

Legislation

English edition

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2210/88

of 19 July 1988

amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas Regulation (EEC) No 1915/87 ⁽⁴⁾ abolishes the monthly increases for olive oil; whereas Articles 7 and 11 of Regulation No 136/66/EEC ⁽⁵⁾, as last amended by Regulation (EEC) No 1098/88 ⁽⁶⁾, should be adapted accordingly; whereas at the same time, the definition of small producer referred to in Article 5 of the said Regulation should also be amended;

Whereas Article 26 (1) of Regulation No 136/66/EEC provides for the possibility of buying in rape seed and sunflower seed where the market prices are lower than the intervention price; whereas, to make market management easier, that economically unwarranted condition should be deleted; whereas, as a consequence of the limitation on the intervention period set out in that paragraph, paragraph 2 of that Article should be adapted; whereas for Spain and Portugal the date of beginning buying in for intervention for sunflower seed should be brought forward to take account of the earlier harvests,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 136/66/EEC is hereby amended as follows:

⁽¹⁾ OJ No C 139, 30. 5. 1988, p. 23.

⁽²⁾ OJ No C 187, 18. 7. 1988.

⁽³⁾ OJ No C 175, 4. 7. 1988, p. 33.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 7.

⁽⁵⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁶⁾ OJ No L 110, 29. 4. 1988, p. 10.

1. In Article 5:

(a) paragraph 1, second and sixth paragraphs are replaced by the following:

'Before 1 August each year the Council shall, in respect of the marketing year which begins in the following calendar year, fix the unit amount of production aid in accordance with the procedure laid down in Article 43 (2) of the Treaty. A separate unit amount may be fixed for producers whose average production is less than 300 kilograms of oil per year.'

'However, the unit amount of aid payable to producers whose average production of olive oil is less than 300 kilograms per marketing year shall not be multiplied by that coefficient.'

(b) paragraph 2, first indent, '200' is replaced by '300'.

2. Article 7 is replaced by the following:

Article 7

The representative market price shall be fixed at a level permitting the normal disposal of olive oil production, having regard to the prices of the competing products, and in particular of the outlook for their trend during the marketing year.'

3. Article 11 (1) is replaced by the following:

'1. Where the production target price minus the production aid is higher than the representative market price for olive oil, consumption aid shall be granted for olive oil produced and placed on the market in the Community. Such aid shall be equal to the difference between those two amounts.'

4. The first subparagraph of Article 26 (1) is replaced by the following:

'From 1 October to 31 May, intervention agencies shall purchase, under the conditions laid down pursuant to paragraphs 2 and 3, oil seeds originating in the

Community offered to it at intervention centres. However, with regard to sunflower seed offered in Spain and Portugal, purchases shall begin on 1 August. Notwithstanding Article 27a, the oil seeds shall be bought in at 94% of the intervention price.'

5. Article 26 (2) is replaced by the following:

'2. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down the conditions for intervention and in particular the

principles governing the disposal by intervention agencies of seeds bought in by them.'

Article 2

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

Article 1 (4) shall apply with effect from 1 July 1988 as regards rape seed and from 1 August 1988 as regards sunflower seed.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2211/88

of 19 July 1988

fixing the production target price, the production aid, the intervention price for olive oil for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1), 92 (3), 234 (2) and 290 (3) thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 4 (4) and Article 5 (1) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the production target price for olive oil is fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the target price referred to above must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas, if the producer is to receive a fair income, production aid must be fixed in the light of the impact which the consumption aid has on part only of the production;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas, as a result of the application of Articles 68 and 236 of the Act of Accession, the intervention price for olive oil in

Spain and Portugal differs from the common prices; whereas, after the adjustment of the 'acquis communautaire' with relation to vegetable oils and fats, the detailed rules for the alignment of intervention prices for olive oil applicable in Spain and Portugal are those set out in the second indents of Article 92 (2) and of Article 290 (2) of the Act of Accession;

Whereas Articles 95 and 293 of the Act of Accession provide for the granting of Community aid for the production of olive oil in Spain and in Portugal; whereas, pursuant to Articles 79 and 246 of that Act, the amounts of the Community aid in Spain and Portugal should be aligned on the common aid at the beginning of the marketing year; whereas the rules on this alignment result in the Spanish and Portuguese aid rates shown below;

Whereas the production target price and the intervention price are fixed for a specific standard quality; whereas the reasons which led to the determination of the standard quality for the 1981/82 marketing year are still valid; whereas that standard quality should therefore remain unchanged;

Whereas, under Article 5 (4) of Regulation No 136/66/EEC, a percentage of the production earmarked for producers may be allocated to the financing of regional measures to improve the quality of olive oil production; whereas such measures are necessary in certain production regions; whereas some of the said aid should therefore be allocated to the financing of such measures;

Whereas, in accordance with Article 20 (d) (1) of Regulation No 136/66/EEC, the percentage of the production aid which may be withheld for recognized organizations of olive oil producers or associations thereof should be so fixed that the resulting amount helps to finance the expenditure incurred in the work done pursuant to Articles 5 (3) and 20c of that Regulation; whereas that percentage should be set at a level which enables foreseeable expenditure in the 1988/89 marketing year to be covered,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the production target price, the production aid and the intervention price of olive oil shall be as follows:

- (a) production target price: 322,56 ECU per 100 kilograms;

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

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 20.

⁽⁴⁾ OJ No C 187, 18. 7. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

- (b) production aid:
- for Spain: 27,10 ECU per 100 kilograms,
 - for Portugal: 21,29 ECU per 100 kilograms,
 - for the Community of Ten:
70,95 ECU per 100 kilograms;
- (c) production aid for growers whose average production is less than 300 kilograms of olive oil per year:
- for Spain: 29,43 ECU per 100 kilograms,
 - for Portugal: 23,62 ECU per 100 kilograms,
 - for the Community of Ten:
81,76 ECU per 100 kilograms;
- (d) intervention price:
- for Spain: 155,01 ECU per 100 kilograms,
 - for Portugal: 203,79 ECU per 100 kilograms,
 - for the Community of Ten:
216,24 ECU per 100 kilograms.

Article 2

The prices specified in Article 1 shall relate to ordinary virgin olive oil with a free fatty acid content, expressed as oleic acid, of 3,3 grams per 100 grams.

Article 3

For the 1988/89 marketing year, 2% of the production aid earmarked for olive oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.

Article 4

For the 1988/89 marketing year, the percentage of the production aid which may be withheld pursuant to Article 20d (1) of Regulation No 136/66/EEC for organizations of olive oil producers or associations thereof recognized under the said Regulation shall be 1,7%.

Article 5

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

It shall apply with effect from 1 November 1988.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2212/88

of 19 July 1988

amending Regulation (EEC) No 1416/82 of the financing of the remaining expenditure on the establishment of a register of olive cultivation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 154/75 of 21 January 1975 on the establishment of a register of olive cultivation in the Member States producing olive oil ⁽¹⁾, as last amended by Regulation (EEC) No 3788/85 ⁽²⁾, and in particular Article 3 (4) thereof,Having regard to the proposal from the Commission ⁽³⁾,

Whereas Regulation (EEC) No 154/75 provides that part of the production aid granted to olive-growers is to be allocated for a certain period to finance the work needed to establish the register of olive cultivation;

Whereas, should the amount resulting from those deductions not cover the expenditure referred to above, Article 3 (4) of the abovementioned Regulation provides for the possibility of making further deductions to cover the remaining expenditure; whereas Council Regulation (EEC) No 1416/82 ⁽⁴⁾, provides to that end for a deduction to be made in France, Italy and Greece for a period up to the 1989/90 marketing year inclusive; whereas it is already clear that the sums resulting from the deductions which will be available are not sufficient to ensure the financing of operations to establish the register of olive cultivation in the abovementioned Member States and in Spain and Portugal; whereas the period during which deductions from the aid are to be made should accordingly be extended; whereas Regulation (EEC) No 1416/82 should therefore be amended and the percentage of the deduction on the aid should be adjusted to the level considered suitable for Spain and

Portugal, to take into account the costs relating to the setting up of a register of olive cultivation in these Member States,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1416/82 is hereby replaced by the following:

Article 1

For the purposes of financing the remaining expenditure on the establishment of the register of olive cultivation, the authorities of the producing Member States responsible for payment of the aid provided for in Article 5 of Regulation No 136/66/EEC shall reduce the aid payments in question, at the time of payment:

- (a) in France and Italy, by 2,5% in respect of the marketing years 1982/83 to 1991/92;
- (b) in Greece, by 2,5% in respect of the marketing years 1984/85 to 1991/92;
- (c) in Spain and Portugal, by 2,5% in respect of the marketing years 1990/91 and 1991/92.'

*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, 19 July 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No L 19, 24. 1. 1975, p. 1.⁽²⁾ OJ No L 367, 31. 12. 1985, p. 1.⁽³⁾ OJ No C 139, 30. 5. 1988, p. 22.⁽⁴⁾ OJ No L 162, 12. 6. 1982, p. 12.

COUNCIL REGULATION (EEC) No 2213/88

of 19 July 1988

fixing the target prices and intervention prices for colza, rape and sunflower seed for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 22 (4) and Article 24a (2) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the target prices and intervention prices for colza, rape and sunflower seed are fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 24 (1) of Regulation No 136/66/EEC;

Whereas the prices of colza, rape and sunflower seed must be fixed for specific standard qualities; whereas the latter should be laid down in relation to the average qualities of the seeds harvested in the Community; whereas, for colza and rape seed, the quality laid down for the 1987/88 marketing year meets these requirements and can accordingly be used for the 1988/89 marketing year;

Whereas, on the basis of these criteria, the target and intervention prices for colza, rape and sunflower seed should be fixed at the levels given below;

Whereas the supplement to be applied to the target and intervention prices for 'double zero' colza and rape seed must be fixed in accordance with the criteria laid down in Article 24a of Regulation No 136/66/EEC;

Whereas, under Article 68 of the Act of Accession, prices in Spain have been set at a level different from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the criteria envisaged for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the target prices and the intervention prices for colza, rape and sunflower seeds shall be as follows:

- (a) target price for colza and rape seed:
 - 40,86 ECU per 100 kilograms for Spain,
 - 45,02 ECU per 100 kilograms for the other Member States;
- (b) intervention price for colza and rape seed:
 - 36,60 ECU per 100 kilograms for Spain,
 - 40,76 ECU per 100 kilograms for the other Member States;
- (c) target price for sunflower seed:
 - 46,28 ECU per 100 kilograms for Spain,
 - 58,35 ECU per 100 kilograms for the other Member States;
- (d) intervention price for sunflower seed:
 - 41,40 ECU per 100 kilograms for Spain,
 - 53,47 ECU per 100 kilograms for the other Member States;

Article 2

The prices referred to in Article 1 shall relate to seeds in bulk which are of sound, genuine and merchantable quality:

- (a) with an impurity content of 2 % and, for seeds as such, moisture and oil contents of 9 % and 40 % respectively in the case of colza and rape seed;

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

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 24.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

- (b) with an impurity content of 2% and, for seeds as such, moisture and oil contents of 9% and 44% respectively in the case of sunflower seed.

Article 3

For the 1988/89 marketing year, the supplement to be applied to the target and intervention prices for 'double zero' colza and rape seed shall be 2,50 ECU per 100 kilograms.

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

Done at Brussels, 19 July 1988.

Article 4

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

It shall apply with effect:

- from 1 July 1988 as regards colza and rape seed,
- from 1 August 1988 as regards sunflower seed.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2214/88

of 19 July 1988

fixing the monthly increases in the target price and the intervention price for rape seed and sunflower seed for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 25 thereof,

1. For the 1988/89 marketing year, the monthly increases in the target price and the intervention price for rape seed shall be 0,318 ECU per 100 kilograms.

2. The increases referred to in paragraph 1 shall apply for seven months.

Having regard to the proposal from the Commission ⁽³⁾,

Article 2

Whereas, pursuant to Article 25 of Regulation No 136/66/EEC, the amount by which the target price and the intervention price for rape seed and sunflower seed is to be increased monthly from the beginning of the fifth month of the marketing year for rape seed and from the beginning of the fourth month of the marketing year for sunflower seed should be fixed for the 1988/89 marketing year and the number of months during which those increases are to be applied should be laid down; whereas that amount must be the same for both prices;

1. For the 1988/89 marketing year, the monthly increases in the target price and the intervention price for sunflower seed shall be 0,378 ECU per 100 kilograms.

2. The increases referred to in paragraph 1 shall apply for seven months.

Article 3

Whereas those increases, which are to be equal for each month, must be fixed taking account of the average storage costs and interest recorded in the Community; whereas the average storage costs should be established on the basis of the cost of storing seed in suitable premises and the cost of handling necessary for the proper preservation of the seed; whereas the interest may be calculated on the basis of the rate considered normal for the producing regions,

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

It shall apply with effect:

- from 1 July 1988 for rape seed,
- from 1 August 1988 for sunflower seed.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

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

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 25.

COUNCIL REGULATION (EEC) No 2215/88

of 19 July 1988

amending Regulation (EEC) No 1594/83 on the subsidy for oil seeds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 27 (3) thereof,

In Article 9 of Regulation (EEC) No 1594/83 'heading No 12.01 of the Common Customs Tariff' is replaced by 'CN codes 1201 00, 1202, 1203 00 00, 1204 00, 1205 00, 1206 00 and 1207'.

Having regard to the proposal from the Commission⁽³⁾,

Article 2

Whereas Article 9 of Regulation (EEC) No 1594/83⁽⁴⁾, as last amended by Regulation (EEC) No 1099/88⁽⁵⁾, should be adjusted to the Combined Nomenclature,

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, 19 July 1988.

For the Council
The President
Y. POTTAKIS

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

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 27.

⁽⁴⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽⁵⁾ OJ No L 110, 29. 4. 1988, p. 11.

COUNCIL REGULATION (EEC) No 2216/88

of 19 July 1988

amending Regulation (EEC) No 1569/72 laying down special measures for colza, rape and sunflower seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66 EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 36 thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas Article 2 (3) of Regulation (EEC) No 1569/72⁽⁴⁾, as last amended by Regulation (EEC) No 1869/87 ⁽⁵⁾, provides that for the calculation of the differential amounts account must be taken of changes in currency differences when the latter differ by at least one point from the differences used previously; whereas this rule has a negligible impact on the final aid amounts granted, but has the effect that account is taken of currency differences which do not

correspond to the real situation and that the calculation of aid amounts in national currencies presents difficulties which impair the comprehensibility of the results; whereas, to ensure greater clarity of the calculations in question, this rule should be withdrawn,

HAS ADOPTED THIS REGULATION:

Article 1

The last sentence of Article 2 (3) of Regulation (EEC) No 1569/72 shall be deleted.

Article 2

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

It shall apply with effect from 1 July 1988 with regard to colza and rape seed, and from 1 August 1988 with regard to sunflower seed.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

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

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 28.

⁽⁴⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁵⁾ OJ No L 176, 1. 7. 1987, p. 30.

COUNCIL REGULATION (EEC) No 2217/88

of 19 July 1988

amending Regulation (EEC) No 1491/85 laying down special measures in respect of soya beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas, to take account of the sharp increase in Community production of soya beans, the requirements to be met by operators qualifying for the aid provided for in Article 2 of Regulation (EEC) No 1491/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 1101/88 ⁽⁵⁾, should be made stricter, whilst making provision for transitional measures for contracts that have already been concluded,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EEC) No 1491/85 is hereby replaced by the following:

2. Aid shall be granted to any processor of soya beans who has concluded with individual or associated soya bean producers a contract providing for payment to the

producer of a price at least equal to the minimum price referred to in paragraph 3. However, until 31 December 1992, in Member States where the marketing of soya beans in subject to national rules ensuring adequate organization and controls, the aid may be granted to a first purchaser who is not the processor.

Where the first purchaser is the processor of the beans, the aid shall be granted once proof of processing has been provided.

In other cases, the aid shall be granted to first purchasers:

- meeting certain conditions to be determined,
 - approved by the Member State,
- and
- who have furnished proof of sale or delivery of the soya beans to a processor.'

Article 2

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

It shall apply with effect from 1 September 1988.

However, for soya beans which have been the subject of a contract concluded before the date of entry into force of this Regulation, between the producer and a first purchaser who is not a processor, the provisions of Article 2 (2) of Regulation (EEC) No 1491/85 applicable on 31 August 1988, shall remain applicable.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No C 139, 30. 5. 1988, p. 28.

⁽²⁾ OJ No C 167, 27. 6. 1988.

⁽³⁾ OJ No C 175, 4. 7. 1988, p. 33.

⁽⁴⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽⁵⁾ OJ No L 110, 29. 4. 1988, p. 12.

COUNCIL REGULATION (EEC) No 2218/88

of 19 July 1988

amending Regulation (EEC) No 2194/85 adopting general rules concerning special measures for soya beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (6) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas Community production of soya beans has risen sharply in recent years; whereas the system for verifying entitlement to the aid and the amount of the aid to be granted in the case of advance fixing should be adjusted to this new situation;

Whereas, so as to adjust the amount of the aid better to the market situation, that amount should be corrected depending on the changes in the guide price;

Whereas Council Regulation (EEC) No 2194/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 1102/88 ⁽⁵⁾, must be adapted accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2194/85 is hereby amended as follows:

1. Article 2 shall be replaced by the following:

'Article 2

1. The aid provided for in Article 2 (2) of Regulation (EEC) No 1491/85 shall be granted on application to any processor of soya beans harvested and processed in the Community, who:

(a) meets at least the following conditions:

- he keeps stock records meeting requirements to be laid down,

- he undertakes to furnish any further supporting documents that may prove necessary for the purpose of checking entitlement to the aid,

- he undertakes to declare the cases referred to in the second subparagraph of Article 6 (1);

(b) submits, before a date to be determined, to the competent agency of the Member State in which the beans are harvested:

- a contract concluded with the producer specifying certain conditions,

- a declaration of the quantity of soya beans actually delivered, that document being signed by both parties.

2. Until 31 December 1992 where a Member State has national rules governing the marketing of soya beans and where such laws provide sufficient guarantees as regards the checking of entitlement to the aid, the Member State may grant the aid to first purchasers who are not processors, provided that they are approved beforehand, that they meet the conditions laid down for processors, and that they submit to the agency designated by the Member State in question a declaration indicating the quantity of soya beans sold or delivered to a processor.'

2. The last subparagraph of Article 3 shall be replaced by the following:

'However, on application by the first purchaser, the aid may be paid in advance on presentation of the delivery declaration referred to in Article 2 (1) (b) provided that a security equal to the highest amount of the aid applied for is lodged.'

3. The following subparagraph shall be added to Article 4 (1):

'However, the amount of aid applicable on the day on which the aid application is submitted shall be adjusted on the basis of the difference between the guide price obtaining on that day and, in accordance with the case referred to in Article 4 (2), the price obtaining on the day of processing, or that obtaining on the day of delivery or of sale.'

4. The following subparagraph shall be added to Article 6 (1):

'— The Member State shall carry out suitable checks:

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ See page 11 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 29.

⁽⁴⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁵⁾ OJ No L 110, 29. 4. 1988, p. 14.

- each time the quantity delivered by a producer to a first purchaser exceeds that which may be reasonably produced on the area concerned, or
- in doubtful cases.'

5. The following paragraph shall be added to Article 8:

'For the purposes of approving first purchasers other than processors, the Member States shall forward to the Commission national provisions on the marketing of soya beans as referred to in Article 2 (2) and shall take account of the opinion on the effectiveness of the criteria for approval and of the checks provided for, delivered by

the Commission before the end of the month following the forwarding of the provisions.'

Article 2

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

It shall apply with effect from 1 September 1988.

However, for soya beans which are the subject of a contract concluded before the date of entry into force of this Regulation, between the producer and a first purchaser other than a processor, the provisions of Article 1 (1) of Regulation (EEC) No 2194/85 applicable on 31 August 1988 shall remain applicable.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2219/88

of 19 July 1988

fixing the guide price for soya beans for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures for soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 1 (1) and (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the guide price for soya beans is fixed on an annual basis, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the second subparagraph of Article 1 (1) of Regulation (EEC) No 1491/85 provides more specifically that this price shall be fixed at a fair level for producers, having regard to the supply requirements of the Community; whereas, to this end, a balanced relationship should be maintained between this price and the price of other oil seeds;

Whereas, in accordance with those criteria, the guide price should be set at the levels indicated below;

Whereas the guide price must be set for a standard quality to be determined by reference to the average quality of beans harvested in the Community; whereas the quality laid down for the 1987/88 marketing year meets this requirement and can accordingly be used for the next marketing year;

Whereas, under Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the guide price for soya beans shall be:

- (a) 44,35 ECU per 100 kilograms for Spain;
- (b) 55,85 ECU per 100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall relate to beans:

- in bulk, of sound, genuine, and merchantable quality, and
- with an impurity content of 2% and, for beans as such, humidity and oil contents of 14% and 18% respectively.

Article 3

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ See page 11 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 26.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

COUNCIL REGULATION (EEC) No 2220/88

of 19 July 1988

fixing the minimum price for soya beans for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾ as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (6) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas Article 2 (6) of Regulation (EEC) No 1491/85 provides that the Council shall fix each year a minimum price for soya beans; whereas the price is fixed so as to guarantee sales for bean producers at a price as close as possible to the guide price, taking into account market fluctuations and the cost of transporting the beans from the production areas to the processing areas;

Whereas, in order to achieve the abovementioned objective, this minimum price must be fixed for a well-defined standard quality and marketing stage;

Whereas, under Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices; whereas, pursuant to Article 70 (1) of that Act, the Spanish prices should be aligned on the common prices each

year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION

Article 1

For the 1988/89 marketing year, the minimum price for soya beans referred to in Article 2 (6) of Regulation (EEC) No 1491/85 shall be:

- (a) 37,44 ECU per 100 kilograms for Spain;
- (b) 48,94 ECU per 100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall apply to beans which meet the criteria referred to in Article 2 of Council Regulation (EEC) No 2219/88 of 19 July 1988 fixing the guide price for soya beans for the 1988/89 marketing year ⁽⁴⁾.

The said price shall relate to goods ready for dispatch from the production areas.

Article 3

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ See page 11 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 27.

⁽⁴⁾ See page 14 of this Official Journal.

COUNCIL REGULATION (EEC) No 2221/88

of 19 July 1988

amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas the intervention mechanism was adjusted from the 1987/88 marketing year, in particular as regards the conditions for opening buying-in by intervention agencies during the period when the latter is possible; whereas experience has shown that the new mechanism entails a highly cumbersome administrative management without affording any real advantages; whereas the previous system should accordingly be re-established;

Whereas, taking into account the amendment to the co-responsibility arrangements decided by Regulation (EEC) No 1097/88 ⁽⁴⁾, Article 4a of Regulation (EEC) No 2727/75 ⁽⁵⁾ as last amended by Regulation (EEC) No 1900/87 ⁽⁶⁾ should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2727/75 is hereby amended as follows:

1. Article 4a is hereby repealed.
2. Article 7 shall be replaced by the following:

'Article 7

1. The intervention agencies designated by the Member States shall buy in cereals mentioned in Article 3 which are offered to them and have been harvested in the Community, provided that the offers comply with conditions, in particular in respect of quality and quantity, to be determined in accordance with paragraph 6.

2. Buying-in as provided for in paragraph 1 may only take place in the following periods:

- from 1 August to 31 May in the case of Italy, Spain, Greece and Portugal,
- from 1 October to 31 May in the case of the other Member States.

3. Buying-in as provided for in paragraph 1 shall be carried out on the basis of a price equal to 94 % of the intervention price for the cereals concerned, as offered by any price increase or reduction fixed pursuant to Article 3 or paragraph 6 of this Article, under the conditions adopted pursuant to paragraphs 5 and 6.

4. Under conditions adopted pursuant to paragraphs 5 and 6 of this Article, the intervention agencies shall offer for sale the product bought in pursuant to paragraph 1, for export to third countries or for supply to the internal market.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down general rules governing intervention.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 26, in particular as regards:

- the minimum quality and quantity required of each cereal for it to be eligible for intervention and, for durum wheat, the technical criteria which that cereal must meet,
- the scales of price increases and reductions applicable to intervention, including a special reduction applicable to common fodder wheat,
- the specific quality criteria which common wheat of breadmaking quality and rye of breadmaking quality must meet in order to be able to benefit from the special increase provided for in Article 3 (1),
- the procedures and conditions for taking over by the intervention agencies,
- the procedures and conditions for disposal by the intervention agencies.'

Article 2

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

It shall apply from the 1988/89 marketing year.

⁽¹⁾ OJ No C 139, 30. 5. 1988, p. 1.

⁽²⁾ OJ No C 187, 18. 7. 1988.

⁽³⁾ OJ No C 175, 4. 7. 1988, p. 33.

⁽⁴⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 40.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2222/88

of 19 July 1988

fixing the prices applicable to cereals for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 3 ⁽⁵⁾ thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the markets and prices policy, based on modern farms, is the main instrument of the incomes policy in agriculture; whereas full advantage cannot be drawn from such a policy unless it is integrated into the common agricultural policy as a whole, including a dynamic social and structural policy and the application of the rules on competition contained in the Treaty;

Whereas, in many cases, surpluses can no longer be disposed of on normal terms either inside or outside the Community; whereas, in order to reduce the cost to the budget of disposing of surpluses on markets of third countries and to encourage greater consumption within the Community, the restrictive price policy should continue to be applied; whereas this objective can be attained, taking into account the new intervention arrangements, by maintaining, for the 1988/89 marketing year, the intervention price for common wheat, barley, rye, maize and sorghum applied during the previous marketing year;

Whereas, as part of a quality policy, production of common wheat of higher breadmaking quality and production of rye

of breadmaking quality should be supported; whereas, accordingly, the special premium for common wheat and of rye, both of breadmaking quality should be left unaltered;

Whereas in 1986/87 the Council began a process of aligning the intervention price of durum wheat on that of common wheat; whereas in view of, on the one hand, the present ratio between the prices of those cereals and, on the other, the imbalance recorded on the durum wheat market, it is advisable to pursue that process; whereas, accordingly, the intervention price of durum wheat should be further reduced;

Whereas application of Article 68 of the Act of Accession of Spain and Portugal has meant that prices in Spain differ from the common prices; whereas, pursuant to Article 70(1) of the Act of Accession, Spanish prices should be aligned with common prices each year at the start of the marketing year; whereas, as a result of applying the criteria for this alignment, Spanish prices are fixed at the level set out below for other cereals than common wheat and maize; whereas, taking into account the amendments that have been made since accession to the intervention mechanism, the Spanish intervention price for common wheat and maize shall be brought into line, from the beginning of the 1988/89 marketing year, with that applicable in the rest of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the prices applicable in the cereals sector shall be as indicated in the Annex.

Article 2

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 16 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 3.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

ANNEX

	(ECU/tonne)		(ECU/tonne)
COMMON WHEAT		MAIZE	
Intervention price ⁽¹⁾	179,44	Intervention price	179,44
Common target price	250,30	Common target price	228,00
RYE		SORGHUM	
Intervention price ⁽²⁾ :		Intervention price	
— Community of Ten	170,47	— Community of Ten	170,47
— Spain	162,85	— Spain	161,17
Common target price	228,00	Common target price	228,00
BARLEY		DURUM WHEAT	
Intervention price		Intervention price	
— Community of Ten	170,47	— Community of Ten	276,34
— Spain	161,17	— Spain	221,90
Common target price	228,00	Common target price	334,91

⁽¹⁾ The price shall be increased by 3,59 ECU/tonne for common wheat of breadmaking quality which meets the specific quality requirements provided for in Regulation (EEC) No 1570/77.

⁽²⁾ The price shall be increased by 8,97 ECU/tonne for rye of breadmaking quality which meets the specific quality requirements provided for in Regulation (EEC) No 1570/77.

COUNCIL REGULATION (EEC) No 2223/88

of 19 July 1988

fixing the amount of the co-responsibility levy for cereals for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 4 (2) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the amount of the co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 is to be determined on the basis of cereal production, the quantities of cereals used in the Community without financial intervention and of imports of the substitute products shown

in Annex D to the abovementioned Regulation; whereas, however, in view of the cereal production situation in the Community, the amount of the co-responsibility levy should be maintained for the 1988/89 marketing year at the level fixed for the previous marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the amount of the co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 shall be 5,38 ECU per tonne.

Article 2

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 16 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 5.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

COUNCIL REGULATION (EEC) No 2224/88

of 19 July 1988

fixing for the 1988/89 marketing year the amount of the aid for durum wheat

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 10 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the purpose of the aid for durum wheat is to ensure a fair standard of living for farmers in regions of the Commission where such production constitutes a traditional and important part of agricultural production; whereas these areas were specified by Council Regulation (EEC) No 3103/76 of 16 December 1976 on aid for durum wheat ⁽⁶⁾, as last amended by Regulation (EEC) No 1583/86 ⁽⁷⁾; whereas, to cushion the impact of the reduction in the intervention price for durum wheat on producers' incomes,

the aid for the 1988/89 marketing year should be increased;

Whereas the rules regarding the alignment of aid as laid down in Article 79 (2) of the Act of Accession mean that for Spain the amount of aid to be fixed should be that laid down in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the aid for durum wheat referred to in Article 10 of Regulation (EEC) No 2727/75 is hereby fixed for the regions listed in the Annex to Regulation (EEC) No 3103/76 at:

- 137,05 ECU per hectare for the Community of Ten, and
- 54,49 ECU per hectare for Spain.

Article 2

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
 Y. POTTAKIS

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 16 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 5.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

⁽⁶⁾ OJ No L 351, 21. 12. 1976, p. 1.

⁽⁷⁾ OJ No L 139, 24. 5. 1986, p. 40.

COUNCIL REGULATION (EEC) No 2225/88

of 19 July 1988

setting, for the 1988/89 cereals marketing year, the minimum price for potatoes to be paid by the starch manufacturer to the potato producer

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 11 (a) (2) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Whereas Council Regulation (EEC) No 1008/86 of 25 March 1986 laying down detailed rules for production refunds applicable to potato starch⁽⁴⁾ requires that the Council should fix a minimum price for potatoes used for the manufacture of starch, to be paid on a 'factory gate' basis by the starch manufacturer to the potato producer; whereas qualification for the premium payable to manufacturers of potato starch is conditional on the payment of this minimum price;

Whereas the supply prices of raw materials for the manufacture of starch should remain linked in order to maintain equality of competition between the various starch industries,

Article 1

1. The minimum price for potatoes, to be paid by the manufacturer of potato starch to the potato producer for the quantity of potatoes required to manufacture one tonne of potato starch, on a 'factory gate' basis, shall be 264,74 ECU for the 1988/89 cereals marketing year.

2. The price referred to in paragraph 1 shall be adjusted according to the starch content of the potatoes.

Article 2

The detailed rules for application of this Regulation shall be adopted in accordance with the procedure provided for in Article 26 of Council Regulation (EEC) No 2727/75.

Article 3

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) See page 16 of this Official Journal.

(3) OJ No C 139, 30. 5. 1988, p. 6.

(4) OJ No L 94, 9. 4. 1986, p. 5.

COUNCIL REGULATION (EEC) No 2226/88

of 19 July 1988

fixing standard qualities for certain cereals and categories of flour, groats and meal and the rules for fixing the threshold prices of these categories of products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 5 (5) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas the threshold prices for oats and the kinds of flour, groats and meal specified in Article 1 (c) of Regulation (EEC) No 2727/75 should correspond to specific standard qualities;

Whereas the standard qualities for which those prices are fixed should correspond as far as possible to the average qualities of those products harvested in the Community;

Whereas the threshold prices for flour, groats and meal should be so fixed as to enable the target prices for basic cereals to be attained and the protection of the processing industry to be ensured;

Whereas those objectives may be attained by fixing a threshold price which allows for the cost of manufacturing these products and an adequate level of protection for the processing industry;

Whereas manufacturing costs may be determined by adding to the value of the cereal an amount representing the milling margin and by subtracting from the total thus obtained, where appropriate, a fixed amount for the value of meal or flour of inferior quality and other residues of milling;

Whereas, however, when fixing the threshold price for groats and meal of common wheat, a fixed ratio representing the relationship between the price of wheat flour and the prices of those products on Community markets should be taken as a basis,

Article 1

The standard quality for which the threshold price for oats is fixed is defined as follows:

- (a) oats of a sound, genuine and merchantable quality, free from abnormal smell and live pests, of a colour proper to this cereal and of a quality corresponding to the average quality of oats harvested under normal conditions in the Community;
- (b) moisture content: 14 %;
- (c) total percentage of matter other than basic cereals of unimpaired quality: 3 %, of which:
 - grain impurities: 2 % ('grain impurities' means grains of other cereals and grains damaged by pests),
 - percentage of miscellaneous impurities: 1 % ('miscellaneous impurities' means weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects);
- (d) specific weight: 49 kilograms per hectolitre.

Article 2

1. The standard quality for which the threshold price for millet is fixed is defined as follows:

- (a) millet corresponding to the average quality of millet grown in Argentina;
- (b) moisture content: 13 %;
- (c) total percentage of matter other than basic cereals of unimpaired quality: 17 %, of which:
 - percentage of broken grains or husked grains: 15 %,
 - percentage of miscellaneous impurities: 2 % ('miscellaneous impurities' means weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects).

Article 3

The standard quality for which the threshold price for buckwheat is fixed shall correspond to buckwheat of commercial grade 2 of the Republic of South Africa.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 16 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 7.

Article 4

The standard quality for which the threshold price for canary seed is fixed is defined as follows:

- (a) canary seeds of a sound and fair marketable quality;
- (b) moisture content: 16 %;
- (c) total percentage of matter other than basic cereals of unimpaired quality: 3 %, of which:
 - percentage of grain impurities: 2 % ('grain impurities' means grains of other cereals and grains damaged by pests),
 - percentage of miscellaneous impurities: 1 % ('miscellaneous impurities' means weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects);
- (d) specific weight: 70 kilograms per hectolitre.

Article 5

1. The standard quality for which the threshold price for wheat flour is fixed is defined as follows: wheat flour having an ash content of 550 milligrams per 100 grams of flour and a moisture content of 15,50 %, called 'type 550 wheat flour'.
2. The threshold price referred to in paragraph 1 shall be calculated by adding together the components determined in accordance with paragraph 3 and subtracting from the amount thus obtained the factor determined in accordance with paragraph 4.
3. The components are the following:
 - (a) the value of common wheat processed into flour, calculated from:
 - the quantity of common wheat, assessed at a fixed rate of 1 400 kilograms for the production of one tonne of flour,
 - the threshold price for common wheat, taking into account the monthly graduation of this price;
 - (b) an amount representing the milling margin, fixed at 30,22 ECU per tonne of common wheat for processing;
 - (c) an amount intended to ensure protection of the processing industry, fixed at 22,67 ECU per tonne of wheat flour.
4. The factor to be subtracted is the value of the residues, calculated from:
 - the quantity of residues, assessed at a fixed rate of 372 kilograms per tonne of flour obtained,
 - a fixed price for residues, whether or not sorted of 102,76 ECU per tonne.
5. The threshold price for meslin flour shall be the same as that for wheat flour.

Article 6

1. The standard quality for which the threshold price for rye flour is fixed is defined as follows: rye flour having an ash content of 812 milligrams per 100 grams of flour and a moisture content of 15,50 %.
2. The threshold price referred to in paragraph 1 shall be calculated in accordance with Article 5 (3) and (4), the word 'rye' being substituted for the words 'common wheat'. The fixed price for residues, whether or not sorted, shall be 96,72 ECU per tonne.

Article 7

1. The standard quality for which the threshold price for groats and meal of common wheat is fixed is that of a product having a moisture content of 15,50 %.
2. The threshold price referred to in paragraph 1 shall be equal to the threshold price for wheat flour plus 8 %.

Article 8

1. The standard quality for which the threshold price for groats and meal of durum wheat is fixed is that of a product having a moisture content of 14,50 %.
2. The threshold price referred to in paragraph 1 shall be calculated by adding together the components determined in accordance with paragraph 3 and subtracting from the amount thus obtained the factors in accordance with paragraph 4.
3. The components are the following:
 - (a) the value of durum wheat processed into groats and meal, calculated from:
 - the quantity of durum wheat, assessed at a fixed rate of 1 550 kilograms per tonne of groats and meal obtained,
 - the threshold price for durum wheat, taking into account any monthly graduation of this price;
 - (b) the components specified in Article 5 (3) (b) and (c), the words 'durum wheat' and 'groats and meal of durum wheat' being substituted respectively for the words 'common wheat' and 'wheat flour'.
4. The factors to be subtracted are the following:
 - (a) the value of intermediate products, calculated from:
 - the quantity of intermediate products, assessed at a fixed rate of 162 kilograms per tonne of groats and meal of durum wheat obtained,

- the price of these products, calculated by adding together the components determined in accordance with Article 5 (3) (a) and (b) and subtracting therefrom the factor determined in accordance with Article 5 (4), the amount thus obtained being reduced by 35%;
- (b) the value of residues, calculated from:
- the quantity of residues, assessed at a fixed rate of 357 kilograms per tonne of groats and meal of durum wheat obtained,
 - the price of common wheat residues determined in accordance with the second indent of Article 5 (4), less 15%.

Article 9

For the purposes of this Regulation:

- (a) matter other than basic cereals of unimpaired quality shall be as defined in Annex I of Council Regulation (EEC) No 2731/75 of 29 October 1975, fixing

standard qualities for common wheat, rye, barley, maize and durum wheat⁽¹⁾, as last amended by Regulation (EEC) No 2094/87⁽²⁾;

- (b) the methods for determining of matter other than basic cereals of unimpaired quality and of the moisture content shall be defined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

Article 10

1. Council Regulation (EEC) No 2734/75 is hereby repealed.
2. References to Regulation (EEC) No 2734/75 shall be construed as references to this Regulation.

Article 11

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽²⁾ OJ No L 196, 17. 7. 1987, p. 1.

COUNCIL REGULATION (EEC) No 2227/88

of 19 July 1988

laying down general rules for the special system applicable to small producers as part of co-responsibility arrangements in the cereals sector for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Articles 4 and 4b thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2727/75 provided for the establishment of a basic co-responsibility levy and an additional co-responsibility levy together with exemption from such levies for small producers on conditions to be determined; whereas, in view of the imminent start of the 1988/89 marketing year, it has not proved possible to draw up the conditions of the definitive system applicable to small producers; whereas a provisional system should therefore be adopted for the 1988/89 marketing year as the definitive system is to be adopted by the Council by 1 December 1988;

Whereas experience has shown that a system of direct aid for small producers of cereals may be considered an adequate means of offsetting the effect of such co-responsibility levies on their incomes; whereas, in order to keep the aid system within acceptable financial limits, provision should be made for it to apply within the framework of an overall amount established on the basis of the total sum of the co-responsibility levies borne by small producers marketing, at the most, 25 tonnes; whereas, for the same reason, a ceiling should be set for aid in respect of each producer;

Whereas, because of the large number of small producers in certain Member States, application of an aid system may raise special problems of an administrative or technical nature in these Member States for the 1988/89 marketing year; whereas the application of aid in the form of compensation for levies may thus constitute a more appropriate procedure under the system in question in the case of such Member States,

HAS ADOPTED THIS REGULATION:

Article 1

During the 1988/89 marketing year, the arrangements for exemption from the co-responsibility levy provided for in

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 16 of this Official Journal.

Articles 4 and 4b of Regulation (EEC) No 2727/75 for small producers shall be applied in accordance with this Regulation.

Article 2

1. The exemption arrangements referred to in Article 1 shall take the form of direct aid for small producers.

2. Member States shall define 'small producers' taking into account in particular the area under cereals and/or utilized agricultural area and/or the importance of cereals in the formation of the income of holdings.

3. The overall amount of aid for small producers referred to in paragraph 1 shall be 220 million ECU, broken down as follows:

- 110 million ECU to offset the co-responsibility levy provided for in Article 4 of Regulation (EEC) No 2727/75,
- 110 million ECU to offset the additional co-responsibility levy provided for in Article 4b of Regulation (EEC) No 2727/75. That amount shall, however, be reduced by the amount of the levy refunded in accordance with paragraph 2 of that Article.

4. Member States which experience special difficulties of an administrative or technical nature in applying the aid provided for in paragraph 1 may apply that aid in the form of compensation for levies payable by such small producers. Such compensation shall be limited, for each producer, to the first 25 tonnes of cereals marketed.

The overall amount of that compensation for the Member State in question may in no case exceed the amount which would have been paid to it had this paragraph not been applied.

5. Where paragraph 4 is applied, the overall amount referred to in paragraph 3 shall be reduced by the amount which would have been paid under the present aid scheme had paragraph 4 not been applied.

Article 3

The amount of the aid to be granted to small producers shall be established with reference to the co-responsibility levies borne by them.

This amount may be established on a flat-rate basis.

Member States may decide not to grant aid for amounts below a minimum which they shall determine.

In no case may the amount of aid exceed, for any one producer, the equivalent of the levies for 25 tonnes of cereals.

Article 4

The overall amount of aid referred to in Article 2(3) shall be allocated amongst Member States taking into account in particular the importance of the cereals economy, the structure of production and sales made by producers in the various Member States.

Article 5

The following shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

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

Done at Brussels, 19 July 1988.

- (a) the criteria for the allocation by Member States of the amount of aid amongst small cereals producers. On the basis of these criteria, each Member State shall allocate amongst small cereals producers the amount of aid apportioned to it.

Member States shall in good time notify the Commission of the measures which they envisage taking for the purpose of allocating the aid amongst small cereals producers;

- (b) the allocation of the aid referred to in Article 4.

Article 6

For each Member State the amount of aid fixed pursuant to (b) of Article 5 shall be converted into national currencies at the agricultural conversion rate in force on the first day of that marketing year.

Article 7

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

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2228/88

of 19 July 1988

fixing the monthly price increases for cereals, wheat and rye flour and wheat groats and meal for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 6 (2) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Whereas, when the number and amount of the monthly increases are fixed, account should be taken of the storage costs and financing charges for storing cereals in the Community; whereas experience has shown that the level of the monthly increases for cereals can encourage operators to hold on to cereals; whereas, so that stocks can be disposed of more smoothly, these increases should be reduced somewhat;

Whereas, as regards the threshold prices for maize and sorghum, the monthly increases are, moreover, determined in accordance with the last subparagraph of Article 5 (1) of Regulation (EEC) No 2727/75,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the monthly increases to be applied to the target price, threshold price, intervention price and to the buying-in price of the products referred to in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in this Regulation.

Article 2

The monthly increases to be applied to the target price, threshold price, intervention price and to the buying-in price for common wheat, rye, barley, maize, sorghum and durum wheat, operative for the first month of the marketing year, shall be as follows:

(ECU/tonne)

Period	Monthly increases in respect of the intervention price and the buying-in price		Monthly increases in respect of the target and threshold prices	
	Common wheat, rye, barley, maize and sorghum	Durum wheat	Common wheat, rye, barley, maize and sorghum	Durum wheat
July 1988	—	—	—	—
August 1988	—	—	1,50	2,03
September 1988	—	—	3,00	4,06
October 1988	—	—	4,50	6,09
November 1988	1,50	2,03	6,00	8,12
December 1988	3,00	4,06	7,50	10,15
January 1989	4,50	6,09	9,00	12,18
February 1989	6,00	8,12	10,50	14,21
March 1989	7,50	10,15	12,00	16,24
April 1989	9,00	12,18	13,50	18,27
May 1989	10,50	14,21	15,00	20,30
June 1989	—	—	15,00	20,30

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 16 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 10.

In the case of maize and sorghum, the monthly increases for July, August and September shall not apply to the threshold price.

Article 3

The monthly increases to be applied to the threshold price for meslin and oats, operative for the first month of the marketing year, shall be the same as those applicable to common wheat.

Article 4

The monthly increases to be applied to the threshold price for wheat flour, meslin flour and rye flour and to the threshold price for groats and meal of common and of durum wheat, operative for the first month of the marketing year, shall be as follows:

(ECU/tonne)

Period	Wheat flour, meslin flour and rye flour, groats and meal of common wheat	Groats and meal of durum wheat
July 1988	—	—
August 1988	2,27	3,21
September 1988	4,54	6,42
October 1988	6,81	9,63
November 1988	9,08	12,84
December 1988	11,35	16,05
January 1989	13,62	19,26
February 1989	15,89	22,47
March 1989	18,16	25,68
April 1989	20,43	28,89
May 1989	22,70	32,10
June 1989	22,70	32,10

Article 5

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
 Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2229/88

of 19 July 1988

amending Regulation (EEC) No 1418/76 on the common organization of the market in rice

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas the intervention mechanism was adjusted from the 1987/88 marketing year, in particular as concerns the conditions for opening buying in by intervention agencies during the period when the latter is possible; whereas experience has shown that the new mechanism entails a highly cumbersome administrative management without affording any real advantages; whereas the previous system should accordingly be re-established;

Whereas, on buying in, the coefficient of 94 % must apply to the intervention price applicable at the beginning of the marketing year; whereas it must not affect the monthly increases,

HAS ADOPTED THIS REGULATION:

Article 1

Council Regulation (EEC) No 1418/76 ⁽⁴⁾ is hereby amended as follows:

1. Article 5 is replaced by the following:

'Article 5

1. In the period 1 December to 31 July, the intervention agencies shall buy in paddy rice which is offered to them, provided the offers comply with conditions, in particular in respect of quantity and quality, to be determined in accordance with paragraph 5.

2. Buying in as provided for in paragraph 1 shall be carried out on the basis of a price equal to 94 % of the

intervention price applicable for the marketing centre at which the paddy rice is offered, under conditions determined pursuant to paragraphs 4 and 5.

If the quality of the paddy rice offered differs from the standard quality for which the intervention price was fixed, the latter shall be adjusted by applying price increases or reductions.

3. Under the conditions adopted pursuant to paragraphs 4 and 5, the intervention agencies shall offer for sale, for export to third countries or for supply to the internal market, paddy rice bought in accordance with paragraph 1.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules governing intervention.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 27, in particular as regards:

- the minimum quality and quantity required for intervention,
- the price increases or reductions applicable to intervention,
- the procedures and conditions for taking over by the intervention agencies,
- the procedures and conditions for disposal by the intervention agencies.'

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

'1. The target price, intervention prices and buying-in prices referred to in Article 5 (2) shall be subject to monthly increases, phased over the whole or part of the marketing year.'

Article 2

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No C 139, 30. 5. 1988, p. 13.

⁽²⁾ OJ No C 167, 27. 6. 1988.

⁽³⁾ OJ No C 175, 4. 7. 1988, p. 33.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1.

COUNCIL REGULATION (EEC) No 2230/88

of 19 July 1988

fixing rice prices for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 3 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the markets and prices policy, based on modern farms, is the main instrument of the incomes policy in agriculture; whereas full advantage cannot be drawn from such a policy unless it is integrated into the common agricultural policy as a whole, including a dynamic social and structural policy and the application of the rules on competition contained in the Treaty;

Whereas the intervention price for paddy rice must be fixed at a rate which takes account of the policy in respect of rice production, with a view to the uses to which it is put;

Whereas the target price for husked rice must be derived from the intervention price for paddy rice, in accordance with the criteria set out in Article 4 (3) of Regulation (EEC) No 1418/76;

Whereas, for the products referred to in this Regulation, the application of the criteria for the fixing of the different prices

and the application of the measures provided for in respect of the exchange rates to be applied in agriculture entail fixing those prices at the levels indicated below;

Whereas, under Article 68 of the Act of Accession of Spain and Portugal, prices in Spain were set at a level differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, these prices should be aligned with the common prices in annual steps at the beginning of each marketing year; whereas the rules on this alignment as laid down give the Spanish prices set below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, rice prices shall be as follows:

1. Community of Ten:
 - (a) intervention price, paddy rice: 314,19 ECU per tonne;
 - (b) target price, husked rice: 549,85 ECU per tonne.
2. Spain:
 - (a) intervention price, paddy rice: 270,64 ECU per tonne;
 - (b) target price, husked rice: 549,85 ECU per tonne.

Article 2

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 19 July 1988.

For the Council
The President
 Y. POTTAKIS

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ See page 30 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 14.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

COUNCIL REGULATION (EEC) No 2231/88

of 19 July 1988

fixing the monthly price increases for paddy rice and husked rice for the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229 ⁽²⁾, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas, when the number and amount of the monthly increases and the first month during which these increases are to apply are fixed, account should be taken of the storage costs and financing charges for storing rice in the Community and of the need to ensure that the disposal of stocks of rice conforms to market requirements; whereas it is further appropriate that this disposal should be made more regular by avoiding operators holding on to stocks; whereas to that end the increases should be reduced,

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

Done at Brussels, 19 July 1988.

Article 1

1. For the 1988/89 marketing year, the amount of each of the monthly increases provided for in Article 7 (1) of Regulation (EEC) No 1418/76 shall be:

- 2,36 ECU per tonne for the intervention price and for the purchase price,
- 2,95 ECU per tonne for the target price.

2. The monthly increases shall apply to the intervention price and the purchase price from 1 January 1989 to 1 July 1989, the price thus obtained for July 1989 remaining valid until 31 August 1989.

The monthly increases shall apply to the target price from 1 October 1988 to 1 July 1989, the price thus obtained for the month of July 1989 remaining valid until 31 August 1989.

Article 2

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

It shall apply with effect from 1 September 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ See page 30 of this Official Journal.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 15.

COUNCIL REGULATION (EEC) No 2232/88

of 19 July 1988

fixing the amount of the production aid for certain varieties of rice sown in the 1988/89 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 8a ⁽³⁾ thereof,Having regard to the proposal from the Commission ⁽³⁾,Having regard to the opinion of the European Parliament ⁽⁴⁾,Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,Whereas Council Regulation (EEC) No 1423/88 of 24 May 1988 on the granting of aid for certain varieties of rice of the Indica type of profile in Portugal ⁽⁶⁾ has extended the application of Article 8a of Regulation (EEC) No 1418/76 to Portugal;

Whereas the objective of the production aid is to encourage varietal conversion of rice production to certain types of rice for which greater demand exists on the Community market; whereas the varieties for which demand exists normally have lower crop yields than those of the varieties that are traditionally grown;

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

Done at Brussels, 19 July 1988.

Whereas the production aid must be fixed at a level which enables the lower revenue resulting from the decreased yields to be offset,

Whereas Council Regulation (EEC) No 3878/87 of 18 December 1987 amending Regulation (EEC) No 1418/76 on the common organization of the market in rice ⁽⁷⁾, as amended by Regulation (EEC) No 1424/88 ⁽⁸⁾, determines in particular the areas of the Community which may benefit from the aid,

HAS ADOPTED THIS REGULATION:

Article 1

The production aid for certain varieties of rice sown in 1988/89 referred to in Article 8a of Regulation (EEC) No 1418/76 shall be 330,0 ECU per hectare for the countries referred to in Annex A to Regulation (EEC) No 3878/87.

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

It shall apply with effect from 1 September 1988.

*For the Council**The President*

Y. POTTAKIS

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ See page 30 of this Official Journal.⁽³⁾ OJ No C 139, 30. 5. 1988, p. 15.⁽⁴⁾ OJ No C 167, 27. 6. 1988.⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.⁽⁶⁾ OJ No L 131, 27. 5. 1988, p. 1.⁽⁷⁾ OJ No L 365, 24. 12. 1987, p. 3.⁽⁸⁾ OJ No L 131, 27. 5. 1988, p. 2.

COUNCIL REGULATION (EEC) No 2233/88

of 19 July 1988

fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for the 1988/89 milk year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Articles 3 (4), 5 (1) and 5b (1) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when fixing the common agricultural prices, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community wishes to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to secure a fair standard of living for the agricultural community and to ensure that supplies are available and that they reach the consumers at reasonable prices;

Whereas the target price for milk should bear a balanced relationship to the prices for other agricultural products and in particular to the prices for beef and veal, and be consistent with the desired general pattern of cattle farming; whereas it is also necessary, in fixing that price, to take account of the Community's efforts to establish a long term balance between supply and demand on the milk market, allowing for external trade in milk and milk products;

Whereas the intervention prices for butter and for skimmed-milk powders are intended to contribute to the achievement of the target price for milk; whereas it is necessary to determine price levels in the light of the overall supply and demand situation on the Community market in milk and the opportunities for disposal of butter and skimmed-milk powder on the Community and world markets;

Whereas the intervention prices for Grana Padano and Parmigiano Reggiano cheeses must be fixed in accordance with the criteria laid down in Article 5 (2) of Regulation (EEC) No 804/68;

Whereas, under Article 5b of Regulation (EEC) No 804/68, the Council, when fixing the target price for milk and the intervention prices, fixed a guarantee threshold for milk; whereas, however, the initial objective in fixing a guarantee threshold is achieved *inter alia* by means of the system of quotas, together with an additional levy on deliveries of milk or milk products which exceed the reference quantities determined;

Whereas Article 68 of the Act of Accession has led to prices in Spain being set at a level differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned with the common prices at the beginning of each marketing year; whereas the criteria laid down for alignment lead to the Spanish prices being set at the level mentioned hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 milk year, the target price for milk and the intervention prices for milk products shall be as follows:

	(ECU/100 kg)	
	Community of Ten	Spain
(a) target price for milk:	27,84	27,84
(b) intervention price:		
butter	313,20	339,13
skimmed-milk powder	174,04	226,04
Grana Padano cheese:		
— of an age of between 30 and 60 days	388,93	
— of an age of at least six months	480,33	
Parmigiano Reggiano cheese of an age of at least six months	529,19	

Article 2

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

It shall apply from the beginning of the 1988/89 milk year.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 42.

⁽⁴⁾ OJ No C 167, 27. 6. 1988.

⁽⁵⁾ OJ No C 175, 4. 7. 1988, p. 33.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 2234/88

of 19 July 1988

amending Regulation (EEC) No 1079/77 in respect of the co-responsibility levy on milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas Regulation (EEC) No 1079/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 1894/87 ⁽⁵⁾, introduced a co-responsibility levy to apply until the end of the 1987/88 milk year and covering, in principle, all milk supplied to dairies and certain sales of milk products at the farm;

Whereas this levy was designed to establish a better balance on the milk market by creating a more direct link between production and outlets for milk products while taking account of the importance of the interests of the public; whereas the information and forecasts currently available indicate that the aforesaid aims will probably not be reached at the end of the period provided for; whereas it is therefore necessary, on the one hand, to extend the application of the

said levy for the 1988/89 and 1989/90 milk years and, on the other hand, to fix the rate of the levy for the 1988/89 milk year at 2 % of the target price for milk,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1079/77 is hereby amended as follows:

1. In Article 1 (1), 'during the 1980/81, 1981/82, 1982/83, 1983/84, 1984/85, 1985/86, 1986/87 and 1987/88 milk years' is replaced by 'during the 1980/81, 1981/82, 1982/83, 1983/84, 1984/85, 1985/86, 1986/87, 1987/88, 1988/89 and 1989/90 milk years'.
2. The following paragraph shall be added to Article 2:
'9. For the 1988/89 milk year, the levy shall be 2 % of the target price for milk.'

Article 2

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

It shall apply from the beginning of the 1988/89 milk marketing year.

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

Done at Brussels, 19 July 1988.

For the Council
The President
Y. POTTAKIS

⁽¹⁾ OJ No C 139, 30. 5. 1988, p. 44.

⁽²⁾ OJ No C 187, 18. 7. 1988.

⁽³⁾ OJ No C 175, 4. 7. 1988, p. 33.

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 32.

COUNCIL REGULATION (EEC) No 2235/88

of 19 July 1988

fixing the threshold prices for certain milk products for the 1988/89 milk year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas threshold prices should be fixed so that, taking account of the protection required for the Community processing industry, the prices of imported milk products correspond to the level of the target price for milk; whereas, consequently, the threshold price should be fixed on the basis of the target price for milk, taking into account the relationship which should be established between the value of milk fat and that of skimmed milk, as well as the standardized costs and yields for each of the milk products in question; whereas a fixed amount should be included to ensure adequate protection of the Community processing industry,

HAS ADOPTED THIS REGULATION:

Article 1

(1) The threshold prices for the 1988/89 milk year shall be as follows:

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

Done at Brussels, 19 July 1988.

Pilot product of the group of products	ECU/100 kg
1	57,08
2	195,57
3	277,27
4	102,63
5	136,02
6	351,01
7	396,13
8	327,44
9	608,17
10	355,41
11	326,74
12	94,56

(2) The pilot products referred to in paragraph 1 are those specified in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2346/87 ⁽⁵⁾.

Article 2

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

It shall apply from the beginning of the 1988/89 milk year.

For the Council
The President
Y. POTTAKIS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 45.

⁽⁴⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁵⁾ OJ No L 213, 4. 8. 1987, p. 1.

COUNCIL REGULATION (EEC) No 2236/88

of 19 July 1988

suspending Regulation (EEC) No 866/84 laying down special measures concerning the exclusion of milk products from inward processing arrangements and from certain usual forms of handling

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Articles 12 (2) and 18 (1) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas the temporary suspension of part of the reference quantities under the additional levy arrangements has restricted in the milk and milk products sector the supply of the raw material intended for the processing industry; whereas in order to permit that industry to adapt to the new situation provision should be made for the possibility of having recourse to the inward processing arrangements until the end of the 1988/89 marketing year; whereas the

provisions of Regulation (EEC) No 866/84 ⁽⁴⁾, as last amended by Regulation (EEC) No 886/88 ⁽⁵⁾, should therefore be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 866/84 shall be suspended until the end of the 1988/89 marketing year.

Article 2

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

It shall apply with effect from 15 July 1988.

The derogation provided for in the second subparagraph of Article 1 (1) of Regulation (EEC) No 866/84 shall remain in force until that date.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No C 139, 30. 5. 1988, p. 46.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 27.

⁽⁵⁾ OJ No L 88, 1. 4. 1988, p. 5.

COUNCIL REGULATION (EEC) No 2237/88

of 19 July 1988

establishing, for the period running from 1 April 1988 to 31 March 1989, the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas Article 5c (4) of Regulation (EEC) No 804/68 lays down that a Community reserve shall be constituted with a view to supplementing, at the beginning of each period of 12 months, the guaranteed quantities of the Member States in which implementation of the levy system raises particular

difficulties; whereas this quantity should be fixed at 443 000 tonnes for the fifth period of 12 months,

HAS ADOPTED THIS REGULATION:

Article 1

For the period running from 1 April 1988 to 31 March 1989, the Community reserve provided for in Article 5c (4) of Regulation (EEC) No 804/68 is hereby fixed at 443 000 tonnes.

Article 2

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 19 July 1988.

For the Council

The President

Y. POTTAKIS

¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

²⁾ OJ No L 110, 29. 4. 1988, p. 27.

³⁾ OJ No C 139, 30. 5. 1988, p. 46.