

# Official Journal

## of the European Communities

ISSN 0378-6978

L 81

Volume 31

26 March 1988

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 785/88**

of 14 March 1988

opening, allocating and providing for the administration of autonomous  
Community tariff quotas for certain fishery products (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Community supplies of certain species of fish or fish fillets and fish meat currently depend on imports from third countries; whereas it is in the Community's interest to suspend partially the customs duties for the products in question, within Community tariff quotas of an appropriate volume; whereas, in order not to jeopardize the development prospects of this production in the Community and to ensure an adequate supply to satisfy user industries, it is advisable to open these quotas for the period until 31 December 1988 applying customs duties varied according to sensitivity of the different products on the Community market;

Whereas, in particular, equal and continuous access to the quotas should be ensured for all Community importers and the rate of duty for these quotas should be applied consistently to all imports until the quotas are exhausted; whereas, in the light of these principles, arrangements for the utilization of the said quotas based on an allocation among Member States would seem to be consistent with the Community nature of the quotas; whereas, to correspond as closely as possible to the actual trend in the market in the products in question, allocation of the quotas should be in proportion to the requirements of the Member States as calculated by reference to statistics of imports from third countries during a representative reference period and to the economic outlook for the quota period in question;

Whereas, in the case in point, there are no statistical data broken down by quality of products in question; whereas the quotas are autonomous Community tariff quotas intended to cover import needs arising in the Community, and so the quota volumes may be allocated on the basis of the temporary requirements as regards imports from third countries expressed by each of the

Member States; whereas these arrangements for allocation will also ensure the uniform application of the duties;

Whereas, to take account of possible imports trends for the products concerned, the quota volumes should be divided into two instalments, the first being allocated among certain Member States and the second held as a reserve to meet subsequent requirements of Member States which have used up their initial shares and any additional requirements which might arise in the other Member States; whereas, to give importers of the Member States some degree of certainty, the first instalment of the Community tariff quotas should be set at a relatively high level, which in this case could be 67 % of the quota volumes;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From the date on which this Regulation enters into force until 31 December 1988, the customs duties applicable on importation to products listed below shall be suspended at the levels and within the limits of the Community tariff quotas indicated for each product:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.2722	ex 0304 20 99 ex 0304 90 99	Fillets and fish meat of Alaska pollack ( <i>Theragra chalcogramma</i> ), frozen, for processing (1)	20 000	5
09.2724	ex 0304 20 57 ex 0304 90 47	Fillets and fishmeat of hake ( <i>Merluccius</i> spp., excluding the genus <i>Merluccius merluccius</i> , <i>Merluccius Bilinearis</i> and <i>Merluccius carpensis</i> ), frozen, for processing (1)	25 000	5
09.2751	ex 0304 20 19 ex 0304 90 10	Pike and flesh of pike, frozen, for processing (1)	500	0
09.2753	ex 0302 50 ex 0302 69 35 ex 0303 60 ex 0303 79 41 ex 0304 10 99 ex 0304 90 35 ex 0304 90 37	Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> ), fish of the genus <i>Boreogadus saida</i> , excluding livers, roes, fillets and meat thereof, presented fresh, chilled or frozen, for processing (1)	45 000	3,7
09.2755	ex 0302 63 00 ex 0303 73 00 ex 0304 10 99 ex 0304 90 41	Coalfish ( <i>Pollchius virens</i> ), excluding livers, roes, fillets, and meat thereof, presented fresh, chilled or frozen, for processing (1)	15 000	3,7
09.2757	ex 0302 62 00 ex 0303 72 00 ex 0304 10 99 ex 0304 90 45	Haddock ( <i>Melanogrammus aeglefinus</i> ), excluding livers, roes, fillets and meat thereof, presented fresh, chilled or frozen, for processing (1)	4 000	3,7
09.2759	ex 0304 20 21 ex 0304 20 29	Frozen fillets of cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> ) and fish of the species <i>Boreogadus saida</i> , for processing (1)	12 500	0
09.2761	ex 0304 20 31	Frozen fillets of coalfish ( <i>Pollachius virens</i> ), for processing (1),	12 500	0
09.2763	ex 0304 20 33	Frozen fillets of haddock ( <i>Melanogrammus aeglefinus</i> ), for processing (1)	3 000	0
09.2765	0305 62 00 0305 69 10	Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> ) and fish of the species <i>Boreogadus saida</i> , salted or in brine, but not dried or smoked	52 500	5
09.2767	0305 51 10 0305 59 11	Cod ( <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> ) and fish of the species <i>Boreogadus saida</i> , dried, unsalted	1 000	10

(1) Use of the products for the particular purpose laid down shall be monitored pursuant to the relevant Community provisions.

2. Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions in the Act of Accession.

3. Imports of the products in question shall not be covered by the quotas referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States in accordance with Article 21 of Regulation (EEC) No 3796/81 (1), is at least equal to the reference price fixed, or to be fixed, by the Community for the products under consideration or the categories of the products concerned.

#### Article 2

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

2. A first instalment of each of these quotas shall be allocated among certain Member States; the shares, which, subject to Article 5, shall be valid until 31 December 1988 shall be as follows:

(1) OJ No L 379, 31. 12. 1981, p. 1.

	Order No										
	09.2722	09.2724	09.2751	09.2753	09.2755	09.2757	09.2759	09.2761	09.2763	09.2765	09.2767
Benelux	828	303	—	—	80	—	105	42	—	—	—
Denmark	18	—	—	13 659	7 424	1 458	44	2 394	—	—	—
Germany	7 602	7 444	—	4 770	1 236	184	2 229	3 913	369	—	—
Greece	—	—	—	—	—	—	—	—	—	2 198	—
Spain	91	1 787	—	1 908	—	—	—	—	—	4 281	—
France	3 946	5 834	335	—	1 200	26	1 675	2 026	87	704	26
Ireland	—	—	—	—	—	—	—	—	—	—	—
Italy	—	—	—	—	—	—	—	—	—	1 558	636
Portugal	—	—	—	—	—	—	—	—	—	26 434	—
United Kingdom	915	1 382	—	9 663	60	1 012	4 322	—	1 494	—	8
	13 400	16 750	335	30 000	10 000	2 680	8 375	8 375	1 950	35 175	670

3. The second tranche of each quota, that is:

- for order No 09.2722: 6 600 tonnes
- for order No 09.2724: 8 250 tonnes
- for order No 09.2751: 165 tonnes
- for order No 09.2753: 15 000 tonnes
- for order No 09.2755: 5 000 tonnes
- for order No 09.2757: 1 320 tonnes
- for order No 09.2759: 4 125 tonnes
- for order No 09.2761: 4 125 tonnes
- for order No 09.2763: 1 050 tonnes
- for order No 09.2765: 17 325 tonnes
- for order No 09.2767: 330 tonnes

shall constitute the corresponding reserve.

4. If an importer notifies the imminent import of the products in question into a Member State which does not participate in the initial allocation and requests that the imports be covered by the quota, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

#### Article 3

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

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

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it,

that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

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

#### Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1988.

#### Article 5

Member States shall, not later than 1 October 1988, return to the reserve the unused portion of their initial share which, on 15 September 1988, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1988 notify the Commission of the total quantities of the product in question imported up to and including 15 September 1988 and charged against the Community tariff quota, and also of any portion of their initial shares returned to the reserve.

#### Article 6

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

It shall, not later than 5 October 1988, inform the Member States of the amount still in reserve, following any return of shares pursuant to Article 5.

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

*Article 7*

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

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

Done at Brussels, 14 March 1988.

2. Member States shall ensure that importers of the products in question have free access to the shares allotted to them.

3. Member States shall charge imports of the products in question against their shares as the products are entered with the customs authorities for free circulation.

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

*Article 8*

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

*Article 9*

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

*For the Council*

*The President*

J. WARNKE

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## COUNCIL REGULATION (EEC) No 786/88

of 14 March 1988

opening, allocating and providing for the administration of a Community tariff quota for certain eels (1 July 1988 to 30 June 1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas eel fishing has been prohibited or has become impossible in certain Community production centres; whereas this has led to a drop in Community production of eels in general and particularly of fresh eels, live, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within CN code 1604; whereas this production is likely to be developed, particularly in two Member States, without, however, being able to satisfy all the requirements of the Community; whereas the processing industries in the Community consequently depend to a large extent on imports for their supplies of eels; whereas, from 1 July 1988 to 30 June 1989 the levy of the customs duty applicable should therefore be suspended totally on imports of the relevant products up to an appropriate quantitative limit; whereas the introduction of a Community measure of this nature is unlikely to harm Community production;

Whereas current demand not met by Community production which must therefore be met by imports can be estimated at 5 250 tonnes for the period 1 July 1988 to 30 June 1989; whereas a tariff quota for the relevant types of eel should therefore be opened for this period on the conditions set out above; whereas the fixing of the quota volume at this level does not, however, prevent its readjustment during the quota period;

Whereas it is, in particular, necessary to ensure to all importers in the Member States equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, in the light of these principles, the Community nature of the quota can be respected by allocating the tariff quota among the Member States; whereas statistics available for these specific products do not give a clear picture of the market situation; whereas, therefore, it is not possible to allocate the quota among the Member States solely on the basis of import trends for the eels in question over the past few years; whereas, however, according to each Member

State's estimated needs, initial shares may be fixed at the quantities set out in Article 2;

Whereas, in order to take into account import trends for the products concerned, the quota amount should be divided into two instalments, the first instalment being allocated, and the second forming a reserve intended subsequently to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security for importers, the first instalment of the Community tariff quota should be fixed at a level which, under present circumstances, may be around 67 % of the quota amount;

Whereas the initial shares may be used up at different rates; whereas, in order to take this fact into account and to avoid any break in continuity, any Member State which has almost used up its total initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, which must be able to keep account of the extent to which the quota amount has been used up and to inform the Member States accordingly;

Whereas if, at a given date in the quota period, a considerable balance remains in one or other Member State, it is essential, to prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others, that that Member State should return a significant proportion thereof to the reserve;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From 1 July 1988 to 30 June 1989 the customs duty applicable to the import of the following products shall be suspended at the level and within the limit of a Community tariff quota as shown below:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.2701	ex 0301 92 00 ex 0302 66 00 ex 0303 76 00	ex II. Eels ( <i>Anguilla</i> spp.), live, fresh, chilled or frozen, intended for processing by curing or skinning enterprises or for use in the industrial manufacture of products falling within code 1604 of the combined nomenclature (1)	5 250	0

(1) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

2. Within these limits the Kingdom of Spain and the Portuguese Republic shall apply a customs duty calculated in accordance with the provisions laid down in this respect in the Act of Accession of 1985.

#### Article 2

1. A first instalment of 3 520 tonnes of this Community tariff quota shall be allocated among certain Member States. Member States' shares, which, subject to Article 5, shall be valid from 1 July 1988 to 30 June 1989, shall consist of the following amounts:

	(tonnes)
Benelux	1 330
Denmark	500
Germany	1 496
France	46
United Kingdom	148

2. The second instalment of 1 730 tonnes shall constitute the reserve.

3. If an importer notifies the imminent import of the production in question in a Member State not participating in the initial allocation and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve so permits.

#### Article 3

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

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall forthwith, by notifying the Commission, draw a third share equal to 5 % of its initial share, rounded up as necessary to the

next whole number, to the extent that the reserve so permits.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in the manner provided in paragraph 2, draw a fourth share equal to the third.

This procedure shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw lesser shares than those specified therein if there are grounds for believing that those specified may not be used in full. They shall inform the Commission of their reasons for applying this paragraph.

#### Article 4

Additional shares drawn pursuant to Article 2 (3) or 3 shall be valid until 30 June 1989.

#### Article 5

Member States shall return to the reserve, not later than 1 May 1989, the unused portions of their initial shares which on 15 April 1989, are in excess of 20 % of the initial amounts. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall notify the Commission, not later than 1 May 1989, of the total quantities of the products in question imported, up to and including 15 April 1989, and charged against the Community quota and of any portion of their initial shares returned to the reserve.

#### Article 6

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

It shall inform the Member States, not later than 5 May 1989, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.



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

*Article 7*

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

2. Member States shall ensure that imports of the products in question have free access to the shares allocated to them.

3. Member States shall charge imports of the products in question against their shares as and when the products

are entered with the customs authorities for free circulation.

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

*Article 8*

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

*Article 9*

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

*Article 10*

This Regulation shall enter into force on 1 July 1988.

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

Done at Brussels, 14 March 1988.

*For the Council*

*The President*

J. WARNKE

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**COMMISSION REGULATION (EEC) No 787/88**  
**of 24 March 1988**  
**on the supply of various lots of butteroil as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management<sup>(1)</sup>, amended by Regulation (EEC) No 3785/87<sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management<sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 795 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid<sup>(4)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

*Article 2*

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

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

Done at Brussels, 24 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 356, 18. 12. 1987, p. 8.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX I

## LOT A

1. Operation No<sup>(1)</sup>: 723/87 — Commission Decision of 19 March 1987
2. Programme: 1987
3. Recipient: Euronaid
4. Representative of the recipient<sup>(2)</sup>: see OJ No C 103, 16 April 1987
5. Place or country of destination: Pakistan
6. Product to be mobilized: butteroil
7. Characteristics and quality of the goods<sup>(3)</sup>: to manufacture from intervention butter (OJ No C 216, 14. 8. 1987, p. 7 (I.3.1 and I.3.2))
8. Total quantity: 95 tonnes
9. Number of lots: 1
10. Packaging and marking: 5 kilograms<sup>(4)</sup> see *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 7 and 8, I.3.3 and I.3.4  
Supplementary markings on the packaging:  
'ACTION No 723/87 / PAKISTAN / WVB / 75330 / KARACHI / FOR FREE DISTRIBUTION'  
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 8, I.3.4
11. Method of mobilization: Purchase from of butter from the Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/Main (Tel.: 1 56 40, Telex: 0411727)  
The addresses of the places of storage are given in Annex II  
Selling price determined in accordance with Article 2 of Regulation (EEC) No 2315/76
12. Stage of supply: free at port of shipment
13. Port of shipment: —
14. Port of landing specified by the recipient: —
15. Port of landing: —
16. Address of the warehouse and, if appropriate, port of landing: —
17. Period for making the goods available at the port of shipment: 1 to 15 May 1988
18. Deadline for the supply: —
19. Procedure for determining the costs of supply: invitation to tender
20. In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(5)</sup>: 11 April 1988 at 12 noon
21. In the case of a second invitation to tender:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon;
  - (b) period for making the goods available at the port of shipment: 15 to 31 May 1988;
  - (c) deadline for the supply: —
22. Amount of the tendering security: 20 ECU/tonne
23. Amount of the delivery security: 10 % of the amount of the tender in ECU
24. Address for submission of tenders:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi  
B-1049 Brussels,  
Telex: AGREC 22037 B.
25. Refund payable on request by the successful tenderer<sup>(6)</sup>:  
Refund applicable on 25 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT B

1. **Operation No<sup>(1)</sup>**: 78/88 — Commission Decision of 30 July 1987
2. **Programme**: 1987
3. **Recipient**: Central Planning Organization, Yemen Arab Republic, Sana'a PO Box 175
4. **Representative of the recipient**: Yemen Arab Republic Embassy, The Hague, The Netherlands
5. **Place or country of destination**: Yemen Arab Republic
- 5a. **Receiving organization**: Gen. Corp. for Foreign Trade and Grains — PO Box 710 — Sana'a — Yemen Arab Republic
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods<sup>(2)</sup><sup>(7)</sup>**:  
To be manufactured from intervention butter (OJ No C 216, 14. 8. 1987, p. 7, under I.3.1 and I.3.2))
8. **Total quantity**: 200 tonnes
9. **Number of lots**: 1
10. **Packaging and marking**: 20 kg<sup>(8)</sup> and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 7, I.3.3 and I.3.4  
Supplementary markings on the packaging:  
'ACTION No 78/88 / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE YEMEN ARAB REPUBLIC / FOR FREE DISTRIBUTION'  
and *Official Journal of the European Communities* No 216 of 14 August 1987, page 8., I.3.4.
11. **Method of mobilization**: from Voedselvoorzienings in- en verkoopbureau (VIB), Burg. Kessenplein 3, 6431 KM Hoensbroek, Tel. 045/222020, télex 56396 +  
The addresses and places of storage are given in Annex II  
Selling price determined in accordance with Article 2, Regulation (EEC) No 2315/76.
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Hodeidah
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 15 May 1988
18. **Deadline for the supply**: 30 June 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(9)</sup>**: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon;
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31 May 1988;
  - (c) deadline for the supply: 15 July 1988.
22. **Amount of the tendering security**: 20 ECU/tonnes
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels,  
Telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer<sup>(9)</sup>**:  
Refund applicable on 25 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988).

## LOT C

1. **Operation No** (1): 133/88 — Commission Decision of 30 July 1987
2. **Programme**: 1987
3. **Recipient**: Islamic Republic of Mauritania
4. **Representative of the recipient** (2): Commissariat à la Sécurité Alimentaire — BP 377 — Nouakchott — tél. 514 58 — A l'attention de M. le Commissaire à la sécurité alimentaire
5. **Place or country of destination**: Islamic Republic of Mauritania
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (3): to be made from intervention butter (OJ No C 216, 14. 8. 1987, p. 7 (I.3.1 and I.3.2))
8. **Total quantity**: 400 tonnes
9. **Number of lots**: 1
10. **Packaging and marking**: 5 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 7, I.3.3.1 and I.3.2)  
Supplementary markings on the packaging:  
'ACTION N° 133/88 / BUTTEROIL / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'  
and *Official Journal of the European Communities* No 216 of 14 August 1987, page 8, I.1.3.4
11. **Method of mobilization**: Purchase from l'Office national interprofessionnel du lait et des produits laitiers (Onilait), 2, rue Saint-Charles, F-75740 Paris Cedex 15 [tel.: (1) 575 62 60, telex: 200745+, telefax: 45 79 28 49]  
The addresses of the places of storage are given in Annex II  
Selling price determined in accordance with Article 2 of Regulation (EEC) No 2315/76
12. **Stage of supply**: Free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Nouakchott
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 15 May 1988
18. **Deadline for the supply**: 15 June 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon;
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31 May 1988;
  - (c) deadline for the supply: 30 June 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi  
B-1049 Brussels,  
Telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer** (5):  
Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT D

1. Operation No (1): 138/88 — Commission Decision of 27 July 1987
2. Programme: 1987
3. Recipient: République Coopérative de Guyana
4. Representative of the recipient (2): Ruys & Co., Antwerpen, Att: M. Verbeek, Tel: 03/233 87 90, Telex: 72255 RUYS
5. Place or country of destination: Guyana
- 5a. Receiver: Ministry of Finance, PO Box 101009, Main and Urquhart Sts. Georgetown, Guyana
6. Product to be mobilized: butteroil
7. Characteristics and quality of the goods (3): to be manufactured from intervention butter (OJ No C 216, 14. 8. 1987, p. 7, under I.3.1 and I.3.2)
8. Total quantity: 100 tonnes
9. Number of lots: 1
10. Packaging and marking: 200 kg (4) and *Official Journal of the European Communities* No C 216, 14 August 1987, page 7, I.3.3.1 and I.3.2  
Supplementary markings on the packaging:  
'ACTION No 138/88 / BUTTEROIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'  
and *Official Journal of the European Communities* No C 216, 14 August 1987, page 8, I.1.3.4.
11. Method of mobilization: Purchase of butter from l'Office national interprofessionnel du lait et des produits laitiers (Onilait), 2, rue Saint-Charles, F-75740 Paris Cedex 15 (Tel.: (1) 575 62 60, Telex 200745+, Telefax: 45 79 28 49)  
The addresses and places of storage are given in Annex II  
Selling price determined in accordance with Article 2, Regulation (EEC) No 2315/76
12. Stage of supply: free at port of landing — landed
13. Port of shipment: —
14. Port of landing specified by the recipient: —
15. Port of landing: Georgetown
16. Address of the warehouse and, if appropriate, port of landing: —
17. Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 15 May 1988
18. Deadline for the supply: 30 June 1988
19. Procedure for determining the costs of supply: invitation to tender
20. In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders (5): 11 April 1988 at 12 noon
21. In the case of a second invitation to tender:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon;
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31 May 1988;
  - (c) deadline for the supply: 15 July 1988.
22. Amount of the tendering security: 20 ECU/tonnes
23. Amount of the delivery security: 10 % of the amount of the tender in ECU
24. Address for submission of tenders:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels,  
Telex: AGREC 22037 B.
25. Refund payable on request by the successful tenderer (6): refund applicable on the 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988).

## Footnotes

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to contact by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (3) At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity and certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the Office referred to in point 24 of this Annex;
  - or by telecopier on one of the following numbers in Brussels:
    - 235 01 32
    - 236 10 97
    - 235 01 30
    - 236 20 05.
- (5) Regulation (EEC) No 2330/87 (OJ L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) Veterinary certificate issued by an official entity stating that the product derives from healthy animals, was processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease.
- (7) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (8) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (9) — The supplier should send a duplicate of the original invoice to:  
MM De Keyzer and Schütz BV,  
Postbus 1438,  
Blaak 16,  
NL-3 000 BK Rotterdam,
- Shipment to take place in 20-foot containers; conditions FCL/LCL Shippers-count-load and stowage (cls).
  - The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of cartons belonging to each shipping number as specified in the invitation to tender.
  - The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.
- (10) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

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

Número de la partida Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij Número do lote	Cantidad Mængde Menge Τόνοι Quantity Quantité Quantità Hoeveelheid Quantidade	Nombre y dirección del almacenista Lagerindehaverens navn og adresse Name und Adresse des Lagerhålters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de deponhouder Nome e endereço do armazenista	Lugar de almacenamiento Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats Local de armazenagem
A 723/87	115 900 kg	Markt- und Kühlhallen Werk 23 — Tempelhof Germaniastraße 14-17 D-1000 Berlin 42	
B 78/88	244 000 kg	De Poel Import-export Molenweg 10A 9231 HS Surhuisterveen (tel.: (05124) 41 63; telex: 77343)	
C 133/88	488 000 kg	102 000 kg : SA des glaceries et frigo de Saint-Nazaire quai du commerce F-44601 Saint-Nazaire  190 000 kg : SA frigorifique du Limonay gare de La Gouesnière F-35350 Saint-Méloir-des-Ondes  196 000 kg : Coval rue de Cramenil F-61220 Briouze	
D 138/88	122 000 kg	Coval rue de Cramenil F-61220 Briouze	



## COMMISSION REGULATION (EEC) No 788/88

of 24 March 1988

on the supply of various lots of skimmed-milk powder as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management<sup>(1)</sup>, as amended by Regulation (EEC) No 3875/87<sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management<sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 5 379 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(4)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

*Article 2*

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

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

Done at Brussels, 24 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 356, 18. 12. 1987, p. 8.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX

## LOT A

1. **Operation Nos** (1): 89/88 to 95/88 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome, Telex 626675 WFP 1
4. **Representative of the recipient** (2): see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: A 1: Senegal, A 2: Tunisia, A 3 and A 4: People's Democratic Republic of Yemen, A 5: Pakistan, A 6 and A 7: Mali
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods**:  
A 1, A 2, A 3, A 4, A 6, A 7: (3) (4) (5) (6); A 5: (3) (4) (5) (6); see *Official Journal of the European Communities* No C 216, 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 778 tonnes
9. **Number of lots**: one (seven parts: A 1: 80 tonnes; A 2: 200 tonnes; A 3: 300 tonnes; A 4: 120 tonnes; A 5: 40 tonnes; A 6: 2 tonnes; A 7: 36 tonnes)
10. **Packaging and marking**: 25 kg; see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4, 5, 6 (I.1.B.4)  
Supplementary markings on the packaging:  
A 1: 80 tonnes:  
'ACTION N° 89/88 / SÉNÉGAL 0263300 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / DAKAR'  
A 2: 200 tonnes:  
'ACTION N° 90/88 / TUNISIE 0249302 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / TUNIS'  
A 3: 300 tonnes:  
'ACTION No 91/88 / YEMEN PDR 0245302 / ACTION OF THE WORLD FOOD PROGRAMME / ADEN'  
A 4: 120 tonnes:  
'ACTION No 92/88 / YEMEN PDR 0304200 / ACTION OF THE WORLD FOOD PROGRAMME / ADEN'  
A 5: 40 tonnes:  
'ACTION No 93/88 / PAKISTAN 0278100 / ACTION OF THE WORLD FOOD PROGRAMME / KARACHI'  
A 6: 2 tonnes:  
'ACTION N° 94/88 / MALI 0223103 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / DAKAR TRANSIT KITA / MALI'  
A 7: 36 tonnes:  
'ACTION N° 95/88 / MALI 0223103 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / DAKAR TRANSIT MAHINA / MALI'  
see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market  
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 30 April to 15 May 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (7): 11 April 1988 at 12 noon

**21. In the case of a second invitation to tender :**

- (a) deadline for the submission of tenders : 25 April 1988 at 12 noon
- (b) period for making the goods available at the port of shipment : 15 to 31 May 1988
- (c) deadline for the supply : —

**22. Amount of the tendering security : 20 ECU/tonne****23. Amount of the delivery security : 10 % of the amount of the tender in ECU****24. Address for submission of tenders :**

Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels ;  
telex : AGREC 22037 B

**25. Refund payable on request by the successful tenderer (°) :**

Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT B

1. **Operation Nos** (1): 101/88 and 102/87 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome — Telex 626675 WFP 1
4. **Representative of the recipient** (2): See *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: B1: Central African Republic; B2: Ethiopia
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4) (5) (6): See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 414 tonnes
9. **Number of lots**: one (two parts: B1: 264 tonnes; B2: 150 tonnes)
10. **Packaging and marking**: 25 kg  
see *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4, 5 and 6 (I.1.B.4.)  
Supplementary markings on the packaging:  
B1: 264 tonnes: 'ACTION No 101/88 / RCA 0265200 / DOUALA TRANSIT BANGUI'  
B2: 150 tonnes: 'ACTION No 102/88 / ETHIOPIA 0346000 / MASSAWA / ACTION OF THE WORLD FOOD PROGRAMME'  
see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market  
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 30 April to 15 May 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (7): 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment: 15 to 30 May 1988
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels,  
Telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (8):  
Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT C

1. **Operation Nos<sup>(1)</sup>**: 62/88 and 63/88 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, 00100 Rome, Telex 626675 WFP 1
4. **Representative of the recipient<sup>(2)</sup>**: See *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: C1: Madagascar; C2: Morocco
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods<sup>(3)</sup> <sup>(4)</sup> <sup>(5)</sup> <sup>(6)</sup>**: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 1 687 tonnes
9. **Number of lots**: one (in two parts: C1: 587 tonnes; C2: 1 100 tonnes)
10. **Packaging and marking**: 25 kg  
see *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4, 5 and 6 (I.1.B.4)  
Supplementary markings on the packaging:  
C1: 587 tonnes: 'ACTION N° 62/88 / MADAGASCAR 0270100 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / TOAMASINA'  
C2: 1 100 tonnes: 'ACTION N° 63/88 / MOROCCO 0259201 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / CASABLANCA'  
see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market  
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: C1: 10 to 25 August 1988; C2: 10 to 25 September 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(7)</sup>**: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:  
(a) deadline for the submission of tenders: 25 April 1988 at 12 noon  
(b) period for making the goods available at the port of shipment:  
C1: 10 to 25 August 1988  
C2: 10 to 25 September 1988  
(c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU.
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels,  
Telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer<sup>(8)</sup>**:  
Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT D

1. **Operation No<sup>(1)</sup>**: 50/88 — Commission Decision of 15 October 1987
2. **Programme**: 1987
3. **Recipient**: Republic of Niger
4. **Representative of the recipient<sup>(2)</sup>**: OPVN, BP 474, Niamey, Telex 5371/NI
5. **Place or country of destination**: Republic of Niger
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods<sup>(2)</sup>**:  
see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 to 3)
8. **Total quantity**: 300 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg in 20-foot containers.  
see OJ No C 216, 14. 8. 1987, pp. 4, 5, 6 (I.1.B.4)  
  
Supplementary markings on the packaging:  
'ACTION N° 50/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE AU NIGER'  
see OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market  
  
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at destination Niamey
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment**: 15 to 30 April 1988
18. **Deadline for the supply**: 30 May 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(3)</sup>**: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: 1 to 15 May 1988
  - (c) deadline for the supply: 15 June 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels  
Telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer<sup>(3)</sup>**:  
Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT E

1. **Operation No** (1): 49/88 — Commission Decision of 15 October 1987
2. **Programme**: 1987
3. **Recipient**: Republic of Niger
4. **Representative of the recipient** (2): Olani (Office du Lait du Niger), BP 404, Niamey (tel. 73 23 69)
5. **Place or country of destination**: Republic of Niger
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** (3):  
see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A)
8. **Total quantity**: 200 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg in 20-foot containers.  
See OJ No C 216, 14. 8. 1987, p. 3 (I.1.A)  
Supplementary markings on the packaging:  
'ACTION N° 49/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE AU NIGER'  
see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A)
11. **Method of mobilization of the product**: Community market.  
The manufacture of skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at destination Niamey
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment**: 15 to 30 April 1988
18. **Deadline for the supply**: 30 May 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: 30 April to 15 May 1988
  - (c) deadline for the supply: 15 June 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels  
Telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (5):  
Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT F

1. **Operation Nos** <sup>(1)</sup>: 805 to 807/87 — Commission Decision of 19 March 1987
2. **Programme**: 1987
3. **Recipient**: Euronaid
4. **Representative of the recipient** <sup>(2)</sup>: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Pakistan
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** <sup>(3)</sup>:  
see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 to 3)
8. **Total quantity**: 300 tonnes
9. **Number of lots**: one
10. **Packaging and marking** <sup>(4)</sup>: 25 kg  
see OJ No C 216, 14. 8. 1987, pp. 4, 5 and 6 (I.1.B.4)  
Supplementary markings on the packaging:  
'ACTION Nos 805, 806 and 807/87 / PAKISTAN / WVB / 75324; 75377; 75328 / FOR FREE DISTRIBUTION'  
see OJ No 216 of 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market <sup>(11)</sup>  
The manufacture of skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 to 15 May 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** <sup>(5)</sup>: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment: 15 to 30 May 1988
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels  
Telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** <sup>(6)</sup>: refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)



## LOT G

1. **Operation No<sup>(1)</sup>**: 77/88 — Commission Decision of 30 July 1987
2. **Programme**: 1987
3. **Recipient**: Central Planning Organization, Yemen Arab Republic, Sanaa PO box 175
4. **Representative of the recipient<sup>(2)</sup>**: Yemen Arab Republic Embassy, The Hague, The Netherlands
5. **Place or country of destination**: Yemen Arab Republic
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods<sup>(3)</sup><sup>(4)</sup>**: See OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg. See OJ No C 216, 14. 8. 1987, p. 3. (I.1.A.)  
Supplementary markings on the packaging:  
'ACTION No 77/88 / SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE YEMEN ARAB REPUBLIC / FOR FREE DISTRIBUTION'  
See OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.)
11. **Method of mobilization**: Community market  
The skimmed-milk powder must be manufactured after the supply contract has been awarded
12. **Stage of supply**: Free-at-port-of-landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Hodeidah
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 15 May 1988
18. **Deadline for the supply**: 30 June 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(5)</sup>**: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31 May 1988
  - (c) deadline for the supply: 15 July 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels,  
Telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer<sup>(6)</sup>**: refund applicable on 26 February 1988 fixed in Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT H

1. **Operation No<sup>(1)</sup>**: 134/88 — Commission Decision of 19 March 1987
2. **Programme**: 1987
3. **Recipient**: UNHCR
4. **Representative of the recipient<sup>(2)</sup>**: Croissant Rouge Algérien — Comité National — 15 bis boulevard Mohamed V, Algiers Algeria
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods<sup>(3)</sup><sup>(11)</sup>**: See *Official Journal of the European Communities* No C 216, 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 400 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 1 kg. See OJ No C 216, 14. 8. 1987, pp. 4, 5 (I.1.B.4.1)  
Supplementary markings on the packaging:  
'ACTION N° 134/88 / LAIT ÉCRÉMÉ EN POUDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / PROGRAMME DU HCNUR EN FAVEUR DES RÉFUGIÉS EN ALGÉRIE / DISTRIBUTION GRATUITE / ALGER'  
See OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market  
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Algiers
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 9 to 16 May 1988
18. **Deadline for the supply**: 27 June 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(\*)</sup>**: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 24 to 31 May 1988
  - (c) deadline for the supply: 11 July 1988
22. **Amount of the tendering security**: 20 ECU per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer<sup>(?)</sup>**:  
Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT I

1. **Operation No (1):** 132/88 — Commission Decision of 30 July 1987
2. **Programme:** 1987
3. **Recipient:** Islamic Republic of Mauritania
4. **Representative of the recipient (2):** Commissariat à la Sécurité Alimentaire, BP 377 Nouakchott, Mauritanie, tel. 5 14 58. À l'attention de M. le Commissaire à la Sécurité Alimentaire
5. **Place or country of destination:** Mauritania
6. **Product to be mobilized:** skimmed-milk powder
7. **Characteristics and quality of the goods (2):** see OJ No C 216, 14. 8. 1977, p. 3 (I.1.A)
8. **Total quantity:** 400 tonnes
9. **Number of lots:** one
10. **Packaging and marking:** 25 kg. See OJ No C 216, 14. 8. 1987, p. 3 (I.1.A)  
Supplementary markings on the packaging:  
'ACTION N° 132/88 / LAIT ÉCRÉMÉ EN POUDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'  
See OJ No C 216, 14. 8. 1987, p. 3 (I.1.A)
11. **Method of mobilization:** Community market.  
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Nouakchott
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 1 to 15 May 1988
18. **Deadline for the supply:** 15 June 1988
19. **Procedure for determining the costs of supply:** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders (2):** 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender:**
  - (a) deadline for the submission of tenders: 25 April 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30 May 1988
  - (c) deadline for the supply: 30 June 1988
22. **Amount of the tendering security:** 20 ECU/tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer (2):** refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (OJ No L 52, 26. 2. 1988)

## LOT K

1. **Operation No** (1): 137/88 — Commission Decision of 27 July 1987 2. **Programme**: 1987
3. **Recipient**: Guyana
4. **Representative of the recipient** (2): Ruys & Co. Antwerpen, Att.: M. Verbeek; tel. 03 233 8790, telex 72255 RUY S
5. **Place or country of destination**: Guyana
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** (3): see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A)
8. **Total quantity**: 300 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 25 kg. See (OJ No C 216, 14. 8. 1987, p. 3, (I.1.A)  
Supplementary markings on the packaging:  
'ACTION No 971/87 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE AU BURUNDI'  
137/88 / SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'  
See OJ No C 216, 14. 8. 1987, p. 3, (I.1.A)
11. **Method of mobilization**: Community market  
The manufacture of the skimmed-milk powder must be carried out after the award of the tender.
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Georgetown
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 15 May 1988
18. **Deadline for the supply**: 30 June 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 31 May 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30 April 1988
  - (c) deadline for the supply: 15 July 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex AGREC 22 037 B
25. **Refund payable on request by the successful tenderer** (5): refund applicable 26 February 1988 fixed by Regulation (EEC) No 52, 26. 2. 1988

*Footnotes*

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity and certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (3) Commission delegate to contact by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the Office referred to in point 24 of this Annex;
  - or by telecopier on one of the following numbers in Brussels:
    - 235 01 32
    - 236 10 97
    - 235 01 30
    - 236 20 05.
- (5) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (7) Veterinary certificate issued by an official entity stating that the product derives from healthy animals, was processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (8) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (9) The successful tenderer will transmit to the recipients' representatives on delivery a certificate in English stating that the skimmed-milk powder contains no lard.
- (10) The supplier should send a duplicate of the original invoice to:
- MM De Keyzer & Schütz BV,  
Postbus 1438,  
Blaak 16,  
NL-3000 BK Rotterdam.
- Shipment to take place in 20-foot containers; conditions FCL/LCL Shippers-count-load and stowage (cls).
- The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.
- (11) Shipment has to take place from a Community port, served by liner vessels and must have a regular communication with the country of destination. The regular communication must have a frequency of at least four weeks with pre-advertised sailings.

**COMMISSION REGULATION (EEC) No 789/88**  
**of 24 March 1988**  
**on the supply of whole milk powder as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management<sup>(1)</sup>, as amended by Regulation (EEC) No 3785/87<sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementating rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management<sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to the Republic of Tunisia 3 000 tonnes of whole milk powder to be supplied;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid<sup>(4)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

*Article 2*

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

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

Done at Brussels, 24 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 356, 18. 12. 1987, p. 8.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX

1. **Operation Nos<sup>(1)</sup>**: 96/88, 108/88 and 109/88 — Commission Decision of 30 July 1987
2. **Programme**: 1987
3. **Recipient**: STIL (Société Tunisienne de l'Industrie Laitière), 25, rue Belhassen Ben Chaabane, 1005 el Omrane, Tunis, Telex: 15322 Tunis
4. **Representative of the recipient<sup>(2)</sup>**: COMALAIT, 2, rue du Président Roosevelt, Vichy, France, Telex: 990678 COLAI-F
5. **Place or country of destination**: Tunisian Republic
6. **Product to be mobilized**: whole-milk powder
7. **Characteristics and quality of the goods**: <sup>(3)</sup> <sup>(4)</sup>
8. **Total quantity**: 3 000 tonnes
9. **Number of lots**: one lot, three parts (A1: 1 000 tonnes; A2: 1 000 tonnes; A3: 1 000 tonnes)
10. **Packaging and marking**: 25 kg and see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.4.3)  
Supplementary markings on the packaging:  
A1: 'ACTION N° 96/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE TUNISIENNE'  
A2: 'ACTION N° 108/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE TUNISIENNE'  
A3: 'ACTION N° 109/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE TUNISIENNE'  
see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market
12. **Stage of supply**: free-at-port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**:  
A1: from 20 April to 5 May 1988  
A2: from 20 May to 5 June 1988  
A3: from 20 June to 5 July 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders<sup>(5)</sup>**: 11 April 1988 at 12 noon
21. **In the case of a second invitation to tender**:  
(a) deadline for the submission of tenders: 25 April 1988 at 12 noon  
(b) period for making the goods available at the port of shipment:  
A1: 5 to 15 May 1988  
A2: 5 to 15 June 1988  
A3: 5 to 15 July 1988  
(c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
Bâtiment Berlaymont, bureau 6/73,  
200, rue de la Loi,  
B-1049 Brussels;  
Telex AGREO 22037 B
25. **Refund payable on request by the successful tenderer<sup>(6)</sup>**: Refund applicable on 26 February 1988 fixed by Regulation (EEC) No 508/88 (*Official Journal of the European Communities* No L 52 of 26 February 1988)

*Notes*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) The whole-milk powder with 26 % minimum fat content must be obtained by the spray method and must be manufactured not more than one month before the date of shipment. The quality must be extra grade and the milk powder must have the following characteristics:
- |  |   |
|--|---|
| (a) Fat content :                                    | 26,0 % minimum  |
| (b) Water content :                                  | 2,5 % maximum   |
| (c) Titratable acidity (in solids, / non-fat) : ADMI |   |
| — as ml of decinormal sodium hydroxide solution :    | 3,0 % maximum   |
| — as lactic acid :                                   | 0,15 % maximum  |
| (d) Lactate content (in solids, / non-fat)           | 150 mg/100 g maximum  |
| (e) Additives :                                      | none  |
| (f) Phosphatase test :                               | negative, i.e. not more than 4 µg of phenol per g of reconstituted milk |
| (g) Solubility index :                               | 0,5 ml maximum  |
| (h) Burnt :  | 15,0 mg maximum, i.e. at least disc B                                   |
| (i) Micro-organism content :                         | 50 000 per g maximum  |
| (k) Coliform test :                                  | negative in 0,1 g   |
| (l) Buttermilk test :                                | negative  |
| (m) Whey test :                                      | negative  |
| (n) Odour and flavour :                              | clean   |
| (o) Apperance :                                      | white or slightly yellowish, ni impurities or coloured particles        |
- (<sup>3</sup>) Commission delegate to contact by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (<sup>4</sup>) At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity and certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (<sup>5</sup>) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the office referred to in point 24 of this Annex ;
  - or by telecopier on one of the following numbers in Brussels :
    - 235 01 32,
    - 236 10 97,
    - 235 01 30,
    - 236 20 05.
- (<sup>6</sup>) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.



## COMMISSION REGULATION (EEC) No 790/88

of 25 March 1988

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) 3989/87<sup>(2)</sup>, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 4047/87<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 24 March 1988;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4047/87 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 26 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.<sup>(5)</sup> OJ No L 378, 31. 12. 1987, p. 99.

## ANNEX

to the Commission Regulation of 25 March 1988 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	12,29	172,60
0712 90 19	12,29	172,60
1001 10 10	68,97	257,81 <sup>(1)</sup> <sup>(2)</sup>
1001 10 90	68,97	257,81 <sup>(1)</sup> <sup>(2)</sup>
1001 90 91	7,92	186,93
1001 90 99	7,92	186,93
1002 00 00	47,51	165,83 <sup>(3)</sup>
1003 00 10	41,19	172,26
1003 00 90	41,19	172,26
1004 00 10	97,72	146,92
1004 00 90	97,72	146,92
1005 10 90	12,29	172,60 <sup>(3)</sup> <sup>(4)</sup>
1005 90 00	12,29	172,62 <sup>(3)</sup> <sup>(4)</sup>
1007 00 90	35,81	182,49 <sup>(4)</sup>
1008 10 00	41,19	97,37
1008 20 00	41,19	143,37 <sup>(4)</sup>
1008 30 00	41,19	59,81 <sup>(5)</sup>
1008 90 10	(7)	(7)
1008 90 90	41,19	59,81
1101 00 00	25,17	276,47
1102 10 00	82,12	247,01
1103 11 10	119,84	413,28
1103 11 90	25,25	296,66

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

<sup>(2)</sup> In accordance with 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'.

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 791/88

of 25 March 1988

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3989/87<sup>(2)</sup>, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 4048/87<sup>(5)</sup> and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 24 March 1988;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 26 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.

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

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 378, 31. 12. 1987, p. 102.

## ANNEX

to the Commission Regulation of 25 March 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 3	1st period 4	2nd period 5	3rd period 6
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	0,36	0,36	0,36
1001 90 99	0	0,36	0,36	0,36
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	10,92	10,92	10,92
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0,50	0,50	0,50

## B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0,64	0,64	0,64	0,64
1107 10 19	0	0,48	0,48	0,48	0,48
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 792/88**  
**of 25 March 1988**  
**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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87 <sup>(2)</sup>, 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 rice of the long-grain aromatic Basmati variety falling within subheading 1006 10, 1006 20 and 1006 30 of the combined nomenclature <sup>(3)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 4042/87 <sup>(4)</sup>, as last amended by Regulation (EEC) No 714/88 <sup>(5)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4042/87 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 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 28 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 378, 31. 12. 1987, p. 88.

<sup>(5)</sup> OJ No L 74, 19. 3. 1988, p. 31.

## ANNEX

to the Commission Regulation of 25 March 1988 fixing the import levies on rice and broken rice

(ECU/tonne)

CN Code	Portugal	Third countries (except ACP or OCT) ( <sup>1</sup> )	ACP or OCT ( <sup>1</sup> ) ( <sup>2</sup> ) ( <sup>3</sup> )	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	318,87	155,83	—
1006 10 99	—	291,03	141,91	218,27
1006 20 10	—	398,59	195,69	—
1006 20 90	—	363,79	178,29	272,84
1006 30 11	13,05	526,18	251,16	—
1006 30 19	12,97	593,00	284,61	444,75
1006 30 91	13,90	560,39	267,84	—
1006 30 99	13,90	635,70	305,50	476,78
1006 40 00	0,00	162,87	78,43	—

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

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

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

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

COMMISSION REGULATION (EEC) No 793/88  
of 25 March 1988

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 715/88 <sup>(4)</sup>;

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 <sup>(5)</sup> 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 previous 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 28 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESSEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 245, 29. 8. 1987, p. 39.

<sup>(4)</sup> OJ No L 74, 19. 3. 1988, p. 33.

<sup>(5)</sup> OJ No L 256, 7. 9. 1987, p. 1.

## ANNEX

to the Commission Regulation of 25 March 1988 fixing the premiums to be added to the import levies on rice and broken rice

*(ECU/tonne)*

CN Code	Current 3	1st period 4	2nd period 5	3rd period 6
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 794/88  
of 25 March 1988

amending Regulation (EEC) No 1787/87 introducing the buying in of beef in respect of certain Member States and qualities and fixing the buying-in prices for beef

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 3905/87 <sup>(2)</sup>, and in particular Article 6a (4) thereof,

Whereas Commission Regulation (EEC) No 1787/87 <sup>(3)</sup>, as last amended by Regulation (EEC) No 716/88 <sup>(4)</sup>, introduced the buying in of beef in respect of certain Member States or regions thereof and quality groups, and fixed the buying-in prices in the beef sector;

Whereas, pursuant to the abovementioned Article 6a (4) and to Article 3 (2) of Commission Regulation (EEC) No

2226/78 <sup>(5)</sup>, as last amended by Regulation (EEC) No 3350/87 <sup>(6)</sup>, the table of Member States or regions of Member States and of quality groups eligible for intervention, as well as the buying-in prices, should be replaced, on the basis of the data and prices available to the Commission, by the table and the prices annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to amended Regulation (EEC) No 1787/87 are hereby replaced by the Annexes hereto.

*Article 2*

This Regulation shall enter into force on 4 April 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24/68.

<sup>(2)</sup> OJ No L 370, 30. 12. 1987, p. 7.

<sup>(3)</sup> OJ No L 168, 27. 6. 1987, p. 22.

<sup>(4)</sup> OJ No L 74, 19. 3. 1988, p. 35.

<sup>(5)</sup> OJ No L 261, 26. 9. 1978, p. 5.

<sup>(6)</sup> OJ No L 317, 7. 11. 1987, p. 33.

## ANNEX I

## Member States or regions within a Member State and groups of qualities

Member State/Region	Groups of qualities (category and class)
Belgium	AU, AR, AO
Denmark	AR, AO, CR, CO
Germany	AU, AR,
Spain	AU, AO
France	AU, AR, AO, CU, CR, CO
Ireland	CU, CR, CO
Italy	AR, AO
Luxembourg	AR, AO, CO
Netherlands	AR
Great Britain	CU,
Northern Ireland	CU, CR,

## ANNEX II

## Buying-in price in ECU per 100 kilograms carcase weight

Quality (category and class)	Equivalent carcase price	Forequarter price	
		straight cut (1)	pistola cut (2)
AU2	310,575	248,460	232,931
AU3	306,309	245,047	229,732
AR2	304,362	243,490	228,272
AR3	300,002	240,002	225,002
AO2	282,141	225,713	211,606
AO3	277,854	222,283	208,391
CU2	312,827	250,262	234,620
CU3	308,530	246,824	231,398
CU4	299,936	239,949	224,952
CR3	295,792	236,634	221,844
CR4	287,194	229,755	215,396
CO3	281,161	224,929	210,871

(1) Conversion coefficient 0,80.

(2) Conversion coefficient 0,75.

## COMMISSION REGULATION (EEC) No 795/88

of 25 March 1988

specifying the extent to which applications lodged in March 1988 for import licences in respect of young male bovine animals for fattening may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 3905/87 <sup>(2)</sup>, and in particular Article 13 (4) (a) thereof,

Whereas Commission Regulation (EEC) No 451/88 <sup>(3)</sup> fixed the quantity of young male bovine animals which may be imported on special terms during the first quarter of 1988; whereas, having regard to the applications for import licences lodged by each of the categories of applicants referred to in that Regulation, such licences should be issued as provided below,

HAS ADOPTED THIS REGULATION:

*Article 1*

Import licences for young male bovine animals for fattening in respect of which applications were lodged between 29 February and 7 March 1988 shall be issued as follows:

1. The quantities requested in Italy:

- (a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia:

(aa) by agricultural producers of their organizations shall be reduced by 97,588 %;

(bb) by other applicants shall be reduced by 97,596 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries:

(aa) by agricultural producers or their organizations shall be reduced by 97,162 %;

(bb) by other applicants shall be reduced by 98,878 %.

2. The quantities requested in Greece:

(a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia:

(aa) by agricultural producers or their organizations shall be reduced by 94,731 %;

(bb) by other applicants shall be reduced by 80,769 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries:

(aa) by agricultural producers or their organizations shall be reduced by 92,804 %;

(bb) by other applicants shall be reduced by 87,805 %.

3. The quantities requested in the other Member States shall be reduced by 99,627 %.

*Article 2*

This Regulation shall enter into force on 28 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 370, 30. 12. 1987, p. 7.

<sup>(3)</sup> OJ No L 46, 19. 2. 1988, p. 9.

## COMMISSION REGULATION (EEC) No 796/88

of 25 March 1988

determining the extent to which applications lodged in March 1988 for the issue of import licences in respect of frozen beef intended for processing may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 3905/87 <sup>(2)</sup>, and in particular Article 14 (4) (a) thereof,

Whereas Commission Regulation (EEC) No 450/88 <sup>(3)</sup> fixed the quantity of frozen beef intended for processing which may be imported under special terms in the first quarter of 1988;

Whereas Article 15 (6) (a) of Commission Regulation (EEC) No 2377/80 <sup>(4)</sup>, as last amended by Regulation (EEC) No 3988/87 <sup>(5)</sup>, lays down that the quantities applied for may be reduced; whereas the applications lodged in conformity with the conditions of Commission Regulation (EEC) No 1136/79 <sup>(6)</sup>, as last amended by Regulation (EEC) No 3988/87, relate to total quantities which by far exceed the quantities available in accordance with Article 1 of Regulation (EEC) No 450/88, whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is

appropriate, for the system referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Every application for an import licence lodged in accordance with Regulation (EEC) No 1136/79 for the quarter beginning 1 January 1988 shall be granted to the following extent, expressed as bone-in beef:

- (a) 2,407 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2 (6) of Regulation (EEC) No 1136/79;
- (b) 32,146 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2 (6) of Regulation (EEC) No 1136/79.

2. In conformity with Article 15 (3) of Regulation (EEC) No 2377/80, all applications from any one applicant shall be regarded as a single application.

*Article 2*

This Regulation shall enter into force on 28 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 370, 30. 12. 1987, p. 7.

<sup>(3)</sup> OJ No L 46, 19. 2. 1988, p. 8.

<sup>(4)</sup> OJ No L 241, 13. 9. 1980, p. 5.

<sup>(5)</sup> OJ No L 376, 31. 12. 1987, p. 31.

<sup>(6)</sup> OJ No L 141, 9. 6. 1979, p. 10.

**COMMISSION REGULATION (EEC) No 797/88**  
**of 25 March 1988**

**amending Regulation (EEC) No 2226/78 as regards products from animals  
 treated with substances having a hormonal action**

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

Having regard to Council Regulation (EEC) No 805/68 of  
 27 June 1968 on the common organization of the market  
 in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC)  
 No 3905/87 <sup>(2)</sup>, and in particular Article 6 (5) thereof,

Whereas Article 6 of Commission Regulation (EEC) No  
 2226/78 <sup>(3)</sup>, as last amended by Regulation (EEC) No  
 3988/87 <sup>(4)</sup>, lists the requirements that must be met by  
 products bought in by intervention agencies;

Whereas under Council Directive 88/146/EEC of 7 March  
 1988 prohibiting the use in livestock farming of certain  
 substances having a hormonal action <sup>(5)</sup>, and in particular  
 Article 2 thereof, the administration of certain substances  
 having a hormonal action to farm animals for purposes  
 other than those specified in Article 4 of Council  
 Directive 81/602/EEC of 31 July 1981 concerning the  
 prohibition of certain substances having a hormonal  
 action and of any substances having a thyrostatic action <sup>(6)</sup>  
 is, from 1 January 1988, prohibited throughout the  
 Community;

Whereas, therefore, provision should be made for meat  
 from animals treated with the substances prohibited by  
 the abovementioned Directive to be excluded from

intervention from a date permitting the disposal of such  
 meat within the time limits laid down for the placing on  
 the market of all meat from animals treated with those  
 substances; whereas Regulation (EEC) No 2226/78 should  
 therefore be amended to incorporate the new  
 requirements for products bought in by intervention  
 agencies;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The following point is added to Article 6 (1) of Regulation  
 (EEC) No 2226/78:

(e) they come from animals to which substances  
 prohibited by Article 2 of Council Directive  
 88/146/EEC <sup>(7)</sup> have not been administered.

<sup>(7)</sup> OJ No L 70, 16. 3. 1988, p. 16.

*Article 2*

This Regulation shall enter into force on 1 April 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.  
<sup>(2)</sup> OJ No L 370, 30. 12. 1987, p. 7.  
<sup>(3)</sup> OJ No L 261, 26. 9. 1978, p. 5.  
<sup>(4)</sup> OJ No L 376, 31. 12. 1987, p. 31.  
<sup>(5)</sup> OJ No L 70, 16. 3. 1988, p. 16.  
<sup>(6)</sup> OJ No L 222, 7. 8. 1981, p. 32.

**COMMISSION REGULATION (EEC) No 798/88****of 25 March 1988****amending Regulation (EEC) No 3601/82 on the communication by Member States to the Commission of data relating to imports and exports of certain agricultural products**

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<sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 3989/87<sup>(2)</sup>, and in particular Article 24 thereof, and the corresponding provisions of the other regulations establishing a common organization of the markets in respect of agricultural products,

Whereas Commission Regulation (EEC) No 3601/82<sup>(3)</sup>, as last amended by Regulation (EEC) No 4152/87<sup>(4)</sup>, provides for the communication by Member States to the Commission of data relating to imports and exports of certain agricultural products;

Whereas for certain products communication of such data is made in periods of 10 days; whereas for products in the tobacco, beef and veal and sheepmeat and goatmeat sectors the monthly communications are sufficient for the needs of these market sectors; whereas for products in the pigmeat and eggs and poultry sectors monthly communications of data on exports are sufficient for the needs of these market sectors; whereas the requirements for the communication of this data in periods of 10 days for these products should be deleted;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 (2) of Regulation (EEC) No 3601/82 is hereby replaced by the following:

'2. In respect of each 10-day period, Member States shall, not later than 15 days thereafter, communicate to the Commission the following particulars for products mentioned under I. Pigmeat and III. Eggs and poultry, in Annex I, imported from third countries: the quantities and the statistical value, broken down in accordance with the combined nomenclature code and by country of origin'.

*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, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 376, 31. 12. 1982, p. 11.

<sup>(4)</sup> OJ No L 392, 31. 12. 1987, p. 1.

**COMMISSION REGULATION (EEC) No 799/88**  
**of 25 March 1988**

**introducing a countervailing charge on cucumbers originating in Albania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 223/88<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 297/88 of 1 February 1988 fixing for the 1988 marketing year the reference prices for cucumbers<sup>(3)</sup> fixed the reference price for products of class I at 112,14 ECU per 100 kilograms net for the month of March 1988;

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

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

(EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 297/88;

Whereas, for cucumbers originating in Albania the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of 18,33 ECU per 100 kilograms net is applied to cucumbers (CN codes 0707 00 11 and 0707 00 19) originating in Albania.

*Article 2*

This Regulation shall enter into force on 29 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 23, 28. 1. 1988, p. 1.

<sup>(3)</sup> OJ No L 30, 2. 2. 1988, p. 12.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

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

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

**COMMISSION REGULATION (EEC) No 800/88****of 25 March 1988****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat**

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

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat <sup>(1)</sup>, as last amended by Regulation (EEC) No 3939/87 <sup>(2)</sup>, and in particular the first paragraph of Article 11 thereof,

Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3917/87 <sup>(3)</sup>, as last amended by Regulation (EEC) No 523/88 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3917/87 to the quota-

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 4 April 1988.

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

Done at Brussels, 25 March 1988.

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

<sup>(1)</sup> OJ No L 183, 16. 7. 1980, p. 1.

<sup>(2)</sup> OJ No L 373, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 369, 29. 12. 1987, p. 8.

<sup>(4)</sup> OJ No L 53, 27. 2. 1988, p. 31.



## ANNEX

to the Commission Regulation of 25 March 1988 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 14 from 4 to 10 April 1988	Week No 15 from 11 to 17 April 1988	Week No 16 from 18 to 24 April 1988	Week No 17 from 25 April to 1 May 1988
0104 10 90 <sup>(1)</sup>	146,165	145,921	144,854	143,256
0104 20 90 <sup>(1)</sup>	146,165	145,921	144,854	143,256
0204 10 00 <sup>(2)</sup>	310,990	310,470	308,200	304,800
0204 21 00 <sup>(2)</sup>	310,990	310,470	308,200	304,800
0204 22 10 <sup>(2)</sup>	217,693	217,329	215,740	213,360
0204 22 30 <sup>(2)</sup>	342,089	341,517	339,020	335,280
0204 22 50 <sup>(2)</sup>	404,287	403,611	400,660	396,240
0204 22 90 <sup>(2)</sup>	404,287	403,611	400,660	396,240
0204 23 00 <sup>(2)</sup>	566,002	565,055	560,924	554,736
0204 50 11 <sup>(2)</sup>	310,990	310,470	308,200	304,800
0204 50 13 <sup>(2)</sup>	217,693	217,329	215,740	213,360
0204 50 15 <sup>(2)</sup>	342,089	341,517	339,020	335,280
0204 50 19 <sup>(2)</sup>	404,287	403,611	400,660	396,240
0204 50 31 <sup>(2)</sup>	404,287	403,611	400,660	396,240
0204 50 39 <sup>(2)</sup>	566,002	565,055	560,924	554,736
0210 90 11 <sup>(2)</sup>	404,287	403,611	400,660	396,240
0210 90 19 <sup>(2)</sup>	566,002	565,055	560,924	554,736

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

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

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

**COMMISSION REGULATION (EEC) No 801/88**  
**of 25 March 1988**  
**fixing the import levies on frozen sheepmeat and goatmeat**

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

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat <sup>(1)</sup>, as last amended by Regulation (EEC) No 3939/87 <sup>(2)</sup>, and in particular the first paragraph of Article 11 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3918/87 <sup>(3)</sup>, as last amended by Regulation (EEC) No 524/88 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3918/87 to the quota-

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 4 April 1988.

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

Done at Brussels, 25 March 1988.

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

<sup>(1)</sup> OJ No L 183, 16. 7. 1980, p. 1.

<sup>(2)</sup> OJ No L 373, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 369, 29. 12. 1987, p. 11.

<sup>(4)</sup> OJ No L 53, 27. 2. 1988, p. 33.

## ANNEX

to the Commission Regulation of 25 March 1988 fixing the import levies on frozen  
sheepmeat and goatmeat<sup>(1)</sup>

(ECU/100 kg)

CN code	Week No 14 from 4 to 10 April 1988	Week No 15 from 11 to 17 April 1988	Week No 16 from 18 to 24 April 1988	Week No 17 from 25 April to 1 May 1988
0204 30 00	231,493	231,103	229,400	226,850
0204 41 00	231,493	231,103	229,400	226,850
0204 42 10	162,045	161,772	160,580	158,795
0204 42 30	254,642	254,213	252,340	249,535
0204 42 50	300,941	300,434	298,220	294,905
0204 42 90	300,941	300,434	298,220	294,905
0204 43 00	421,317	420,607	417,508	412,867
0204 50 51	231,493	231,103	229,400	226,850
0204 50 53	162,045	161,772	160,580	158,795
0204 50 55	254,642	254,213	252,340	249,535
0204 50 59	300,941	300,434	298,220	294,905
0204 50 71	300,941	300,434	298,220	294,905
0204 50 79	421,317	420,607	417,508	412,867

<sup>(1)</sup> The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

**COMMISSION REGULATION (EEC) No 802/88**  
**of 25 March 1988**  
**fixing the export refunds 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87 <sup>(2)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds <sup>(3)</sup>, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas to Commission Regulation (EEC) No 1361/76 <sup>(4)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87 <sup>(5)</sup>, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 <sup>(6)</sup>;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(8)</sup>;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded 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 these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(4)</sup> OJ No L 154, 15. 6. 1976, p. 11.

<sup>(5)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(6)</sup> OJ No L 366, 24. 12. 1987, p. 1.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

*Article 2*

This Regulation shall enter into force on 1 April 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

## ANNEX

to the Commission Regulation of 25 March 1988 fixing the export refunds on rice and broken rice

*(ECU / tonne)*

Product code	Destination (°)	Amount of refund
1006 20 10 000	—	—
1006 20 90 000	01	224,00
	02	—
1006 30 11 000	—	—
1006 30 19 000	—	—
1006 30 91 000	—	—
1006 30 99 100	01	280,00
	03	306,00
	05	306,00
	06	311,00
	07	311,00
	08	306,00
	09	306,00
	10	311,00
	11	311,00
	12	311,00
	13	280,00
	14	311,00
1006 30 99 900	01	280,00
	13	280,00
1006 40 00 000	—	—

(°) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie
- 03 Zone I
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of Zone I
- 05 Zone II b)
- 06 Zone IV a)
- 07 Zone IV b)
- 08 Zone VI
- 09 Canary Islands, Ceuta and Melilla
- 10 Zone V a)
- 11 Zone VII c)
- 12 Canada
- 13 Destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1)
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

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

The export refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in amended Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986).

**COMMISSION REGULATION (EEC) No 803/88  
of 25 March 1988**

**fixing the corrective amount applicable to the refund 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87 <sup>(2)</sup>, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Regulation No 474/67/EEC <sup>(3)</sup>, as amended by Regulation (EEC) No 1397/68 <sup>(4)</sup>, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0,30 ECU per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0,30 ECU per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 <sup>(5)</sup>, based in respect of each month for which the export licence is valid, on the cif price calculated on the

basis of offers for shipment during the month of exportation ;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87 <sup>(6)</sup>, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 <sup>(7)</sup> ;

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

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

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

HAS ADOPTED THIS REGULATION :

*Article 1*

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 April 1988.

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No 204, 24. 8. 1967, p. 20/67.

<sup>(4)</sup> OJ No L 222, 10. 9. 1968, p. 6.

<sup>(5)</sup> OJ No L 166, 25. 6. 1976, p. 30.

<sup>(6)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(7)</sup> OJ No L 366, 24. 12. 1987, p. 1.

<sup>(8)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(9)</sup> 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, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

*ANNEX*

to the Commission Regulation of 25 March 1988 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 4	1st period 5	2nd period 6	3rd period 7
1006 20 10 000	—	—	—	—
1006 20 90 000	0	0	0	0
1006 30 11 000	—	—	—	—
1006 30 19 000	—	—	—	—
1006 30 91 000	—	—	—	—
1006 30 99 100	0	0	0	0
1006 30 99 900	0	0	0	0
1006 40 00 000	—	—	—	—



**COMMISSION REGULATION (EEC) No 804/88**  
**of 25 March 1988**  
**fixing the import levies on white sugar and raw sugar**

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2054/87 <sup>(3)</sup>, as last amended by Regulation (EEC) No 767/88 <sup>(4)</sup>;

Whereas Council Regulation (EEC) No 2658/87 <sup>(5)</sup> introduced 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 previous nomenclature;

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 26 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 23.

<sup>(3)</sup> OJ No L 192, 11. 7. 1987, p. 38.

<sup>(4)</sup> OJ No L 79, 24. 3. 1988, p. 27.

<sup>(5)</sup> OJ No L 256, 7. 9. 1987, p. 1.

*ANNEX*

to the Commission Regulation of 25 March 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,66 <sup>(1)</sup>
1701 11 90	40,66 <sup>(1)</sup>
1701 12 10	40,66 <sup>(1)</sup>
1701 12 90	40,66 <sup>(1)</sup>
1701 91 00	49,71
1701 99 10	49,71
1701 99 90	49,71

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

**COMMISSION REGULATION (EEC) No 805/88**  
**of 25 March 1988**

**amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aids granted for skimmed milk for use as feed**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 744/88<sup>(2)</sup>, and in particular Article 10 (3) thereof,

Whereas Article 2a of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed<sup>(3)</sup>, as last amended by Regulation (EEC) No 548/87<sup>(4)</sup>, determines the factors required to fix that aid; whereas paragraph 2 of that Article provides for the possibility of adjusting the aid during a milk year where there is a substantial change in the abovementioned factors;

Whereas there has been a substantial change providing a better balance between supply and demand in the situation of the market for skimmed milk and skimmed-milk powder since the beginning of the 1987/88 milk year; whereas the level of the aid should therefore be adjusted to take account of that change in particular as regards aid to skimmed milk; whereas Article 1a(3) of Commission Regulation (EEC) No 1105/68 of 27 July 1968 on detailed rules for granting aid for skimmed milk for use as feed<sup>(5)</sup>, as last amended by

Regulation (EEC) No 2721/87<sup>(6)</sup>, and Article 1 of Commission Regulation (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed milk and skimmed-milk powder for use as feed<sup>(7)</sup> should accordingly be amended;

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*

In Article 1a(3) of Regulation (EEC) No 1105/68, '72,7 ECU' is hereby replaced by '65 ECU'.

*Article 2*

In Article 1 of Regulation (EEC) No 1634/85, '7,27 ECU' is hereby replaced by '6,50 ECU'.

*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 from 1 April 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESSEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 78, 23. 3. 1988, p. 1.

<sup>(3)</sup> OJ No L 169, 18. 7. 1968, p. 4.

<sup>(4)</sup> OJ No L 56, 26. 2. 1987, p. 2.

<sup>(5)</sup> OJ No L 184, 29. 7. 1968, p. 24.

<sup>(6)</sup> OJ No L 261, 11. 9. 1987, p. 8.

<sup>(7)</sup> OJ No L 158, 18. 6. 1985, p. 7.

## COMMISSION REGULATION (EEC) No 806/88

of 25 March 1988

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 3994/87<sup>(2)</sup>, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture<sup>(3)</sup>, as last amended by Regulation (EEC) No 696/88<sup>(4)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed<sup>(5)</sup>, as last amended by Regulation (EEC) No 1869/87<sup>(6)</sup>, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increments in the target price for colza, rape and sunflower seed for the 1987/88 marketing year have been fixed in Council Regulations (EEC) No 1917/87<sup>(7)</sup> and (EEC) No 1918/87<sup>(8)</sup>;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 4018/87<sup>(9)</sup>, as last amended by Regulation (EEC) No 754/88<sup>(10)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4018/87 to the information known to the Commission that the amount of the

subsidy at present in force should be altered to the amount set out in the Annexes hereto;

Whereas, in the absence of the target price for the 1988/89 marketing year for colza and rape seed, the abatement of the subsidy from the system of maximum quantities, the amount of the subsidy in the case of advance fixing for this period for colza and rape seed has been obtainable only provisionally on the basis of the target price and the abatement of the subsidy for the marketing year 1987/88; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative prices of the 1988/89 marketing year are known,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83<sup>(11)</sup> shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86<sup>(12)</sup> 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 Council Regulation (EEC) No 1920/87<sup>(13)</sup> for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1988/89 marketing year for colza and rape will be confirmed or replaced as from 24 March 1988 to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

*Article 2*

This Regulation shall enter into force on 26 March 1988.

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 30.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(4)</sup> OJ No L 72, 17. 3. 1988, p. 5.

<sup>(5)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(6)</sup> OJ No L 176, 1. 7. 1987, p. 30.

<sup>(7)</sup> OJ No L 183, 3. 7. 1987, p. 14.

<sup>(8)</sup> OJ No L 183, 3. 7. 1987, p. 16.

<sup>(9)</sup> OJ No L 378, 31. 12. 1987, p. 27.

<sup>(10)</sup> OJ No L 78, 23. 3. 1988, p. 26.

<sup>(11)</sup> OJ No L 266, 28. 9. 1983, p. 1.

<sup>(12)</sup> OJ No L 53, 1. 3. 1986, p. 47.

<sup>(13)</sup> OJ No L 183, 3. 7. 1987, p. 18.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

**ANNEX I**

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

(amounts per 100 kilograms)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period (1) 8 (1)
<b>1. Gross aids (ECU):</b>						
— 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	22,679	23,674	24,210	24,509	21,502	21,332
<b>2. Final aids:</b>						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,23	57,57	58,85	59,64	51,20	51,11
— Netherlands (Fl)	61,25	63,88	65,31	66,21	57,59	57,46
— BLEU (Bfrs/Lfrs)	1 086,37	1 134,33	1 160,12	1 173,92	1 029,33	1 016,21
— France (FF)	163,23	170,90	174,70	176,57	153,99	153,37
— Denmark (Dkr)	195,61	204,43	209,15	211,82	185,45	182,11
— Ireland (£ Irl)	18,141	18,994	19,442	19,672	17,162	16,930
— United Kingdom (£)	13,196	13,909	14,274	14,501	12,505	12,246
— Italy (Lit)	34 068	35 732	36 470	36 817	31 981	31 479
— Greece (Dr)	1 931,29	2 067,42	2 136,20	2 158,90	1 758,70	1 654,35
(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)	3 417,93	3 572,79	3 627,03	3 688,46	3 224,00	3 167,17
(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)	4 366,16	4 542,05	4 633,23	4 645,96	4 124,62	4 044,81

(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.

## ANNEX II

## Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period (1) 8 (1)
<b>1. Gross aids (ECU):</b>						
— 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	25,179	26,174	26,710	27,009	24,002	23,832
<b>2. Final aids:</b>						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	61,20	63,53	64,81	65,60	57,10	57,01
— Netherlands (Fl)	67,93	70,57	72,00	72,89	64,21	64,08
— BLEU (Bfrs/Lfrs)	1 206,54	1 254,50	1 280,29	1 294,09	1 149,50	1 136,38
— France (FF)	181,92	189,59	193,38	195,26	172,68	172,06
— Denmark (Dkr)	217,50	226,32	231,03	233,71	207,34	204,00
— Ireland (£ Irl)	20,219	21,072	21,521	21,750	19,240	19,009
— United Kingdom (£)	14,836	15,549	15,915	16,141	14,145	13,886
— Italy (Lit)	38 061	39 724	40 463	40 810	35 974	35 471
— Greece (Dr)	2 252,14	2 388,27	2 457,05	2 479,75	2 079,55	1 975,20
(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)	3 803,47	3 958,32	4 012,56	4 073,99	3 609,53	3 552,71
(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)	4 795,47	4 971,36	5 062,54	5 075,27	4 553,93	4 474,13

(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.

## ANNEX III

## Aids to sunflower seed

(amounts per 100 kilograms)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
<b>1. Gross aids (ECU):</b>					
— 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	33,765	34,166	34,422	34,422	34,350
<b>2. Final aids:</b>					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	81,70	82,66	83,30	83,41	83,25
— Netherlands (Fl)	90,90	91,98	92,67	92,79	92,60
— BLEU (Bfrs/Lfrs)	1 619,14	1 638,40	1 650,66	1 649,95	1 646,47
— France (FF)	245,97	248,94	250,48	249,95	249,38
— Denmark (Dkr)	292,60	296,10	298,31	298,31	297,66
— Ireland (£ Irl)	27,341	27,671	27,872	27,836	27,773
— United Kingdom (£)	20,431	20,686	20,833	20,833	20,778
— Italy (Lit)	52 722	52 351	52 585	52 395	52 269
— Greece (Dr)	3 331,24	3 350,31	3 361,07	3 323,63	3 309,88
(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)	3 936,73	3 998,40	4 005,05	4 021,18	4 009,84
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 687,02	6 750,09	6 787,32	6 736,95	6 722,60
— in another Member State (Esc)	6 493,47	6 554,71	6 590,87	6 541,95	6 528,02
<b>3. Compensatory aids:</b>					
— in Spain (Pta)	3 888,77	3 950,44	3 957,09	3 973,22	3 960,01
<b>4. Special aid:</b>					
— in Portugal (Esc)	6 493,47	6 554,71	6 590,87	6 541,95	6 528,02

(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 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
DM	2,071650	2,067050	2,061410	2,056160	2,056160	2,041440
Fl	2,328500	2,324710	2,319410	2,314920	2,314920	2,302160
Bfrs/Lfrs	43,319500	43,321900	43,299200	43,289300	43,289300	43,258300
FF	7,041390	7,054920	7,065950	7,080440	7,080440	7,117180
Dkr	7,948650	7,969660	7,984520	8,001270	8,001270	8,056540
£Irl	0,775313	0,776200	0,776585	0,777588	0,777588	0,781203
£	0,669615	0,671228	0,672313	0,673666	0,673666	0,677913
Lit	1 534,76	1 536,64	1 547,32	1 553,10	1 553,10	1 569,90
Dr	165,51100	167,35400	168,96100	170,81500	170,81500	176,65700
Esc	169,60700	170,97300	172,05700	173,36400	173,36400	176,43500
Pta	138,84700	139,44000	139,90100	140,34800	140,34800	141,74700

## COMMISSION REGULATION (EEC) No 807/88

of 25 March 1988

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3989/87<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(3)</sup>, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

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

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

required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC<sup>(4)</sup>, as amended by Regulation (EEC) No 1607/71<sup>(5)</sup>;

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas, following the introduction of the "combined nomenclature" by Council Regulation (EEC) No 2658/87<sup>(8)</sup>, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87<sup>(9)</sup>;

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

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No 128, 27. 6. 1967, p. 2574/67.

<sup>(5)</sup> OJ No L 168, 27. 7. 1971, p. 16.

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

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(8)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(9)</sup> OJ No L 366, 24. 12. 1987, p. 1.



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

The refund on export to Portugal has not been fixed.

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, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 March 1988.

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

Done at Brussels, 25 March 1988.

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

## ANNEX

to the Commission Regulation of 25 March 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	80,00
1001 10 90 000	04	30,00 (?)
	05	25,00 (?)
	11	24,00 (?)
	02	20,00 (?)
1001 90 91 000	01	80,00
1001 90 99 000	03	88,00
	02	0
	08	98,00
	10	110,00
	12	112,00
1002 00 00 000	03	88,00
	06	20,00
	07	15,00
	02	25,00
	09	95,00
	13	95,00
1003 00 10 000	01	80,00
1003 00 90 000	03	96,00
	02	25,00
1004 00 10 000	01	50,00
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	106,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	140,00
1101 00 00 120	01	140,00
1101 00 00 130	01	121,00
1101 00 00 150	01	112,00
1101 00 00 170	01	103,00
1101 00 00 180	01	92,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	140,00
1102 10 00 200	01	140,00
1102 10 00 300	01	140,00
1102 10 00 500	01	140,00
1102 10 00 900	—	—
1103 11 10 100	02	305,00
	05	319,00
1103 11 10 200	01	288,00
1103 11 10 500	01	257,00
1103 11 10 900	01	243,00
1103 11 90 100	01	140,00
1103 11 90 900	—	—

(<sup>1</sup>) 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,
- 08 Ceuta and Melilla,
- 09 Zone II (b),
- 10 Canary Islands,
- 11 Tunisia,
- 12 Senegal,
- 13 Israel.

(<sup>2</sup>) 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.

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*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 296/88 (OJ No L 30, 2. 2. 1988).

## COMMISSION REGULATION (EEC) No 808/88

of 25 March 1988

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 3989/87<sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 3990/87<sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(5)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(6)</sup>, 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 516/88<sup>(7)</sup>, as last amended by Regulation (EEC) No 676/88<sup>(8)</sup>;

Whereas Council Regulation (EEC) No 1906/87<sup>(9)</sup> as amended by Council Regulation (EEC) No 2744/75<sup>(10)</sup> 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 24 March 1988;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74<sup>(11)</sup> the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 516/88 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 26 March 1988.

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

Done at Brussels, 25 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.  
<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.  
<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.  
<sup>(4)</sup> OJ No L 377, 31. 12. 1987, p. 15.  
<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.  
<sup>(6)</sup> OJ No L 153, 13. 6. 1987, p. 1.  
<sup>(7)</sup> OJ No L 53, 27. 2. 1988, p. 9.  
<sup>(8)</sup> OJ No L 70, 16. 3. 1988, p. 14.  
<sup>(9)</sup> OJ No L 182, 3. 7. 1987, p. 49.  
<sup>(10)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(11)</sup> OJ No L 168, 25. 6. 1974, p. 7.

## ANNEX

to the Commission Regulation of 25 March 1988 altering the import levies on products processed from cereals and rice

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 20 10 (?)	316,52	310,48
1102 20 90 (?)	178,96	175,94
1102 90 90 (?)	188,04	185,02
1103 13 11 (?)	298,52	292,48
1103 13 19 (?)	316,52	310,48
1103 13 90 (?)	178,96	175,94
1103 19 90 (?)	188,04	185,02
1103 29 40 (?)	316,52	310,48
1103 29 90 (?)	188,04	185,02
1104 19 50 (?)	316,52	310,48
1104 19 99 (?)	332,54	326,50
1104 23 10 (?)	279,00	275,98
1104 23 30 (?)	279,00	275,98
1104 23 90 (?)	178,96	175,94
1104 29 10*30 (?) <sup>(9)</sup>	293,24	290,22
1104 29 10*40 (?) <sup>(9)</sup>	293,24	290,22
1104 29 10*90 (?) <sup>(10)</sup>	293,24	290,22
1104 29 30*30 (?) <sup>(9)</sup>	293,24	290,22
1104 29 30*40 (?) <sup>(9)</sup>	293,24	290,22
1104 29 30*90 (?) <sup>(10)</sup>	293,24	290,22
1104 29 99 (?)	188,04	185,02
1104 30 90	135,41	129,37
1106 20 91	282,16	257,98 <sup>(9)</sup>
1106 20 99	298,26	274,08 <sup>(9)</sup>
1108 12 00	282,16	261,61
1108 13 00	282,16	261,61
1108 14 00	282,16	130,80 <sup>(9)</sup>
1108 19 90	282,16	130,80
1702 30 91 (?)	437,95	341,23
1702 30 99 (?)	328,10	261,61
1702 40 90 (?)	328,10	261,61
1702 90 50 (?)	328,10	261,61
1702 90 75	454,20	357,48
1702 90 79	315,10	248,61
2106 90 55	328,10	261,61
2303 10 11	506,32	324,98

(ECU/tonne)

- (<sup>8</sup>) 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 Ewert 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.
- (<sup>9</sup>) 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.
- (<sup>9</sup>) 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.
- (<sup>9</sup>) Taric code : millet.
- (<sup>9</sup>) Taric code : sorghum.
- (<sup>10</sup>) Taric code : others.
-

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE

of 22 March 1988

amending Directive 84/538/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers

(88/180/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission <sup>(1)</sup>,

In cooperation with the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas all the technical provisions required to determine the noise emission of lawnmowers should be brought together in one Directive; whereas it is not appropriate to exclude certain lawnmowers from the scope of this Directive because of the kind of cutting device employed;

Whereas Council Directive 84/538/EEC <sup>(4)</sup> should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 84/538/EEC is hereby amended as follows:

1. Article 1 (3) is replaced by the following:

'3. This Directive shall apply to lawnmowers as referred to in paragraph 2, except for the following:

- agricultural and forestry equipment,
- non-independent devices (e.g. drawn cylinders) with cutting devices actuated by the wheels or by an integrated drawing or carrier component,
- multi-purpose devices, the main motorized component of which has an installed power of more than 20 kW.'

2. The following section 6.1.3 is inserted in Annex I:

'6.1.3. The cutting devices of cylinder lawnmowers shall be adjusted with a cylinder/cutting edge gap specified by the manufacturer such that:

- a standardized shell of paper of 80 g/m<sup>2</sup> weight (kraft paper ISO/R4046) is cut over at least 50 % of the cutting which, or
- the distance between the cylinder blades and the cutting edge is not more than 0,15 mm over the whole length of the cutting-width, or
- the cutting mechanism shall be adjusted until the blades touch and then backed off until contact just ceases when the cylinder is rotating at maximum speed.

The option of making use of the test method laid down in the third indent is limited to electrically powered cylinder mowers with a cutting width of less than 50 cm.

Before and during the operation, the cutting device shall be lubricated with SAE 20/50 oil.'

<sup>(1)</sup> OJ No C 113, 28. 4. 1987, p. 5.

<sup>(2)</sup> OJ No C 281, 19. 10. 1987, p. 178 and Decision of 9 March 1988 (not yet published in the Official Journal).

<sup>(3)</sup> Opinion delivered on 24 September 1987 (not yet published in the Official Journal).

<sup>(4)</sup> OJ No L 300, 19. 11. 1984, p. 171.

*Article 2*

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Decision by 1 July 1991. They shall forthwith inform the Commission thereof.

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

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 22 March 1988.

*For the Council*

*The President*

M. BANGEMANN



## COUNCIL DIRECTIVE

of 22 March 1988

amending Directive 84/538/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers

(88/181/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

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

Having regard to the proposal from the Commission <sup>(1)</sup>,

In cooperation with the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas provisions to limit noise at operator's positions and methods of measuring airborne noise differ from one Member State to another, which constitutes a barrier to trade in lawnmowers; whereas such provisions should therefore be harmonized;

Whereas Council Directive 79/113/EEC of 19 December 1978 on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment <sup>(4)</sup>, as last amended by Directive 85/405/EEC <sup>(5)</sup>, laid down in particular the method to be used for determining airborne noise emitted by a lawnmower at the operator's position;

Whereas, during the Council meeting on 18 and 19 December 1978, Ministers of the Environment stated that technical procedures for the measurement of airborne noise emitted at the driving position must be included in the Annexes to the Directives relevant to each type of equipment involved;

Whereas it is appropriate to bring together in one Directive all the technical provisions for determining the sound emissions of lawnmowers;

Whereas, in order to take account of these various requirements, Council Directive 84/538/EEC <sup>(6)</sup> should be amended,

<sup>(1)</sup> OJ No C 20, 27. 1. 1987, p. 2.

<sup>(2)</sup> OJ No C 281, 19. 10. 1987, p. 176 and Decision of 9 March 1988 not yet published in the Official Journal).

<sup>(3)</sup> OJ No C 180, 8. 7. 1987, p. 11.

<sup>(4)</sup> OJ No L 33, 8. 2. 1979, p. 15.

<sup>(5)</sup> OJ No L 233, 30. 8. 1985, p. 9.

<sup>(6)</sup> OJ No L 300, 19. 11. 1984, p. 171.

*Article 1*

Directive 84/538/EEC is hereby amended as follows:

1. Article 1 (1) is replaced by the following:

'1. The purpose of this Directive is to restrict the permissible sound power level of airborne noise emitted in the environment by lawnmowers and the permissible sound pressure level of airborne noise emitted at the operator's position by lawnmowers with a cutting width exceeding 120 cm by setting down limit values and methods for measuring those levels.'

2. Article 2 is replaced by the following:

*Article 2*

Member States shall take all appropriate measures to ensure that lawnmowers as defined in Article 1 may not be placed on the market unless:

— their sound power levels, as measured under the conditions specified in Annex I, do not exceed the permissible level for the cutting width of the mower as shown in the following table:

Cutting width of lawnmower (L)	Permissible sound power level in dB(A)/pW
$L \leq 50$ cm	96
$50 \text{ cm} < L \leq 120$ cm	100
$L > 120$ cm	105

— for lawnmowers with a cutting width exceeding 120 cm, the sound-pressure level of airborne noise, in dB(A), measured at the operator's position under the conditions specified in Annex Ia, does not exceed the level of 90 dB(A).'

3. Article 4 is replaced by the following:

*Article 4*

Before being placed on the market, lawnmowers shall, in a clearly visible and durable fashion either directly or on a plate (such as a riveted or self-adhesive plate) permanently attached to them, bear marks identifying the manufacturer, describing the type and indicating the maximum sound power level expressed in dB(A)/pW and for lawnmowers with a cutting width exceeding 120 cm, an indication of the sound-pressure level expressed in dB(A)/20  $\mu$ Pa at the operator's position, guaranteed by the manufacturer.

The latter indication shall not be required on electrically powered lawnmowers with a cutting width of less than 30 cm, which, by virtue of their construction, are not noisy.

The models for these indications are set out in Annex III.'

4. A new Annex Ia, the text of which is given in Annex I to this Directive, is inserted.
5. Annex III is supplemented by the mark shown in Annex II to this Directive.
6. For lawnmowers requiring sound-pressure level measurement to be made, Annex II is supplemented by the following text, to be added after 'Guaranteed sound power level dB(A)':  
'Guaranteed sound pressure level dB(A)'.

*Article 2*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to

comply with this Directive by 1 July 1991. They shall forthwith inform the Commission thereof.

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

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 22 March 1988.

*For the Council*

*The President*

M. BANGEMANN

**ANNEX I****ANNEX Ia****Method of measuring airborne noise emitted by lawnmowers at the operator's position**

This method is applicable to lawnmowers with a cutting width exceeding 120 cm and having a seat attached in a suitable way to a structural component of the lawnmower.

These technical procedures comply with the requirements of Annex II to Directive 79/113/EEC, as amended by Directive 81/1051/EEC<sup>(1)</sup>, and the provisions of that Annex apply to lawnmowers subject to the following amendments and additions:

**6. OPERATOR**

An operator shall occupy the operator's position.

**6.2.1. Standing operator**

This point shall not be taken into consideration.

**7.1. General**

The microphone shall be located as specified in Section 7.3.

**9.1. General**

The conditions required for installing and operating the lawnmower are laid down in point 6.2. of Annex I.

**9.2. Operation of a lawnmower with adjustable features.**

This point shall not be taken into consideration.

**10.2.2. Using the A-weighted sound pressure levels  $L_{pA}$** 

If a sound level meter is used, T is five seconds.

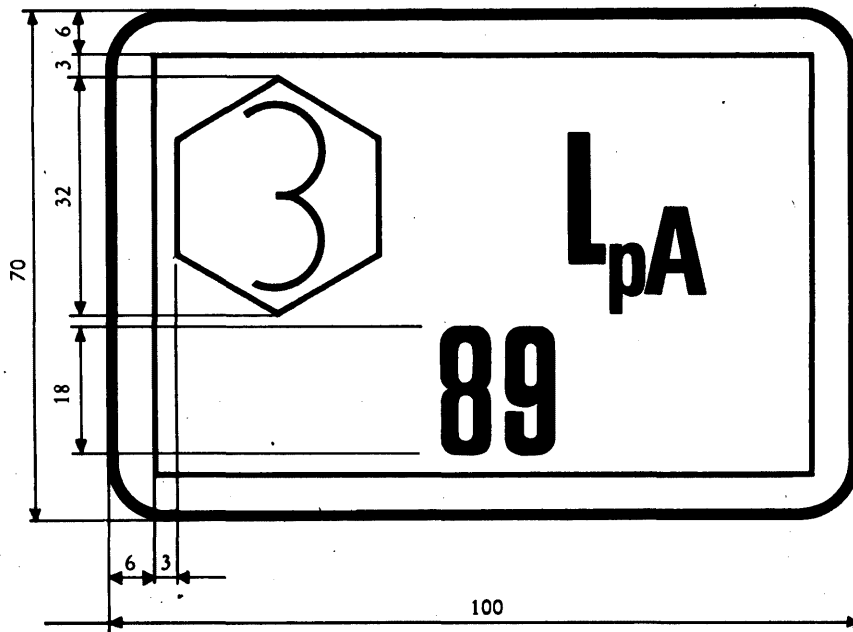
The number of measurements is 5.

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(1) OJ No L 376, 30. 12. 1981, p. 49.

ANNEX II

MODEL FOR MARK STATING THE SOUND PRESSURE LEVEL AT THE OPERATOR'S POSITION



## COUNCIL DIRECTIVE

of 22 March 1988

**amending Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations**

(88/182/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE :

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100A, 213 and 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

In cooperation with the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas it is important to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas experience in implementing Directive 83/189/EEC <sup>(4)</sup> has shown that certain amendments would be appropriate in order to increase its effectiveness as an instrument intended to facilitate the free movement of goods within the Community by preventing the creation of new barriers to trade;

Whereas the Standing Committee set up pursuant to Article 5 of Directive 83/189/EEC should be consulted on the draft standardization requests referred to in Article 6 (3) of that Directive;

Whereas the introduction of national measures must not be allowed to compromise the adoption, by the Council, of Commission proposals in the same field; whereas, to this end, it is necessary to provide for a 12-month standstill period to take effect from the date of submission of the said proposals, during which Member States must refrain from adopting technical regulations in the field in question,

### *Article 1*

Directive 83/189/EEC is hereby amended as follows :

1. The following recital is added after the fifth recital :

'Whereas the Member State concerned must take account of these amendments when formulating the definitive text of the measure envisaged;'

2. The following is added to Article 1 (1) :

'and the production methods and procedures for agricultural products as defined in Article 38 (1) of the Treaty and for products intended for human and animal consumption and for medicinal products as defined in Article 1 of Directive 65/65/EEC <sup>(1)</sup>, as last amended by Directive 87/21/EEC. <sup>(2)</sup>

<sup>(1)</sup> OJ No 22, 9. 2. 1965, p. 369/65.

<sup>(2)</sup> OJ No L 15, 15. 1. 1987, p. 36.'

3. Article 1 (7) is replaced by the following :

'(7) "product", any industrially manufactured product and any agricultural product.'

4. The following indent is added to Article 6 (3) :

'— identify the areas where harmonization appears necessary, and, should the case arise, undertake appropriate harmonization in a given sector.'

5. The following is added to Article 6 (4) :

'(e) on the requests to the standards institutions referred to in the first indent of paragraph 3.'

6. The following is added to the end of the first subparagraph of Article 8 (1) :

'Where appropriate, Member States shall simultaneously communicate the text of the basic legislative or regulatory provisions principally and directly concerned, should knowledge of such text be necessary to assess the implications of the draft technical regulation.'

7. The second subparagraph of Article 8 (1) is replaced by the following :

'The Commission shall immediately notify the other Member States of any draft it has received; it may also refer this draft to the Committee referred to in Article 5 and, if appropriate, to the Committee responsible for the field in question for its opinion.'

<sup>(1)</sup> OJ No C 71, 19. 3. 1987, p. 12 and OJ No C 3, 7. 1. 1988, p. 6.

<sup>(2)</sup> OJ No C 345, 21. 12. 1987 and Decision of 10 February 1988 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No C 319, 30. 11. 1987, p. 20.

<sup>(4)</sup> OJ No L 109, 26. 4. 1983, p. 8.

8. Article 9 is amended as follows :

(a) in paragraph 1, 'Without prejudice to paragraph 2' is replaced by 'Without prejudice to paragraphs 2 and 2 (a)';

(b) the following text is added at the end of paragraph 1 :

'The Member State concerned shall report to the Commission on the action it proposes to take on such detailed opinions. The Commission shall comment on this reaction.';

(c) the following paragraph is inserted :

'2 (a) If the Commission ascertains that a communication pursuant to Article 8 (1) relates to a subject covered by a proposal for a directive or regulation submitted to the Council, it shall inform the Member State concerned of this fact within three months of receiving the communication.

Member States shall refrain from adopting technical regulations on a subject covered by a proposal for a directive or regulation submitted by the Commission to the Council before the communication provided for in Article 8 (1) for a period of 12 months from the date of its submission.

Recourse to paragraphs 1, 2 and 2 (a) of this Article cannot be cumulative.';

(d) paragraph 3 is replaced by the following :

'3. Paragraphs 1, 2 and 2 (a) shall not apply in those cases where, for urgent reasons relating to the protection of public health or safety, the protection of health and life of animals or plants, a Member State is obliged to prepare technical regulations in a very short space of time in order to enact and introduce them immediately without any consultations being possible. The Member State shall give, in the communication referred to

in Article 8, the reasons which warrant the urgency of the measures taken. The Commission shall take appropriate action in cases where improper use is made of this procedure.'

9. Article 10 is replaced by the following :

*Article 10*

Articles 8 and 9 shall not apply where the Member States fulfil their obligations as arising out of Community directives and regulations; the same shall apply in the case of obligations arising out of international agreements which result in the adoption of uniform technical specifications in the Community.'

10. The following subparagraph is added to Article 11 :

'The Commission shall report annually to the European Parliament on the results of the application of this Directive.'

*Article 2*

1. Member States shall take the measures necessary to comply with this Directive not later than 1 January 1989. They shall forthwith inform the Commission thereof.

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

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 22 March 1988.

*For the Council*

*The President*

M. BANGEMANN