60,28	60,28	60,28

ANNEX IV

Corrective amount in national currency to be added to the amounts in Annex III, per 100 kilograms⁽¹⁾

Use of the products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	122,61	0,00	0,13	0,52	1,31	0,00	24,20	56,33
— Denmark (Dkr)	0,00	0,00	0,00	22,33	0,00	0,02	0,09	0,24	0,00	4,41	10,26
— Federal Republic of Germany (DM)	0,00	0,00	0,00	6,08	0,00	0,01	0,03	0,06	0,00	1,20	2,80
— Greece (Dr)	0,00	0,00	0,00	449,76	0,00	0,48	1,90	4,80	0,00	88,77	206,61
— Spain (Pta)	0,00	0,00	0,00	393,39	0,00	0,42	1,66	4,20	0,00	77,64	180,72
— France (FF)	0,00	0,00	0,00	19,08	0,00	0,02	0,08	0,20	0,00	3,76	8,76
— Ireland (£ Irl)	0,000	0,000	0,000	2,123	0,000	0,002	0,009	0,023	0,000	0,419	0,975
— Italy (Lit)	0	0	0	4 127	0	4	17	44	0	814	1 896
— Netherlands (Fl)	0,00	0,00	0,00	6,82	0,00	0,01	0,03	0,07	0,00	1,35	3,13
— Portugal (Esc)	0,00	0,00	0,00	462,92	0,00	0,49	1,95	4,94	0,00	91,36	212,66
— United Kingdom (£)	0,000	0,000	0,000	1,913	0,000	0,002	0,008	0,020	0,000	0,378	0,879

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7 ⁽¹⁾
Products harvested in :							
— BLEU (Bfrs/Lfrs)	735,89	738,63	738,63	738,63	798,76	798,76	798,76
— Denmark (Dkr)	134,04	134,54	134,54	134,54	145,49	145,49	145,49
— Federal Republic of Germany (DM)	36,52	36,65	36,65	36,65	39,64	39,64	39,24
— Greece (Dr)	1 227,06	1 237,11	1 237,11	1 237,11	1 457,67	1 457,67	1 457,67
— Spain (Pta) ⁽¹⁾	2 361,00	2 369,79	2 369,79	2 369,79	2 562,71	2 562,71	2 562,71
— France (FF)	114,42	114,85	114,85	114,85	124,20	124,20	124,20
— Ireland (£ Irl)	12,714	12,761	12,761	12,761	13,802	13,802	13,802
— Italy (Lit)	24 623	24 715	24 715	24 715	26 739	26 739	26 739
— Netherlands (Fl)	40,94	41,09	41,09	41,09	44,43	44,43	43,99
— Portugal (Esc)	2 479,23	2 489,57	2 489,57	2 489,57	2 716,59	2 716,59	2 716,59
— United Kingdom (£)	8,604	8,647	8,647	8,647	9,585	9,585	9,585
Amounts to be deducted in the case of use in :							
— Spain (Pta)	21,13	21,13	21,13	21,13	18,51	18,51	18,51
— Portugal (Esc)	91,87	91,36	91,36	91,36	80,54	80,54	80,54

ANNEX VI

Corrective amount in the national currency to be added to amounts in Annex V, per 100 kilograms⁽¹⁾

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	89,17	0,00	0,10	0,38	0,95	0,00	17,60	40,97
— Denmark (Dkr)	0,00	0,00	0,00	16,24	0,00	0,02	0,07	0,17	0,00	3,21	7,46
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,43	0,00	0,00	0,02	0,05	0,00	0,87	2,03
— Greece (Dr)	0,00	0,00	0,00	327,10	0,00	0,35	1,38	3,49	0,00	64,56	150,26
— Spain (Pta)	0,00	0,00	0,00	286,10	0,00	0,30	1,21	3,06	0,00	56,47	131,43
— France (FF)	0,00	0,00	0,00	13,87	0,00	0,01	0,06	0,15	0,00	2,74	6,37
— Ireland (£ Irl)	0,000	0,000	0,000	1,544	0,000	0,002	0,007	0,016	0,000	0,305	0,709
— Italy (Lit)	0	0	0	3 001	0	3	13	32	0	592	1 379
— Netherlands (Fl)	0,00	0,00	0,00	4,96	0,00	0,01	0,02	0,05	0,00	0,98	2,28
— Portugal (Esc)	0,00	0,00	0,00	336,67	0,00	0,36	1,42	3,60	0,00	66,45	154,66
— United Kingdom (£)	0,000	0,000	0,000	1,391	0,000	0,001	0,006	0,015	0,000	0,275	0,639

ANNEX VII

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	161,790	138,796	6,90403	0,768411	1 499,45	2,31943	167,114	0,686328

⁽¹⁾ Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

COMMISSION REGULATION (EEC) No 4035/87
of 30 December 1987

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3993/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 3989/87 ⁽⁶⁾, for the fixing of the import levy on the products falling within subheadings 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50 of the combined nomenclature, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁷⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁹⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 377, 31. 12. 1987.

⁽⁷⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,5008	
1702 20 90	0,5008	
1702 30 10		59,75
1702 40 10		59,75
1702 60 10		59,75
1702 60 90	0,5008	
1702 90 30		59,75
1702 90 60	0,5008	
1702 90 71	0,5008	
1702 90 90	0,5008	
2106 90 30		59,75
2106 90 59	0,5008	

COMMISSION REGULATION (EEC) No 4036/87

of 30 December 1987

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 3993/87 ⁽²⁾ and in particular Article 16 (8) thereof,

Whereas, in accordance with Article 303 of the Act of Accession of Spain and Portugal, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 3581/87 ⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ introduces from 1 January 1988 a new combined nomencla-

ture meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (subheadings 1701 11 10 and 1701 12 10 of the combined nomenclature) is fixed for this quality type at 30,16 ECU/100 kg.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 339, 1. 12. 1987, p. 9.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

COMMISSION REGULATION (EEC) No 4037/87

of 29 December 1987

**fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty**

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 3989/87⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 3990/87⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 4055/87⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refunds is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas such production refunds are granted under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 3794/85⁽⁸⁾, and Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁹⁾;

Whereas account should be taken, for the purposes of Article 4 (3) of Regulation (EEC) No 3035/80, of the production refund provided for in Regulation (EEC) No 2742/75 applicable during the month in which exportation occurs; whereas, moreover, in the absence of evidence that no production refund was granted under Regulation (EEC) No 1009/86 the export refund should be further reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽¹⁰⁾, as last amended by

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 377, 31. 12. 1987.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.

⁽⁹⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

Regulation (EEC) No 2026/83 ⁽¹⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products ⁽²⁾, as last amended by Regulation (EEC) No 471/87 ⁽³⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within subheadings 1902 11 and 1902 19 of the combined nomenclature according to their destination;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁵⁾ has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the Community and which will replace the Nomenclature of the Convention of 15 December 1950; whereas therefore the corresponding tariff headings according to the combined nomenclature have to be indicated;

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

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed

either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of export of the goods, when the rate is not fixed in advance; or

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 29 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽³⁾ OJ No L 48, 17. 2. 1987, p. 10.

⁽⁴⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 December 1987 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

		(ECU/100 kg)
CN code	Description	Rate of refund
1001 10 90	Durum wheat :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	11,338
	— In all other cases	15,426
1001 90 99	Common wheat, and meslin (mixed wheat and rye):	
	— For the manufacture of starch	11,233
	— Other than for the manufacture of starch :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	9,285
	— In all other cases	12,633
1002 00 00	Rye	12,186
1003 00 90	Barley	13,813
1004 00 90	Oats	13,083
1005 90 00	Maize, other than hybrid maize for sowing :	
	— For the manufacture of starch	11,709
	— Other than for the manufacture of starch	12,709
1006 20 10	Round grain husked rice	40,005
1006 20 90	Long grain husked rice	38,999
1006 30 91	Round grain wholly milled rice	51,619
1006 30 99	Long grain wholly milled rice	56,520
1006 40 00	Broken rice :	
	— For the manufacture of starch	17,113
	— Other than for the manufacture of starch	18,313
1007 00 90	Sorghum	8,003
1101 00 00	Wheat or meslin flour :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	11,020
	— In all other cases	14,993
1102 10 00	Rye flour	22,484
1103 11 10	Durum wheat groats and meal :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	17,574
	— In all other cases	23,910
1103 11 90	Common wheat groats and meal :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	11,020
	— In all other cases	14,993

COMMISSION REGULATION (EEC) No 4038/87
of 30 December 1987
fixing 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 3994/87⁽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 the Act of Accession of Greece⁽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 3882/87⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 1869/87⁽⁸⁾, in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁹⁾, as last amended by Regulation (EEC) No 2662/87⁽¹⁰⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee;

Whereas the export refunds on oil seeds were set by Commission Regulation (EEC) No 3590/87⁽¹¹⁾;

Whereas it follows from applying the rules governing the fixing of the refund, as set out in Commission Regulation (EEC) No 2615/87⁽¹²⁾, to the present situation on the market in oil seeds as regards quotations and prices that, pursuant to Article 4 of Commission Regulation (EEC) No 651/71⁽¹³⁾ as last amended by Regulation (EEC) No 1815/84⁽¹⁴⁾, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed as shown in the Annex to this Regulation and that it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The refund amounts for colza and rape seed referred to in Article 4 (1) of Regulation (EEC) No 651/71 are indicated in the Annex hereto.
2. No refund is fixed for sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

⁽²⁾ OJ No L 377, 31. 12. 1987.

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

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 365, 24. 12. 1987, p. 13.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 176, 1. 7. 1987, p. 30.

⁽⁹⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽¹⁰⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹¹⁾ OJ No L 339, 1. 12. 1987, p. 35.

⁽¹²⁾ OJ No L 248, 1. 9. 1987, p. 10.

⁽¹³⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁴⁾ OJ No L 170, 29. 6. 1984, p. 46.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
Gross refunds (ECU):						
— Spain	21,342	21,739	—	—	—	—
— Portugal	26,102	26,499	—	—	—	—
— other Member States	21,600	21,997	—	—	—	—
Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	52,68	53,63	—	—	—	—
— Netherlands (Fl)	58,37	59,43	—	—	—	—
— BLEU (Bfrs/Lfrs)	1 034,45	1 053,53	—	—	—	—
— France (FF)	155,06	158,03	—	—	—	—
— Denmark (Dkr)	186,12	189,59	—	—	—	—
— Ireland (£ Irl)	17,232	17,562	—	—	—	—
— United Kingdom (£)	12,049	12,310	—	—	—	—
— Italy (Lit)	32 765	33 397	—	—	—	—
— Greece (Dr)	1 843,75	1 866,79	—	—	—	—
— Spain (Pta)	3 250,64	3 311,87	—	—	—	—
— Portugal (Esc)	4 175,64	4 237,55	—	—	—	—

COMMISSION REGULATION (EEC) No 4039/87

of 30 December 1987

fixing the monetary coefficient applicable on imports of dried grapes

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

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 last amended by Regulation (EEC) No 3909/87 ⁽²⁾, and in particular Article 9 (6) thereof,

Having regard to Commission Regulation (EEC) No 2237/85 of 30 July 1985 laying down detailed rules for the application of the minimum import price system for dried grapes ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2237/85 provides that the Commission shall fix a monetary coefficient equal to the real monetary gap between the agricultural conversion rate for the currency of a Member State and the central rate, or, where applicable, the market rate when that gap is equal to or more than 2,5 percentage points;

Whereas Article 4 (2) of Regulation (EEC) No 2237/85 provides that the monetary coefficient shall be fixed before the commencement of the marketing year and, subsequently, on the first Monday of the months of November, January, March, May and July;

Whereas Commission Regulation (EEC) No 2184/87 ⁽⁴⁾, fixes the minimum import price applicable to dried grapes during the marketing year 1987/88 as well as the

countervailing charges to be imposed where that price is not observed; whereas the import prices as set out in Annex II of that Regulation are calculated as specific percentages of the minimum import price; whereas as a result the monetary coefficient should apply both to the minimum import prices and the import prices,

HAS ADOPTED THIS REGULATION:

Article 1

After having converted the minimum import prices and the import prices as set out in Annexes I and II of amended Regulation (EEC) No 2184/87 into one of the following national currencies by applying the agricultural conversion rate, the resulting amount shall be multiplied by the following coefficient:

— for the Greek drachma:	1,438
— for the pound sterling:	1,190
— for the Portuguese escudo:	1,109
— for the French franc:	1,050
— for the Irish pound:	1,051
— for the Italian lire:	1,050

Article 2

This Regulation shall enter into force on 4 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987.

⁽³⁾ OJ No L 209, 6. 8. 1985, p. 24.

⁽⁴⁾ OJ No L 203, 24. 7. 1987, p. 16.

COMMISSION REGULATION (EEC) No 4040/87**of 30 December 1987****amending Regulation (EEC) No 3823/87 introducing a countervailing charge on fresh lemons originating in Spain (except the Canary Islands)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3910/87 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 3823/87 ⁽³⁾, introduced a countervailing charge on fresh lemons originating in Spain (except the Canary Islands);

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal ⁽⁴⁾, the arrangements applicable to trade between, on the one hand, a new Member State

and, on the other, the Community as constituted at 31 December 1985 must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 6 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the third year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3823/87, '1,19 ECU' is hereby replaced by '1,17 ECU'.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987.

⁽³⁾ OJ No L 357, 19. 12. 1987, p. 45.

⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 4041/87
of 30 December 1987
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3904/87 ⁽²⁾, and in particular Article 14 ⁽⁸⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 2346/87 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1987/88 milk year by Council Regulation (EEC) No 1895/87 ⁽⁵⁾;

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

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

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

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Regulation (EEC) No 1767/82 ⁽⁶⁾, as last amended by Regulation (EEC) No 3048/87 ⁽⁷⁾;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 370, 30. 12. 1987.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 213, 4. 8. 1987, p. 1.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 33.

⁽⁶⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁷⁾ OJ No L 289, 13. 10. 1987, p. 18.

Whereas Regulation (EEC) No 788/86 ⁽¹⁾, as last amended by Regulation (EEC) No 1927/86 ⁽²⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland.

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

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

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

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

Whereas Council Regulation (EEC) No 2658/87 ⁽³⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as amended by Regulation (EEC) No 1636/87 ⁽⁵⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 (1) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

⁽¹⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽²⁾ OJ No L 188, 8. 7. 1987, p. 34.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		18,75
0401 10 90		17,54
0401 20 11		26,13
0401 20 19		24,92
0401 20 91		32,28
0401 20 99		31,07
0401 30 11		83,79
0401 30 19		82,58
0401 30 31		161,83
0401 30 39		160,62
0401 30 91		272,09
0401 30 99		270,88
0402 10 11		132,87
0402 10 19		125,62
0402 10 91	(¹)	1,2562/kg + 33,12
0402 10 99	(¹)	1,2562/kg + 25,87
0402 21 11		206,10
0402 21 17		198,85
0402 21 19		198,85
0402 21 91		243,91
0402 21 99		236,66
0402 29 11	(¹) (²)	1,9885/kg + 33,12
0402 29 15	(¹)	1,9885/kg + 33,12
0402 29 19	(¹)	1,9885/kg + 25,87
0402 29 91	(¹)	2,3666/kg + 33,12
0402 29 99	(¹)	2,3666/kg + 25,87
0402 91 11		30,88
0402 91 19		30,88
0402 91 31		38,60
0402 91 39		38,60
0402 91 51		161,83
0402 91 59		160,62
0402 91 91		272,09
0402 91 99		270,88
0402 99 11		53,76
0402 99 19		53,76
0402 99 31	(¹)	1,5820/kg + 29,50
0402 99 39	(¹)	1,5820/kg + 28,29
0402 99 91	(¹)	2,6846/kg + 29,50
0402 99 99	(¹)	2,6846/kg + 28,29
0403 10 11		28,54
0403 10 13		34,69
0403 10 19		86,20
0403 10 31	(¹)	0,2250/kg + 31,91

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

CN code	Note	Import levy
0403 10 33	(¹)	0,2865/kg + 31,91
0403 10 39	(¹)	0,8016/kg + 31,91
0403 90 11		132,87
0403 90 13		206,10
0403 90 19		243,91
0403 90 31	(¹)	1,2562/kg + 33,12
0403 90 33	(¹)	1,9885/kg + 33,12
0403 90 39	(¹)	2,3666/kg + 33,12
0403 90 51		28,54
0403 90 53		34,69
0403 90 59		86,20
0403 90 61	(¹)	0,2250/kg + 31,91
0403 90 63	(¹)	0,2865/kg + 31,91
0403 90 69	(¹)	0,8016/kg + 31,91
0404 10 11		34,77
0404 10 19	(¹)	0,3477/kg + 25,87
0404 10 91	(²)	0,3477/kg
0404 10 99	(²)	0,3477/kg + 25,87
0404 90 11		132,87
0404 90 13		206,10
0404 90 19		243,91
0404 90 31		132,87
0404 90 33		206,10
0404 90 39		243,91
0404 90 51	(¹)	1,2562/kg + 33,12
0404 90 53	(¹)	1,9885/kg + 33,12
0404 90 59	(¹)	2,3666/kg + 33,12
0404 90 91	(¹)	1,2562/kg + 33,12
0404 90 93	(¹)	1,9885/kg + 33,12
0404 90 99	(¹)	2,3666/kg + 33,12
0405 00 10		280,99
0405 00 90		342,81
0406 10 10		290,85
0406 10 90		336,99
0406 20 10	(³)	405,47
0406 20 90		405,47
0406 30 10	(³)	223,69
0406 30 31	(³)	218,36
0406 30 39	(³)	223,69
0406 30 90	(³)	320,41
0406 40 00	(³)	157,44
0406 90 11	(³)	257,89
0406 90 13	(³)	260,63
0406 90 15	(³)	260,63
0406 90 17	(³)	260,63
0406 90 19	(³)	405,47
0406 90 21	(³)	257,89
0406 90 23	(³)	240,27
0406 90 25	(³)	240,27

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

CN code	Note	Import levy
0406 90 27	(¹)	240,27
0406 90 29	(¹)	240,27
0406 90 31	(¹)	240,27
0406 90 33		240,27
0406 90 35	(¹)	240,27
0406 90 37	(¹)	240,27
0406 90 39	(¹)	240,27
0406 90 50	(¹)	240,27
0406 90 61		405,47
0406 90 63		405,47
0406 90 69		405,47
0406 90 71		290,85
0406 90 73		240,27
0406 90 75		240,27
0406 90 77		240,27
0406 90 79		240,27
0406 90 81		240,27
0406 90 83		240,27
0406 90 85		240,27
0406 90 89	(²)	240,27
0406 90 91		290,85
0406 90 93		290,85
0406 90 97		336,99
0406 90 99		336,99
1702 10 90	(⁴)	42,54
2106 90 51		42,54
2309 10 15		96,64
2309 10 19		125,53
2309 10 39		118,23
2309 10 59		98,95
2309 10 70		125,53
2309 90 35		96,64
2309 90 39		125,53
2309 90 49		118,23
2309 90 59		98,95
2309 90 70		125,53

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

COMMISSION REGULATION (EEC) No 4042/87
of 30 December 1987
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 3990/87 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within subheading 1006 10, 1006 20 or 1006 30 of the combined nomenclature ⁽³⁾, and in particular Article 8 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1987/88 marketing year by Commission Regulation (EEC) No 2332/87 ⁽⁴⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto ⁽⁵⁾, as last amended by Regulation (EEC) No 3817/85 ⁽⁶⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances

on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76 ⁽⁷⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing ⁽⁸⁾, as last amended by Regulation (EEC) No 2249/85 ⁽⁹⁾, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 210, 1. 8. 1987, p. 59.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 16.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁸⁾ OJ No L 204, 24. 8. 1967, p. 1/67.

⁽⁹⁾ OJ No L 210, 7. 8. 1985, p. 13.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them must, pursuant to Council Regulation (EEC) No 486/85⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Articles 10 and 11 of Regulation (EEC) No 486/85 and in Commission Regulation (EEC) No 551/85⁽³⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁴⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation (EEC) No 1613/71 and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas Council Regulation (EEC) No 3877/86⁽⁵⁾ defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least 1,21 ECU per tonne in the amount of the levy in force;

Whereas Council Regulation (EEC) No 2658/87⁽⁶⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1988.

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 10.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁵⁾ OJ No L 361, 20. 12. 1986, p. 7.

⁽⁶⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the import levies on rice and broken rice

(ECU/tonne)

CN Code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²) (³)	Basmati (⁴)
1006 10 91	—	322,54	157,67	—
1006 10 99	—	307,20	150,00	230,40
1006 20 10	—	403,17	197,98	—
1006 20 90	—	384,00	188,40	288,00
1006 30 11	13,05	529,79	252,97	—
1006 30 19	12,97	608,18	292,20	456,14
1006 30 91	13,90	564,23	269,76	—
1006 30 99	13,90	651,97	313,63	488,98
1006 40 00	0,00	184,15	89,07	—

N.B. The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Regulation (EEC) No 3294/86.

- (¹) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.
- (²) In accordance with Regulation (EEC) No 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (³) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.
- (⁴) This levy is applicable to Basmati rice covered by the arrangement provided for by Council Regulation (EEC) No 3877/86.

COMMISSION REGULATION (EEC) No 4043/87

of 30 December 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 3990/87⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2604/87⁽³⁾, as last amended by Regulation (EEC) No 3901/87⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto;

Whereas Council Regulation (EEC) No 2658/87⁽⁵⁾ introduces, from 1 January 1988, a new 'combined nomencla-

ture' meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

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

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, 1987.

⁽³⁾ OJ No L 245, 29. 8. 1987, p. 39.

⁽⁴⁾ OJ No L 365, 24. 12. 1987, p. 67.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 December 1987 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN Code	Current	1st period	2nd period	3rd period
	1	2	3	4
1006 10 91	0	0	0	—
1006 10 99	0	0	0	—
1006 20 10	0	0	0	—
1006 20 90	0	0	0	—
1006 30 11	0	0	0	—
1006 30 19	0	0	0	—
1006 30 91	0	0	0	—
1006 30 99	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 4044/87

of 30 December 1987

fixing the export refunds on syrups and certain other sugar products 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 3993/87 ⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 1702 30 91 of the combined nomenclature and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁸⁾;

Whereas, following the introduction of the 'combined nomenclature' by Council Regulation (EEC) No 2658/87 ⁽⁹⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽¹⁰⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹²⁾;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹⁰⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹²⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situa-

tion and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		43,11
1702 60 10 000		43,11
1702 60 90 000	0,4311	
1702 90 30 000		43,11
1702 90 60 000	0,4311	
1702 90 71 000	0,4311	
1702 90 90 900	0,4311 *	
2106 90 30 000		43,11
2106 90 59 000	0,4311	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 4045/87
of 30 December 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 3993/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, and in particular Article 15 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2054/87 ⁽⁴⁾, as last amended by Regulation (EEC) No 3972/87 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies 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 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 192, 11. 7. 1987, p. 38.

⁽⁵⁾ OJ No L 371, 30. 12. 1987, p. 70.

ANNEX

to the Commission Regulation of 30 December 1987 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,61 ⁽¹⁾
1701 11 90	40,61 ⁽¹⁾
1701 12 10	40,61 ⁽¹⁾
1701 12 90	40,61 ⁽¹⁾
1701 91 00	50,08
1701 99 10	50,08
1701 99 90	50,08

⁽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 4046/87

of 30 December 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 3993/87 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, and in particular Article 15 thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 3676/87 ⁽⁴⁾, as amended by Regulation (EEC) No 3874/87 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in amended Regulation (EEC) No 3676/87 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;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽⁶⁾,

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 amended Regulation (EEC) No 3676/87 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 346, 10. 12. 1987, p. 8.

⁽⁵⁾ OJ No L 363, 23. 12. 1987, p. 64.

⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 December 1987 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	39,66 ⁽¹⁾	0,4311
1701 11 90 300		
1701 11 90 500	35,88 ⁽¹⁾	
1701 11 90 900	⁽²⁾	0,4311
1701 12 90 100	39,66 ⁽¹⁾	
1701 12 90 300		
1701 12 90 500	35,88 ⁽¹⁾	0,4311
1701 12 90 900	⁽²⁾	
1701 91 00 000		
1701 99 10 100	43,11	0,4311
1701 99 10 900	40,00	

⁽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 4047/87

of 30 December 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 3989/87⁽²⁾, and in particular Article 13(5) thereof,

Having regard to Council Regulation No 1676/85 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 13(1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1(a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1987/88 marketing year by Regulations (EEC) No 2734/75⁽⁵⁾, (EEC) No 1901/87⁽⁶⁾, (EEC) No 1903/87⁽⁷⁾ and (EEC) No 1943/87⁽⁸⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Regulation No 156/67/EEC⁽⁹⁾, as last amended by Regulation (EEC) No 31/76⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulations (EEC) No 2731/75⁽¹¹⁾, as last amended by Regulation (EEC) No 2094/87⁽¹²⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in

Regulation No 158/67/EEC⁽¹³⁾, as last amended by Regulation (EEC) No 2124/87⁽¹⁴⁾, and in Regulation No 159/67/EEC⁽¹⁵⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulation (EEC) No 486/85⁽¹⁶⁾, last amended by Regulation (EEC) No 1821/87⁽¹⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, in accordance with Article 18(1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Council Regulation (EEC) No 2658/87⁽¹⁸⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85,
- 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 29 December 1987;

⁽¹³⁾ OJ No 128, 27. 6. 1967, p. 2536/67.

⁽¹⁴⁾ OJ No L 197, 18. 7. 1987, p. 22.

⁽¹⁵⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

⁽¹⁶⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽¹⁷⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽¹⁸⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 34.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 42.

⁽⁷⁾ OJ No L 182, 3. 7. 1987, p. 45.

⁽⁸⁾ OJ No L 185, 4. 7. 1987, p. 37.

⁽⁹⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹⁰⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽¹²⁾ OJ No L 196, 17. 7. 1987, p. 1.

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽¹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation No 156/67/EEC and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as

set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by 0,73 ECU or more,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the 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 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 377, 31. 12. 1985, p. 7.

ANNEX

to the Commission Regulation of 30 December 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	8,20	175,78
0712 90 19	8,20	175,78
1001 10 10	62,59	261,40 ⁽¹⁾ ⁽²⁾
1001 10 90	62,59	261,40 ⁽¹⁾ ⁽²⁾
1001 90 91	18,82	199,22
1001 90 99	18,82	199,22
1002 00 00	44,06	169,12 ⁽³⁾
1003 00 10	37,14	186,81
1003 00 90	37,14	186,81
1004 00 10	93,75	150,95
1004 00 90	93,75	150,95
1005 10 90	8,20	175,78 ⁽²⁾ ⁽³⁾
1005 90 00	8,20	175,78 ⁽²⁾ ⁽³⁾
1007 00 90	31,75	180,71 ⁽⁴⁾
1008 10 00	37,14	103,41
1008 20 00	37,14	114,29 ⁽⁴⁾
1008 30 00	37,14	66,31
1008 90 10	(7)	(7)
1008 90 90	37,14	66,31 ⁽⁵⁾
1101 00 00	40,67	293,23
1102 10 00	75,79	251,09
1103 11 10	110,52	418,68
1103 11 90	42,48	315,24

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

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

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

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

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

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 4048/87

of 30 December 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 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 3989/87⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the scale of premiums to be added to the import levies fixed in advance for cereals must include a premium for the current month and a premium for each of the three following months; whereas the amount of each premium must be the same throughout the Community;

Whereas Council Regulation (EEC) No 2745/75 of 29 October 1975⁽⁵⁾ laid down rules for the advance fixing of levies on cereals;

Whereas, under the terms of that Regulation, where the cif price for a cereal determined on the day on which the scale of premiums is fixed is higher than the cif forward delivery price for that cereal, the scale of the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 13 of Regulation (EEC) No 2727/75 on the day on which the scale of premiums is fixed; whereas the cif forward delivery price is also determined in accordance with Article 13 of Regulation (EEC) No 2727/75 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas, in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during that month; whereas, in the case of imports to be effected during the last two months for which the import licence is valid, this price must be

the cif price for shipment during the month preceding the month in which importation is expected to take place;

Whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the last two months for which the import licence is valid;

Whereas the premium shall be 0 ECU if the cif price determined on the day on which the premiums are fixed is equal to the cif forward delivery price or exceeds that price by not more than 0,151 ECU per tonne;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specific limits;

Whereas Article 3 of Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78⁽⁷⁾, provides for the addition of a premium to the levy fixed in advance for products falling within heading No 1107 of the combined nomenclature; whereas this premium is, per 100 kilograms of processed product, equal to the premium applicable on the day of application for an import licence to the quantity of basic product taken as a basis for the calculation of the variable component of the levy;

Whereas, pursuant to Commission Regulation (EEC) No 971/73 of 9 April 1973 on the advance fixing of the levy on wheat and meslin flour⁽⁸⁾, a premium is added to the levy fixed in advance for the products falling under subheading 1101 00 00 of the combined nomenclature referred to in Article 1 (c) of Regulation (EEC) No 2727/75; whereas this premium is, per tonne of processed product, equal to the premium applicable on the date of application for an import licence for the basic product, account being taken of the quantity of the basic cereal required for the production of one tonne of flour;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Council Regulation (EEC) No 2658/87⁽⁹⁾ introduces from 1 January 1988 a new combined nomenclature;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 76.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 95, 11. 4. 1973, p. 10.

⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.

ture meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Council 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 29 December 1987 ;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto ; whereas the amount of the premiums should be altered

only if application of the abovementioned provisions entails a change of more than 0,151 ECU,

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. Les 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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 1	1st period 2	2nd period 3	3rd period 4
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 4049/87

of 30 December 1987

altering the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3989/87⁽²⁾, and in particular the fifth subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽³⁾, and in particular Article 15 thereof,Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Regulation (EEC) No 3801/87⁽⁴⁾, as amended by Regulation (EEC) No 3974/87⁽⁵⁾;

Whereas, following the introduction of the 'combined nomenclature' by Council Regulation (EEC) No 2658/87, the nomenclature applicable from 1 January 1988 to

export refunds on agricultural products was established by Regulation (EEC) No 3864/87⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3801/87 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 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 3801/87 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

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, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 377, 31. 12. 1987.⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.⁽⁴⁾ OJ No L 356, 18. 12. 1987, p. 46.⁽⁵⁾ OJ No L 371, 30. 12. 1987, p. 73.⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 December 1987 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination of refund (°)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	04	30,00 (°)
	05	25,00 (°)
	02	20,00 (°)
1001 90 91 000	—	—
1001 90 99 000	03	95,00
	02	25,00
1002 00 00 000	03	10,00
	06	20,00
	07	15,00
	02	25,00
1003 00 10 000	—	—
1003 00 90 000	03	95,00
	02	25,00
1004 00 10 000	—	—
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	95,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	168,00
1101 00 00 120	01	168,00
1101 00 00 130	01	151,00
1101 00 00 150	01	142,00
1101 00 00 170	01	133,00
1101 00 00 180	01	122,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	168,00
1102 10 00 200	01	168,00
1102 10 00 300	01	168,00
1102 10 00 500	01	168,00
1102 10 00 900	—	—
1103 11 10 100	01	298,00 (°)
1103 11 10 200	01	282,00 (°)
1103 11 10 500	01	252,00
1103 11 10 900	01	238,00
1103 11 90 100	01	168,00
1103 11 90 900	—	—

- (1) The destinations are identified as follows :
- 01 All third countries,
 - 02 Other third countries,
 - 03 Switzerland, Austria and Liechtenstein,
 - 04 Zones II and III,
 - 05 Algeria,
 - 06 Japan,
 - 07 South Korea.
- (2) Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.
- (3) Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.
- (4) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum of which 5 % of soft wheat or other cereals.
-
- N.B.* The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 1548/87 (OJ No L 144, 4. 6. 1987).

COMMISSION REGULATION (EEC) No 4050/87**of 30 December 1987****altering the corrective amount applicable to the refund on cereals**

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3989/87 ⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁴⁾, and in particular Article 15 thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 3802/87 ⁽⁵⁾, as amended by Regulation (EEC) No 3936/87 ⁽⁶⁾;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87,

the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽⁷⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to amended Regulation (EEC) No 3802/87, which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 356, 18. 12. 1987, p. 50.

⁽⁶⁾ OJ No L 369, 24. 12. 1987, p. 85.

⁽⁷⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 December 1987 altering the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination of refunds ⁽¹⁾	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		1	2	3	4	5	6	7
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	- 20,00	- 20,00	- 20,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	- 10,00	- 10,00	- 10,00	- 10,00
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	- 10,00	- 10,00	- 10,00	- 10,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	—	—
1101 00 00 120	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	—	—
1103 11 10 200	01	0	0	0	0	0	—	—
1103 11 10 500	01	0	0	0	0	0	—	—
1103 11 10 900	01	0	0	0	0	0	—	—
1103 11 90 100	01	0	0	0	0	0	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 1548/87 (OJ No L 144, 4. 6. 1987).

(¹) For the following destinations:

01 All third countries.

**COMMISSION REGULATION (EEC) No 4051/87
of 30 December 1987**

altering the import levies on products processed from cereals and rice

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3989/87 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1907/87 ⁽⁴⁾ and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,
Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3574/87 ⁽⁷⁾, as last amended by Regulation (EEC) No 3973/87 ⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁹⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽¹⁰⁾ as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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

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

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

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

Whereas these exchange rates being those recorded on 29 December 1987;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹¹⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1906/87, as fixed in the Annex to amended Regulation (EEC) No 3574/87 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 31 December 1987.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 51.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 338, 28. 11. 1987, p. 23.

⁽⁸⁾ OJ No L 371, 30. 12. 1987, p. 71.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 December 1987 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 D ⁽²⁾	274,15	268,11
11.02 A IV ⁽²⁾	274,15	268,11
11.02 B I a) 2 aa) ⁽²⁾	154,95	151,93
11.02 B I a) 2 bb) ⁽²⁾	271,13	268,11
11.02 B I b) 2 ⁽²⁾	271,13	268,11
11.02 C IV ⁽²⁾	241,34	238,32
11.02 D IV ⁽²⁾	154,95	151,93
11.02 E I a) 2 ⁽²⁾	154,95	151,93
11.02 E I b) 2 ⁽²⁾	303,94	297,90
11.02 F IV ⁽²⁾	274,15	268,11

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

— a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,

— an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION REGULATION (EEC) No 4052/87

of 30 December 1987

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3989/87⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 3990/87⁽⁴⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 4013/87⁽⁷⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature;

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

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

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

Whereas these exchange rates being those recorded on 29 December 1987;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 4013/87 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 377, 31. 12. 1987.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ See page 13 of this Official Journal.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 December 1987 altering the import levies on products processed from cereals and rice

CN code	Import levies (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 20 10 ⁽²⁾	321,00	314,96
1102 20 90 ⁽²⁾	181,50	178,48
1102 90 30 ⁽²⁾	276,81	270,77
1103 12 00 ⁽²⁾	276,81	270,77
1103 13 11 ⁽²⁾	303,00	296,96
1103 13 19 ⁽²⁾	321,00	314,96
1103 13 90 ⁽²⁾	181,50	178,48
1103 21 00 ⁽²⁾	364,42	358,38
1103 29 30 ⁽²⁾	276,81	270,77
1103 29 40 ⁽²⁾	321,00	314,96
1104 12 10 ⁽²⁾	156,46	153,44
1104 12 90 ⁽²⁾	306,90	300,86
1104 19 10 ⁽²⁾	364,42	358,38
1104 19 50 ⁽²⁾	321,00	314,96
1104 22 10 ⁽²⁾	273,79	270,77
1104 22 30 ⁽²⁾	273,79	270,77
1104 22 50 ⁽²⁾	243,71	240,69
1104 22 90 ⁽²⁾	156,46	153,44
1104 23 10 ⁽²⁾	282,99	279,97
1104 23 30 ⁽²⁾	282,99	279,97
1104 23 90 ⁽²⁾	181,50	178,48
1104 29 10 10 ^{(2) (6)}	267,82	264,80
1104 29 30 10 ^{(2) (6)}	321,58	318,56
1104 29 91 ⁽²⁾	206,10	203,08
1104 30 10	155,37	149,33
1104 30 90	137,28	131,24
1106 20 91	286,17	261,99 ⁽⁷⁾
1106 20 99	302,27	278,09 ⁽⁷⁾
1107 10 11	365,28	354,40
1107 10 19	275,68	264,80
1108 11 00	427,77	407,22
1108 12 00	286,17	265,62
1108 13 00	286,17	265,62
1108 14 00	286,17	132,81 ⁽⁷⁾
1108 19 90	286,17	132,81
1109 00 00	921,74	740,40
1702 30 91 ⁽³⁾	443,18	346,46
1702 30 99 ⁽³⁾	332,11	265,62
1702 40 90 ⁽³⁾	332,11	265,62
1702 90 50 ⁽³⁾	332,11	265,62
1702 90 75	459,68	362,96
1702 90 79	318,91	252,42
2106 90 55	332,11	265,62
2303 10 11	511,30	329,96

- (²) For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications :
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.
- (³) Pursuant to Regulation (EEC) No 2730/75 the products falling within subheadings 1702 30 51 and 1702 30 59 are subject to the same levy as products falling within subheading 1702 30 91 and 1702 30 99.
- (⁴) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- arrow-root falling within subheading 0714 90 10,
 - flours and meal of arrow-root falling within subheading 1106 20,
 - arrow-root starch falling within subheading 1108 19 90.
- (⁶) Taric code : wheat.
-

COMMISSION REGULATION (EEC) No 4053/87

of 30 December 1987

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 3993/87 ⁽²⁾ and in particular Article 19 (4) (a) and (7) thereof;

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾ provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within subheadings ex 1702 60 90 and ex 1702 90 90 of the combined nomenclature having a certain purity, and unprocessed isoglucose falling within subheadings 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁶⁾, as last amended by Regulation (EEC) No 2026/83 ⁽⁷⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products ⁽⁸⁾, as last amended by Regulation (EEC) No 471/87 ⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽⁹⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

(2) For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance ; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	43,11
	Raw sugar:	36,49
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$43,11 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose ⁽²⁾ :	43,11 ⁽³⁾

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 4054/87
of 30 December 1987

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3904/87 ⁽²⁾, and in particular Article 17 ⁽⁵⁾ thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 370, 30. 12. 1987.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 665/86 ⁽⁸⁾, Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁹⁾, as last amended by Regulation (EEC) No 698/86 ⁽¹⁰⁾, and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹¹⁾, as last amended by Regulation (EEC) No 698/86, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹²⁾ has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 66, 8. 3. 1986, p. 38.

⁽⁹⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽¹⁰⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽¹¹⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽¹²⁾ OJ No L 256, 7. 9. 1987.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

Article 2

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 30 December 1987.

For the Commission
COCKFIELD
Vice-President

ANNEX

to the Commission Regulation of 30 December 1987 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN heading No 3501 b) On exportation of other goods	— 100,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	140,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 442/84, (EEC) No 1932/81 and (EEC) No 2409/86 b) On exportation of goods of CN subheading 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 223,50 211,50

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff

(Official Journal of the European Communities No L 256 of 7 September 1987)

On page 30, Additional Notes 1 A (f) and (g) Second line :

for: '... thigh and sirloin, with a minimum...'

read: '... thigh and sirloin, including the fillet, with a minimum...'

Third line :

for: '... without the knuckle...'

read: '... without the shank...'

On pages 54 and 55, replace footnote (1) by the following :

(1) Duty exemption for cod of the species *Gadus morhua* and *Gadus ogac* falling within subheading Nos 0305 51 10, 0305 51 90 and 0305 62 00, and for fish of the species *Boreogadus saida* falling within subheading Nos 0305 59 11, 0305 59 19 and 0305 69 10, within the limits of a global annual tariff quota of 25 000 tonnes to be granted by the competent authorities and subject to compliance with the reference price.'

On page 76, CN code 0703 10 11, column 2 :

for: 'Seed',

read: 'Sets'.

On page 77, CN code 0713 10 11, column 2 :

for: 'Field',

read: 'Forage'.

On page 84, CN code 0811 90 50, column 2 :

for: '... myrtillus (and cloudberries)',

read: '... myrtillus'.

Corrigendum to Commission Regulation (EEC) No 3885/87 of 22 December 1987 fixing the export refunds on milk and milk products

(Official Journal of the European Communities No L 365 of 24 December 1987)

Page 23, in the Annex, for product codes :

0405 00 10 100
0405 00 10 200
0405 00 10 300
0405 00 10 500
0405 00 10 700
0405 00 90 100
0405 00 90 900

add note ⁽⁹⁾ in the column 'Notes'.

Page 28, in the Annex, for product code 0406 90 73 100, add '-' in all three columns.

Page 33, note ⁽⁶⁾ :

for: 'subheading 04.04 E I ex c) of the Common Customs Tariff.'

read: 'subheadings 0406 90 91 and 0406 90 93 of the combined nomenclature.'

Page 34 should read as follows :

⁽⁹⁾ Special compound feedingstuffs are compound feedingstuffs containing skimmed milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.

⁽¹⁰⁾ On the export of such products under Regulation (EEC) No 765/86 :

- the amount of the refund shall be that applying on 16 October 1986 in respect of products for which the export licence with advance fixing of the refund was issued before 1 January 1987,
- no refund is to apply in respect of products for which the export licence was issued on or after 1 January 1987.

Corrigendum to Commission Regulation (EEC) No 3891/87 of 22 December 1987 fixing the export refunds on olive oil

(Official Journal of the European Communities No L 365 of 24 December 1987)

Page 46 :

The Annex is replaced by the following Annex :

ANNEX

to the Commission Regulation of 22 December 1987 fixing the export refunds on olive oil

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	51,50
1509 10 90 900	85,75
1509 90 00 100	51,50
1509 90 00 900	86,13
1510 00 90 100	13,00
1510 00 90 900	48,70

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as on export to third countries.