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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 2410/88**

**of 1 August 1988**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) 1097/88 <sup>(2)</sup>, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2401/88 <sup>(5)</sup>;

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

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

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

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

Whereas these exchange rates being those recorded on 29 July 1988;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4047/87 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 7.

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

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

<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

ANNEX

to the Commission Regulation of 1 August 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	11,21	145,18
0712 90 19	11,21	145,18
1001 10 10	24,59	163,78 <sup>(1)</sup> <sup>(2)</sup>
1001 10 90	24,59	163,78 <sup>(1)</sup> <sup>(2)</sup>
1001 90 91	0,00	133,75
1001 90 99	0,00	133,75
1002 00 00	26,32	98,85 <sup>(3)</sup>
1003 00 10	19,98	104,51
1003 00 90	19,98	104,51
1004 00 10	76,92	47,42
1004 00 90	76,92	47,42
1005 10 90	11,21	145,18 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	11,21	145,18 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	34,79	155,45 <sup>(4)</sup>
1008 10 00	19,98	26,24
1008 20 00	19,98	56,36 <sup>(4)</sup>
1008 30 00	19,98	0,00 <sup>(2)</sup>
1008 90 10	<sup>(7)</sup>	<sup>(7)</sup>
1008 90 90	19,98	0,00
1101 00 00	6,74	200,42
1102 10 00	50,02	151,56
1103 11 10	51,18	266,92
1103 11 90	7,46	216,28

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

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

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 2411/88

of 1 August 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 2211/88<sup>(2)</sup>, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2402/88<sup>(5)</sup>;

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

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

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

Whereas these exchange rates being those recorded on 29 July 1988;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

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

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 16.

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

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

<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 99.

## ANNEX

to the Commission Regulation of 1 August 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

## A. Cereals and flour

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period
	8	9	10	11
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

## B. Malt

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period	4th period
	8	9	10	11	12
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

## COMMISSION REGULATION (EEC) No 2412/88

of 29 July 1988

on the sale at a price fixed in advance of unprocessed currants from the 1987 harvest held by Greek storage agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EEC) No 2247/88 <sup>(2)</sup>, and in particular Article 8 (8) thereof,

Having regard to Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables <sup>(3)</sup>, and in particular Article 6 (1) thereof,

Whereas the Greek storage agencies have, pursuant to Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies <sup>(4)</sup>, as last amended by Regulation (EEC) No 1470/88 <sup>(5)</sup>, purchased unprocessed currants from the 1987 harvest; whereas in the light of the situation on the market in dried grapes the currants should be offered for sale at prices fixed in advance for processing within the Community for consumption; whereas the selling shall take place in accordance with the provisions of Regulation (EEC) No 626/85;

Whereas when fixing the sale price it must be taken into consideration that the products are no longer eligible for production aid;

Whereas the processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be fixed at such a level that any abuse can be avoided;

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

Committee for Products processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The Greek storage agencies listed in Annex I shall undertake the sale of unprocessed currants from the 1987 harvest, the qualities and prices of which are stated in Annex II.
2. Applications to purchase shall be submitted in writing to each storage agency in question at the headquarters of Idagep, 241 Acharnon Street, GR-Athens.
3. Information on the quantities and the places where the products are stored may be obtained by those concerned from the addresses given in Annex I.

*Article 2*

The processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be 20 ECU per 100 kilograms net.

*Article 3*

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 29 July 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 198, 26. 7. 1988, p. 21.

<sup>(3)</sup> OJ No L 123, 9. 5. 1984, p. 25.

<sup>(4)</sup> OJ No L 72, 13. 3. 1985, p. 7.

<sup>(5)</sup> OJ No L 132, 28. 5. 1988, p. 75.

## ANNEX I

## List of storage agencies referred to in Article 1 of this Regulation

1. ASO, Mezonos 241, Patras, Greece.
2. Panegialios Enosis Sineterismon, Egion, Greece.
3. Enosis Georgikon Sineterismon Zakynthou, Zakynthos, Greece.
4. Enosis Georgikon Sineterismon Olympia Ilias, Pyrgos, Greece.
5. Kentriki Syneteristiki Enosi Prostatias Georgikon Proionton nomou Messinias, Kalamata, Greece.

## ANNEX II

## Qualities and prices of the unprocessed currants from the 1987 harvest referred to in Article 1

Category	ECU/100 kg net
1. 'Shade', Eghion region	61,645
2. 'Select Sun', Eghion region	60,340
3. 'Shade', Corinth region	59,906
4. 'Select Sun', Corinth region	58,137
5. 'Regular' Eghion region	57,297
6. 'Select Sun' from Patras, the Ionian Islands, the Prefecture of Ilias, Triphiliias, and Pylia	56,515
7. 'Regular', Corinth region	56,515
8. 'Select Sun', remainder of Messinia	55,645
9. 'Regular', from Patras, the Ionian Islands, the Prefecture of Ilias, Triphiliias and Pylia	54,776
10. 'Regular', remainder of Messinia	53,906
11. 'Regular', other regions	49,298

## COMMISSION REGULATION (EEC) No 2413/88

of 1 August 1988

re-establishing the levying of customs duties on artificial flowers and fruit of CN codes 6702 10 00 and 6702 90 00 originating in China to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3635/87 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3635/87 of 17 November 1987 applying generalized tariff preferences for 1988 in respect of certain industrial products originating in developing countries<sup>(1)</sup>, and in particular Article 16 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3635/87, duties on certain products, originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 15.

Whereas, as provided for in Article 15 of that Regulation where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be reintroduced, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, equal to 5 % of the total importations into the Community originating from third countries in 1986;

Whereas, in the case of artificial flowers and fruit falling within CN codes 6702 10 00 and 6702 90 00 originating in China the individual ceiling was fixed at 5 240 000

ECU; whereas, on 24 June 1988, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference causes economic difficulties in a region of the Community; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 5 August 1988, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3635/87 shall be re-established on imports into the Community of the following products originating in China:

CN code	Description
6702 10 00 6702 90 00	Artificial flowers, foliage and fruit and parts thereof; articles made of artificial flowers, foliage or fruit: — of plastics — of other materials

*Article 2*

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

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

Done at Brussels, 1 August 1988.

*For the Commission*

Stanley CLINTON DAVIS

*Member of the Commission*

<sup>(1)</sup> OJ No L 350, 12. 12. 1987, p. 1.

**COMMISSION REGULATION (EEC) No 2414/88**  
**of 1 August 1988**  
**on the supply of common wheat to Tunisia as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/88 <sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

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

Whereas, by its Decision of 31 May 1988 on the supply of food aid to Tunisia the Commission allocated to the latter country 10 000 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid <sup>(4)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to Tunisia in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

*Article 2*

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

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 168, 1. 7. 1988, p. 7.

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

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

## ANNEX

1. **Operation No** (1): 512/88
2. **Programme**: 1988
3. **Recipient**: Office des Céréales, 30, rue A. Savary, 1002 Tunis Belvédère, tel.: 68 01 07
4. **Representative of the recipient** (2): Ambassade de Tunisie à Bruxelles, telex: AMBATU — Bruxelles 22078, tel.: 77 17 395
5. **Place or country of destination**: Tunisia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3):  
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under IIA.1)
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4):  
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under IIB.1.e)  
marking on the bags, in letters at least 5 cm high:  
'ACTION N° 512/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE TUNISIENNE'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Sousse
16. **Address of the warehouse and, if appropriate, port of landing**:  
Centres et Inspections de l'Office des Céréales
 

Gafsa,	Zone de Lala, Gafsa	1 500 tonnes
Kasserine,	66, Avenue Douleb, Kasserine	1 500 tonnes
Kairouan,	Rue de Fes, Kairouan	1 500 tonnes
Sidi Bouzid,	11, Rue Houssine Bouzaiene, Sidi Bouzid	1 500 tonnes
Mahdia,	Avenue Habib Bourguiba, Mahdia	1 500 tonnes
Le Kef,	7, Rue d'Alger, Le Kef	900 tonnes
Siliana,	Avenue Ali Belbaouane, Siliana	800 tonnes
Sfax,	Rue du 13 Août, Route de la Poudrière, Sfax	800 tonnes
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 15 September 1988
18. **Deadline for the supply**: 15 October 1988
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 16 August 1988 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 30 August 1988 at 12 noon
  - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30 September 1988
  - (c) deadline for the supply: 31 October 1988
22. **Amount of the tendering security**: 5 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders** (5):  
Bureau de l'aide alimentaire,  
à l'attention de Monsieur N. Arend,  
bâtiment Loi 120, bureau 7/58,  
200, rue de la Loi,  
B-1049 Brussels  
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6):  
Refund applicable on 10 July 1988 fixed by Regulation (EEC) No 1877/88 in *Official Journal of the European Communities* No 168 of 1 July 1988, page 30

*Notes:*

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer:  
M. Lanari, 21, Avenue Jugurtha, Tunis, Belvédère, tel.: 78 86 00, telex: 13596, telefax: 285 363
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.  
The radioactivity certificate must indicate the caesium-134 and -137 level.
- (4) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
  - or by telecopier on one of the following numbers in Brussels:  
235 01 32  
236 10 97  
235 01 30  
236 20 05
- (6) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

## COMMISSION REGULATION (EEC) No 2415/88

of 1 August 1988

on the sale by tender, for export, of beef held by certain intervention agencies

THE COMMISSION 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 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 2248/88 <sup>(2)</sup>, and in particular Article 7 (3) thereof,

Whereas certain intervention agencies have large stocks of beef; whereas there are outlets in certain third countries for the products concerned;

Whereas the meat should be offered for sale by means of a tendering procedure held at regular intervals; whereas, in order to ensure the destination of the products to the specified third countries, it is appropriate to foresee a guarantee to which provisions of Article 3 of Commission Regulation (EEC) No 985/81 <sup>(3)</sup> will apply, as last amended by Regulation (EEC) No 1809/87 <sup>(4)</sup>;

Whereas, in view of certain special features of the sale and in particular for the purposes of control, the minimum tendering quantity should be set fairly high;

Whereas, in view of the level of stocks in the various Member States, provision should be made for ensuring the sales of meat are organized at least in two Member States;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2293/88 <sup>(6)</sup>; whereas, however, the Annex to the said Regulation setting out the entries to be made should be expanded;

Whereas the destination of important quantities of meat to the sale in question makes it appropriate to end the sales foreseen by Commission Regulation (EEC) No 2670/85 <sup>(7)</sup> and (EEC) No 1812/86 <sup>(8)</sup>; and to repeal the said Regulations;

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

*Article 1*

1. Forequarters and hindquarters held by intervention agencies shall, in accordance with this Regulation, be offered for sale by tender at regular intervals.
2. The products referred to in paragraph 1 shall be sold for export to one or more of the destinations referred to in Annex 1.
3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Commission Regulation (EEC) No 2173/79 <sup>(9)</sup>, and in particular Articles 6 to 12 thereof.

*Article 2*

1. Intervention agencies shall, during the period of validity of the standing invitation to tender organize specific sales by invitation to tender in respect of forequarters and hindquarters still available.

The deadlines for submitting tenders in respect of each specific sale by invitation to tender shall be 12.00 on the second Tuesday of the month concerned or, if that day is not a working day, 12.00 on the next working day. The first deadline for submitting tenders shall be 12.00 on 9 August 1988.

Intervention agencies shall draw up a notice of invitation to tender for the specific sale which shall include the following:

- (a) the quantities of bone-in beef offered for sale, and
- (b) the deadline and place for submitting tenders.

2. By way of derogation from Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and the Annexes to this Regulation shall serve as a general notice of invitation to tender for sales held at regular intervals.

3. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, moreover, display the notices referred to in paragraph 1 at their head offices and may also publish them elsewhere.

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

<sup>(2)</sup> OJ No L 198, 26. 7. 1988, p. 24.

<sup>(3)</sup> OJ No L 99, 10. 4. 1981, p. 38.

<sup>(4)</sup> OJ No L 170, 30. 6. 1987, p. 23.

<sup>(5)</sup> OJ No L 55, 1. 3. 1988, p. 1.

<sup>(6)</sup> OJ No L 201, 27. 7. 1988, p. 16.

<sup>(7)</sup> OJ No L 253, 24. 5. 1985, p. 8.

<sup>(8)</sup> OJ No L 157, 12. 6. 1986, p. 43.

<sup>(9)</sup> OJ No L 251, 5. 10. 1979, p. 12.

4. By way of derogation from Article 8 of Regulation (EEC) No 2173/79, tenders shall not indicate at which cold store or stores the products are held.

#### Article 3

1. (a) An offer shall be valid only if it relates to a quantity of not less than 25 000 tonnes.

(b) It shall relate to an equal weight of forequarters and hindquarters and shall contain a single price per 100 kilograms for the whole quantity specified in the offer.

(c) However, where in a Member State the available quantities do not make it possible to comply with the condition laid down under 1 (b) an offer shall be valid if it relates to the available equal weight of forequarters and hindquarters as well as a single price per 100 kilograms of those products, and:

- either hindquarters as well as a price per 100 kilograms of that product,
- forequarters as well as a price per 100 kilograms of that product.

2. Upon expiry of the time limit for submitting tenders, the operator shall send a copy of his tender by telex to the Commission of the European Communities, Division VI/D/2, 200, rue de la Loi, B-1049 Brussels, (Telex: 22037 B AGREC).

3. After the tenders received in respect of each specific invitation to tender have been examined, either one or more minimum selling prices shall be fixed, taking account in particular that quantities sold from one Member State must not exceed 50 % of the total quantity sold, or the sale will not be proceeded with. Where application is made of paragraph 1 (c) the highest tenderer as referred to in Article 10 (2) of Regulation (EEC) No 2173/79 is the tenderer who offers the highest weighted average price.

4. The time limit specified in Article 11 of Regulation (EEC) No 2173/79 shall, for the purposes of this Regulation, be three working days instead of five working days.

#### Article 4

1. Notwithstanding Article 15 (1) of Regulation (EEC) No 2173/79, the amount of the security shall be 150 ECU per tonne.

2. A security to cover import into one of the destinations provided for in Article 1 (2) shall be put up by the purchaser before the products are taken over. The amount of the security shall be 260 ECU per 100 kilograms.

3. As regards the security referred to in paragraph 2, the provisions of Article 3 (3), and (4) and (5) of Regulation (EEC) No 985/81 shall apply *mutatis mutandis*.

#### Article 5

1. The meat shall be taken over by the buyer within five months of the conclusion of the sales contract. However:

- where selling contracts are concluded before 30 September 1988 at least 25 % of the meat covered by those contracts shall be taken over by the buyer before 30 September,
- all the meat contracted under the Regulation must be taken over before 31 March 1989.

2. The customs export formalities must be completed not later than one month after the meat has been taken over.

#### Article 6

Purchasers shall, when concluding a contract, submit applications for advance fixing of the refunds.

#### Article 7

The following is hereby added to Part I, 'Products to be exported in the same state as that in which they were when removed from intervention stock', of the Annex to Regulation (EEC) No 569/88:

'Commission Regulation (EEC) No 2415/88 of 1 August 1988 on the sale by tender, for export, of beef held by certain intervention agencies<sup>(34)</sup>.

<sup>(34)</sup> OJ No L 208, 2. 8. 1988, p. 11.'

#### Article 8

Member States shall, without delay, notify the Commission of:

- the tenders they have received,
- the quantities:
  - for which there is a sales contract,
  - which have been taken over,

in accordance with this Regulation.

#### Article 9

Regulations (EEC) No 2670/85 and (EEC) No 1812/86 are hereby repealed.

#### Article 10

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, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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*ANNEX I*

**Liste of destinations**

Bulgaria  
Czechoslovakia  
Hungary  
Poland

Romania  
Union of Soviet Socialist Republics  
Yugoslavia

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —  
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως —  
Addresses of the intervention agencies — Adresses des organismes d'intervention —  
Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços  
dos organismos de intervenção**

- BELGIQUE/BELGIË :** Office belge de l'économie et Belgische Dienst voor Bedrijfs-  
de l'agriculture, leven en Landbouw,  
rue de Trèves 82, Trierstraat 82,  
B-1040 Bruxelles, B-1040 Brussel  
Tél. 02/230 17 40, télex 240 76 OBEA BRU B
- DANMARK :** Direktoratet for markedsordningerne  
EF-Direktoratet  
Frederiksborggade 18  
DK-1360 København K  
Tlf. (01) 92 70 00, telex 151 37 DK
- BUNDESREPUBLIK  
DEUTSCHLAND :** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)  
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)  
Postfach 180 107 — Adickesallee 40  
D-6000 Frankfurt am Main 18  
Tel. (069) 1 56 40 App. 772/773, Telex : 04 11 56
- ESPAÑA :** Servicio Nacional de Productos Agrarios (SENPA)  
c/ Beneficencia 8  
28003 Madrid  
Tel. 222 29 61  
Télex 23427 SENPA E
- FRANCE :** OFIVAL  
Tour Montparnasse  
33, avenue du Maine  
F-75755 Paris Cedex 15  
Tél. : 45 38 84 00, télex 26 06 43
- IRELAND :** Department of Agriculture and Food  
Agriculture House  
Kildare Street  
Dublin 2  
Tel. (01) 78 90 11, ext. 22 78  
Telex 4280 and 5118
- ITALIA :** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)  
Roma, via Palestro 81  
Tel. 49 57 283 — 49 59 261  
Telex 61 30 03
- NEDERLAND :** Voedselvoorzienings In- en Verkoopbureau  
Ministerie van Landbouw en Visserij  
Postbus 960  
6430 AZ Hoensbroek  
Tel. (045) 23 83 83  
Telex 56 396
- UNITED KINGDOM :** Intervention Board for Agricultural Produce  
Fountain House  
2 Queens Walk  
Reading RG1 7QW  
Berks  
Tel. (0734) 58 36 26  
Telex 848 302

## COMMISSION REGULATION (EEC) No 2416/88

of 1 August 1988

concerning the stopping of fishing for plaice by vessels flying the Belgian flag

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities<sup>(1)</sup>, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3977/87 of 21 December 1987, fixing, for certain fish stocks and groups of fish stocks, total allowable catches for 1988 and certain conditions under which they may be fished<sup>(2)</sup>, provides for plaice quotas for 1988;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of plaice in the waters of ICES division IIIa Skagerrak by vessels flying the Belgian flag or registered in Belgium have reached the quota allocated for 1988; whereas Belgium has prohibited fishing for this

stock as from 29 July 1988; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of plaice in the waters of ICES division IIIa Skagerrak by vessels flying the Belgian flag or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1988.

Fishing for plaice in the waters of ICES division IIIa Skagerrak by vessels flying the Belgian flag or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

*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 29 July 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

<sup>(1)</sup> OJ No L 207, 29. 7. 1987, p. 1.

<sup>(2)</sup> OJ No L 375, 31. 12. 1987, p. 1.

**COMMISSION REGULATION (EEC) No 2417/88**  
**of 1 August 1988**  
**fixing the import levies on white sugar and raw sugar**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88<sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88<sup>(3)</sup>, as last amended by Regulation (EEC) n. 2369/88<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 203, 28. 7. 1988, p. 22.

<sup>(4)</sup> OJ No L 205, 30. 7. 1988, p. 31.

## ANNEX

## to the Commission Regulation of 1 August 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,33 <sup>(1)</sup>
1701 11 90	32,33 <sup>(1)</sup>
1701 12 10	32,33 <sup>(1)</sup>
1701 12 90	32,33 <sup>(1)</sup>
1701 91 00	43,46
1701 99 10	43,46
1701 99 90	43,46 <sup>(2)</sup>

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

<sup>(2)</sup> In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 2418/88  
of 1 August 1988

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2367/88 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2367/88 to the infor-

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 2367/88 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 205, 30. 7. 1988, p. 27.

## ANNEX

to the Commission Regulation of 1 August 1988 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4346	—
1702 20 90	0,4346	—
1702 30 10	—	52,35
1702 40 10	—	52,35
1702 60 10	—	52,35
1702 60 90	0,4346	—
1702 90 30	—	52,35
1702 90 60	0,4346	—
1702 90 71	0,4346	—
1702 90 90	0,4346	—
2106 90 30	—	52,35
2106 90 59	0,4346	—

**COMMISSION REGULATION (EEC) No 2419/88**  
**of 1 August 1988**  
**altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88<sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2164/88<sup>(3)</sup>, as last amended by Regulation (EEC) No 2406/88<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2164/88 to the infor-

mation known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2164/88 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 190, 21. 7. 1988, p. 18.

<sup>(4)</sup> OJ No L 205, 30. 7. 1988, p. 106.

## ANNEX

to the Commission Regulation of 1 August 1988 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	33,35 <sup>(1)</sup>	
1701 11 90 910	24,83 <sup>(1)</sup>	
1701 11 90 950	<sup>(2)</sup>	
1701 12 90 100	33,35 <sup>(1)</sup>	
1701 12 90 910	24,83 <sup>(1)</sup>	
1701 12 90 950	<sup>(2)</sup>	
1701 91 00 000		0,3625
1701 99 10 100	36,25	
1701 99 10 900	28,91	
1701 99 90 100		0,3625 <sup>(3)</sup>

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

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

<sup>(3)</sup> This amount applies to white sugar and raw sugar containing added substances other than flavouring or colouring matter.

## COMMISSION REGULATION (EEC) No 2420/88

of 1 August 1988

altering the export refunds on syrups and certain other sugar sector products  
exported in the natural state

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

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

Having regard to Council Regulation (EEC) No 1785/81  
of 18 June 1981 on the common organization of the  
markets in the sugar sector <sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 2306/88 <sup>(2)</sup>, and in particular Article 19 (4)  
thereof,

Whereas the refunds on syrups and certain other sugar  
products were fixed by Regulation (EEC) No 2370/88 <sup>(3)</sup>;

Whereas it follows from applying the rules, criteria and  
other provisions contained in Regulation (EEC) No  
2370/88 to the information at present available to the

Commission that the export refunds at present in force  
should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The refunds to be granted on the products listed in  
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No  
1785/81, exported in the natural state, as fixed in the  
Annex to Regulation (EEC) No 2370/88 are hereby  
altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 205, 30. 7. 1988, p. 33.

## ANNEX

to the Commission Regulation of 1 August 1988 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question (*)	Amount of refund per 100 kg of dry matter (†)
1702 40 10 100		36,25
1702 60 10 000		36,25
1702 60 90 000	0,3625	
1702 90 30 000		36,25
1702 90 60 000	0,3625	
1702 90 71 000	0,3625	
1702 90 90 900	0,3625	
2106 90 30 000		36,25
2106 90 59 000	0,3625	

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

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

**COMMISSION REGULATION (EEC) No 2421/88**  
of 1 August 1988

**altering the import levies on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 2221/88 <sup>(2)</sup>, and in particular Article 14 (4) thereof,

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

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(5)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(6)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2350/88 <sup>(7)</sup>, as amended by Regulation (EEC) No 2408/88 <sup>(8)</sup>;

Whereas Council Regulation (EEC) No 1906/87 <sup>(9)</sup> as amended by Council Regulation (EEC) No 2744/75 <sup>(10)</sup> as regards products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature;

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

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

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

Whereas these exchange rates being those recorded on 28 July 1988;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2350/88 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 16.

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

<sup>(4)</sup> OJ No L 377, 31. 12. 1987, p. 15.

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

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

<sup>(7)</sup> OJ No L 204, 29. 7. 1988, p. 25.

<sup>(8)</sup> OJ No L 205, 30. 7. 1988, p. 111.

<sup>(9)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(10)</sup> OJ No L 281, 1. 11. 1975, p. 65.

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

## ANNEX

## to the Commission Regulation of 1 August 1988 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 20 10 <sup>(?)</sup>	269,65	263,61
1102 20 90 <sup>(?)</sup>	152,40	149,38
1103 13 11 <sup>(?)</sup>	260,65	254,61
1103 13 19 <sup>(?)</sup>	269,65	263,61
1103 13 90 <sup>(?)</sup>	152,40	149,38
1103 29 40 <sup>(?)</sup>	269,65	263,61
1104 19 50 <sup>(?)</sup>	269,65	263,61
1104 23 10 <sup>(?)</sup>	237,34	234,32
1104 23 30 <sup>(?)</sup>	237,34	234,32
1104 23 90 <sup>(?)</sup>	152,40	149,38
1104 30 90	115,88	109,84
1106 20 91	248,28	224,10 <sup>(?)</sup>
1106 20 99	256,33	232,15 <sup>(?)</sup>
1108 12 00	248,28	227,73
1108 13 00	248,28	227,73
1108 14 00	248,28	113,86 <sup>(?)</sup>
1108 19 90	248,28	113,86
1702 30 91 <sup>(?)</sup>	393,77	297,05
1702 30 99 <sup>(?)</sup>	294,22	227,73
1702 40 90 <sup>(?)</sup>	294,22	227,73
1702 90 50	294,22	227,73
1702 90 75	407,91	311,19
1702 90 79	282,91	216,42
2106 90 55	294,22	227,73
2303 10 11	464,24	282,90

<sup>(?)</sup> For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:

— a starch content (determined by the modified Ewert polarimetric method), referred to dry matter, exceeding 45 % by weight,

— an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.

<sup>(?)</sup> Pursuant to Regulation (EEC) No 2730/75 the customs treatment in respect of glucose and glucose syrup of subheadings 1702 30 91, 1702 30 99 and 1702 40 90 shall also apply to glucose and glucose syrup of subheadings 1702 30 51 and 1702 30 59.

<sup>(?)</sup> In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within subheading 0714 90 10,
- flours and meal of arrow-root falling within subheading 1106 20,
- arrow-root starch falling within subheading 1108 19 90.

**COMMISSION REGULATION (EEC) No 2422/88**  
**of 1 August 1988**

**altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88 <sup>(2)</sup>, and in particular Article 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 August 1988 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 2382/88 <sup>(3)</sup>;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 2382/88 to the infor-

mation at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

The rates of refund fixed by Regulation (EEC) No 2382/88 are hereby altered as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 August 1988.

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

Done at Brussels, 1 August 1988.

*For the Commission*  
COCKFIELD  
*Vice-President*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 205, 30. 7. 1988, p. 62.

## ANNEX

to the Commission Regulation of 1 August 1988 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	36,25
	Raw sugar:	30,20
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$36,25 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose <sup>(2)</sup> :	36,25 <sup>(3)</sup>

(1) 'S' represents per 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 24 June 1988

approving an adjustment to the programme for the acceleration of agricultural development in certain regions of Greece

(Only the Greek text is authentic)

(88/425/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1975/82 of 19 July 1982 on the acceleration of agricultural development in certain regions of Greece<sup>(1)</sup>, as last amended by Regulation (EEC) No 3157/87<sup>(2)</sup>, and in particular Articles 3 and 18 (2) (a) thereof,

Whereas the programme of public works and other projects for the development of mountain and hill and less-favoured areas in 22 Greek prefectures was approved by Commission Decision 83/387/EEC<sup>(3)</sup>;

Whereas the Hellenic Government forwarded on 12 January and 22 February 1988, the basic principles for adjusting the said programme; whereas, in the light of these principles, an amendment of the programme is justified;

Whereas adjustment of the programme requires the amendment of certain limits set in Article 18 (2) of Regulation (EEC) No 1975/82;

Whereas the estimates in the adjusted programme in respect of aid from the European Agricultural Guidance and Guarantee Fund (EAGGF) do not exceed the estimated cost referred to in Article 16 (3) of Regulation (EEC) No 1975/82;

Whereas the Fund Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

*Article 1*

1. The adjustment of the programme of public works and other projects for the development of mountain and hill and less-favoured areas in 22 Greek prefectures, the basic principles of which were forwarded by the Hellenic Government on 12 January and 22 February 1988, in accordance with Regulation (EEC) No 1975/82, is hereby approved.

2. In order to implement the adjustment of the programme the limits referred to in Article 18 (2) of Regulation (EEC) No 1975/82 are hereby amended as follows:

- the maximum eligible amount referred to in the first, second and third indents of (a) is fixed at 18 million ECU, 45 million ECU and 35 million ECU respectively,
- the maximum eligible amount referred to in the first indent of (b) is fixed at 5 000 ECU per hectare, up to a maximum total of 35 000 hectares and 77 million ECU,
- the maximum eligible amount referred to in the second indent of (b) is fixed at 500 ECU per hectare, up to a maximum total of 135 000 hectares and 35 million ECU,

<sup>(1)</sup> OJ No L 214, 22. 7. 1982, p. 1.

<sup>(2)</sup> OJ No L 301, 24. 10. 1987, p. 3.

<sup>(3)</sup> OJ No L 222, 13. 8. 1983, p. 43.

- the maximum total referred to in the third indent of (b) is fixed at 900 hectares and 1 million ECU,
  - the maximum eligible amount referred to in the fourth indent of (b) is fixed at 5,6 million ECU,
  - the maximum eligible amount referred to in the sixth indent of (b) is fixed at 4 million ECU,
  - the maximum total referred to in the seventh indent of (b) is fixed at 10 500 hectares and 20 million ECU,
  - the maximum total referred to in the eighth indent of (b) is fixed at 8 000 hectares and 13 million ECU,
  - the maximum total referred to in the ninth indent of (b) is fixed at 60 000 hectares and 13 million ECU,
  - the maximum total referred to in the tenth indent of (b) is fixed at 130 000 hectares and 15 million ECU,
  - the maximum total referred to in the eleventh indent of (b) is fixed at 2 550 kilometers and 36 million ECU,
- the maximum eligible amount referred to in the last indent of (b) is fixed at 6 % of the total cost of the project concerned for preparatory work relating to projects on private land within the framework of Article 14, up to a maximum total expenditure of 1 million ECU.

*Article 2*

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 24 June 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

## COMMISSION DECISION

of 30 June 1988

authorizing the Italian Republic to apply intra-Community surveillance to imports of bananas originating in certain third countries and put into free circulation in the other Member States

(Only the Italian text is authentic)

(88/426/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 87/433/EEC<sup>(1)</sup> of 22 July 1987, on surveillance and protective measures which Member States may be authorized to take pursuant to Article 115 of the EEC Treaty, and in particular Articles 1, 2 and 5 thereof;

Whereas on 23 May 1988, the Italian Government applied for authorization to apply intra-Community surveillance to imports of bananas falling within CN code 0803 00 10 originating in certain third countries other than the African, Caribbean and Pacific States<sup>(2)</sup> and put into free circulation in the other Member States;

Whereas by its Decision of 30 June 1988<sup>(3)</sup>, the Commission authorized the Italian Republic, under Article 115 of the Treaty, to apply until 30 June 1988 certain protective measures in respect of bananas originating in the third countries listed below; whereas under this Decision applications to import such bananas put into free circulation in the other Member States are subject to the lodging of a security;

Whereas the Italian Government has stated that the circumstances which led the Commission to adopt intra-Community surveillance measures in the past still prevail, namely the need to ensure the effectiveness of the commercial policy measures which Italy applies in respect of direct imports of fresh bananas originating in certain third countries other than the ACP States in order to attain the objective laid down in Protocol 4 to the Lomé Convention;

Whereas, without prejudice of a later examination of the situation, it is therefore necessary to authorize the Italian Republic to apply intra-Community surveillance until 30

June 1989 to imports of the products in question; whereas acceptance of import applications submitted under the surveillance system must be made subject to the conditions laid down in Article 1 of the Commission Decision of 30 June 1988 referred to above, authorizing Italy to apply protective measures to bananas originating in the third countries in question,

HAS ADOPTED THIS DECISION:

*Article 1*

1. The Italian Republic is hereby authorized to apply intra-Community surveillance until 30 June 1989 to imports of bananas falling within CN code 0803 00 10 originating in the third countries listed in the Annex and put into free circulation in the other Member States, in accordance with Commission Decision 87/433/EEC.

2. The acceptance of import applications shall be subject to the conditions laid down in Article 1 of the Commission Decision of 30 June 1988, authorizing Italy to apply protective measures to bananas originating in the third countries listed in the first paragraph.

*Article 2*

This Decision is addressed to the Italian Republic.

Done at Brussels, 30 June 1988.

*For the Commission*

Willy DE CLERCQ

*Member of the Commission*

<sup>(1)</sup> OJ No L 238, 21. 8. 1987, p. 26.

<sup>(2)</sup> Bolivia, Canada, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, the Philippines, the United States of America, Venezuela.

<sup>(3)</sup> OJ No C 177, 6. 7. 1988, p. 12.

*ANNEX***Third countries of origin referred to in Article 1**

Bolivia	Haiti
Canada	Honduras
Colombia	Mexico
Costa Rica	Nicaragua
Cuba	Panama
Dominican Republic	Philippines
Ecuador	United States of America
El Salvador	Venezuela
Guatemala	

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## COMMISSION DECISION

of 30 June 1988

authorizing the Kingdom of Spain to apply intra-Community surveillance to imports of certain kinds of slide fasteners originating in Taiwan

(Only the Spanish text is authentic)

(88/427/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 87/433/EEC<sup>(1)</sup> of 22 July 1987 on surveillance and protective measures which Member States may be authorized to take pursuant to Article 115 of the EEC Treaty, and in particular Articles 1, 2 and 3 thereof,

Whereas on 14 June 1988, the Spanish Government asked the Commission of the European Communities, under the first paragraph of Article 115 of the Treaty, for authorization to apply surveillance and protective measures in respect of imports of certain slide fasteners, falling within CN codes 9607 19 00 and 9607 20 91, originating in Taiwan and put into free circulation in the other Member States;

Whereas the Commission, under Regulation (EEC) No 3752/87<sup>(2)</sup>, instituted a system for the authorization of imports of the slide fasteners in question originating in Taiwan for the period up to 31 December 1988, within certain limits;

Whereas there are accordingly disparities between Spain and the other Member States in the conditions governing the importations of the products concerned; whereas such disparities could cause deflection of trade;

Whereas the Spanish Government has indicated that the limits laid down in Regulation (EEC) No 3752/87 have been reached and even exceeded; whereas a flow of indirect imports of the slide fasteners concerned originating in Taiwan and put into free circulation in the other Member States has become established; whereas these indirect imports have reached a quantity of 1,263 million metres;

Whereas the Commission has examined whether the conditions for applying the measures requested by the Spanish authorities are fulfilled, having regard to the results of the investigation carried out by the Commission

prior to the adoption of Regulation (EEC) No 3752/87 and the additional information supplied by the Spanish authorities in their application;

Whereas the examination shows that the economic problems of the industry, referred to in the said Regulation, persist; whereas, however, it does not appear at this stage that the conditions laid down in Article 3 (2) of Decision 87/433/EEC are fulfilled to justify measures to prohibit imports of the products in question put into free circulation in the other Member States;

Whereas the flow of indirect imports could expand massively and unpredictably; whereas the Kingdom of Spain should therefore be authorized to apply intra-Community surveillance to the products in question until 31 December 1988 in accordance with Article 2 of Decision 87/433/EEC, in order that any trend which might justify application of more stringent measures under Article 3 of that Decision may quickly be detected,

HAS ADOPTED THIS DECISION:

*Article 1*

The Kingdom of Spain is hereby authorized to apply intra-Community surveillance in accordance with Article 2 of Decision 87/433/EEC to the following products originating in Taiwan until 31 December 1988:

CN code	Description
9607 19 00 9607 20 91	Slide fasteners with scoops not of base metal and parts thereof.

*Article 2*

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 30 June 1988.

*For the Commission*  
Willy DE CLERCQ  
*Member of the Commission*

<sup>(1)</sup> OJ No L 238, 21. 8. 1987, p. 26.

<sup>(2)</sup> OJ No L 353, 16. 12. 1987, p. 11.

**COMMISSION OPINION**

of 1 July 1988

**concerning the Neckar II (GKN II) nuclear power station (Federal Republic of Germany)**

(Only the German text is authentic)

(88/428/Euratom)

The general data concerning the plan for the disposal of radioactive waste from the Neckar II nuclear power station (GKN II) were provided by the German Government to the Commission, in accordance with Article 37 of the Euratom Treaty, by letter received 5 January 1988.

In the course of the meeting of the group of experts set up pursuant to the Treaty, which took place on 15 March 1988, in Brussels, the representatives of the German Government provided further complementary information and details.

On the basis of the data thus obtained and having consulted the group of experts, whose report is appended, the Commission drew up the following opinion:

1. The distance from the installation to the closest point on the territory of another Member State, France, is approximately 70 km.
2. In normal operation of the power station its liquid and gaseous effluent discharges are not liable to give rise to significant exposure of the population of other Member States.
3. Solid radioactive wastes are to be stored only temporarily on the power station site prior to transport to a Federal storage or disposal facility.

Similarly, irradiated fuel elements are to be stored only temporarily at the station site prior to transfer to a reprocessing facility.

4. In the case of unplanned discharges of radioactive substances which might arise in accident conditions of the type and magnitude considered in the general data, doses liable to be received in other Member States will not be significant from the point of view of health.

The Federal Republic has signed agreements with France concerning the exchange of information in the event of nuclear accidents; these agreements allow for hypothetical accidents, having radiological consequences more severe than those presented in the general data, to be taken into account.

In conclusion, the Commission is of the opinion that the implementation of the plan for the discharge of radioactive effluents from the Neckar II nuclear power station is not liable, either in normal operation or in the case of an accident of the type and magnitude considered in the general data to result in radioactive contamination, significant from the point of view of health, of the water, soil or airspace of another Member State.

This opinion is addressed to the Federal Republic of Germany.

Done at Brussels, 30 June 1988.

*For the Commission*

Stanley CLINTON DAVIS

*Member of the Commission*

## COMMISSION DECISION

of 1 July 1988

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of growing medium originating in third countries

(88/429/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products<sup>(1)</sup>, as last amended by Commission Directive 88/272/EEC<sup>(2)</sup>, and in particular Article 14 (3) thereof,

Having regard to requests made by the Member States,

Whereas, under the provisions of Directive 77/93/EEC, growing medium as such, as defined in Annex V, item 5 (a) thereof, may not in principle be introduced into the Community, because of the risk of introducing soil-borne harmful organisms, if it originates in Turkey, the USSR or third countries outside the European continent other than Algeria, Cyprus, Israel, Malta, Morocco and Tunisia;

Whereas, however, Article 14 (3) of the said Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas it is evident that in certain cases it may be desirable for soil or other growing medium to be introduced from such third countries for the purpose of scientific work in the Member States;

Whereas the introduction of such potentially dangerous material should only be permitted provided that certain conditions are complied with;

Whereas the Member States should be authorized to provide for derogations in respect of the introduction of growing medium, as defined in Directive 77/93/EEC, Annex V, item 5 (a), for the purpose of scientific work and under specified conditions;

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

1. The Member States are hereby authorized to provide, under the conditions laid down in paragraphs 2 and 3, for derogations, for the purpose of scientific work, from Article 4 (1) of Directive 77/93/EEC with regard to the prohibition on the introduction of growing medium referred to in Part A, item 12 to Annex III thereof.

2. Without prejudice to other provisions of Directive 77/93/EEC, the plant protection organization of the Member State concerned shall ensure, in the case of each derogation granted, that the following conditions are satisfied:

- (a) the nature and objectives of the scientific work for which the growing medium is to be imported shall have been examined and approved;
- (b) the quantity of growing medium shall be limited to an amount which is adequate for the approved scientific work;
- (c) the premises and facilities of the establishment at which the scientific work is to be undertaken shall have been inspected and approved to ensure that no harmful organism imported with the growing medium can escape; and
- (d) the scientific and technical qualifications of the personnel by whom the scientific work is to be undertaken shall have been examined and approved.

3. Where a derogation has been provided in conformity with the terms of this Decision, the plant protection organization of the Member State concerned shall ensure that, upon completion of the scientific work in question:

- (a) the imported growing medium and any plants, plant products, growing medium and other material which has been in contact with it shall be destroyed, sterilized or otherwise treated in a manner to be specified by the plant protection organization; and
- (b) the premises and facilities at which the scientific work in question has been undertaken shall be sterilized or otherwise treated or cleaned, as necessary, in a manner to be specified by the plant protection organization.

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 20.

<sup>(2)</sup> OJ No L 116, 4. 5. 1988, p. 19.

*Article 2*

1. Member States shall inform the Commission and the other Member States of each instance of implementation of this Decision.

2. The authorization granted in Article 1 shall expire on 31 December 1992.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 1 July 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

## SEVENTH COMMISSION DIRECTIVE

of 1 July 1988

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(88/430/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of harmful organisms of plants or plant products <sup>(1)</sup>, as last amended by Commission Directive 88/272/EEC <sup>(2)</sup>, and in particular Article 13, second paragraph, fourth indent thereof,

Whereas *Ceratocystis ulmi* and its vectors are no longer considered to be a harmful organism whose introduction must be prohibited in all Member States; whereas it is no longer appropriate to maintain the current provisions set out in Directive 77/93/EEC in relation to this organism harmful to elm trees; whereas these provisions should therefore be deleted;

Whereas it has been determined that *Thrips palmi* is a harmful organism not yet present in the Community; whereas it is considered that this pest represents a serious danger to, and may be carried upon, a wide range of plants and plant material grown in or imported into the Community; whereas appropriate measures to combat this pest should be included within Directive 77/93/EEC;

Whereas therefore the relevant Annexes of Directive 77/93/EEC should be amended accordingly in the light of developments in scientific or technical knowledge;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 77/93/EEC is hereby amended as indicated in the Annex to this Directive.

*Article 2*

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with the provisions of this Directive by 1 January 1989 at the latest.

Member States shall immediately inform the Commission of all laws, regulations and administrative provisions adopted in implementation of this Directive.

The Commission shall inform the other Member States thereof.

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 1 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

<sup>(1)</sup> OJ No L 26, 31. 1. 1977, p. 20.

<sup>(2)</sup> OJ No L 116, 4. 5. 1988, p. 19.

## ANNEX

1. The following is added to Annex I, part A (a):

'19. *Thrips palmi* Karny'

2. The following are deleted from Annex I, part A (a):

'13. *Scolytus multistriatus* (Marsh.)'

'14. *Scolytus scolytus* (F.)'

3. The following is deleted from Annex I, part A (d):

'3. *Ceratocystis ulmi* (Buism.) C. Moreau'

4. The following is deleted from Annex III, part A:

'10. Isolated bark of *Ulmus* L. | All countries'

5. The following are deleted from Annex IV, part A:

'6. Wood of *Ulmus*

'14. Plants of *Ulmus* and *Zelkova*,  
other than fruit and seeds

The wood shall be stripped of its bark'

Official statement that no symptoms of *Ceratocystis ulmi* have been observed either at the place of production or in its imminent vicinity since the beginning of the last complete cycle of vegetation'

6. The following is added to Annex IV, part A:

'42. Plants for planting, other than seeds, originating in countries where *Thrips palmi* is known to occur

Official statement:

(a) that the place of production has been found free of *Thrips palmi*,

(b) that the consignment has undergone appropriate treatment to ensure freedom from *Thysanoptera*'

7. The following is deleted from Annex IV, part B:

'7. Plants of *Ulmus* and *Zelkova* for planting, other than fruits and seeds

Official statement that:

(a) the plants are not more than one year old and are of an overall height not exceeding 30 cm, and

(b) the plants are raised in a nursery in which, and in the immediate vicinity of which, no symptoms of *Ceratocystis ulmi* have been observed since the last two complete cycles of vegetation, and

(c) the plants have been treated with appropriate insecticides to protect them against vectors of *Ceratocystis ulmi*

Denmark,  
Ireland,  
United Kingdom  
(Northern  
Ireland)'

8. The following is deleted from Annex V, item 4:

'— *Ulmus*'

## COMMISSION OPINION

of 7 July 1988

concerning the Niederaichbach nuclear power station (Federal Republic of Germany)

(Only the German text is authentic)

(88/431/Euratom)

The general data concerning the plan for the disposal of radioactive waste from the dismantling of Niederaichbach nuclear power station were provided by the German Government to the Commission, in accordance with Article 37 of the Euratom Treaty, by letter received 18 June 1986, as complemented by information received on 6 February 1987 and 11 December 1987.

On the basis of the data thus obtained and having consulted the group of experts, the Commission drew up the following opinion :

1. The distance from the installation to the closest point on the territory of another Member State, Italy, is approximately 170 km ; Austria is 60 km distant.
2. In normal conditions, the liquid and gaseous effluent discharges are not liable to give rise to significant exposure of the population of other Member States from the point of view of health.
3. Solid radioactive waste is to be stored temporarily in the station turbine hall prior to transport to the Konrad disposal facility. Recyclable radioactive material is to be sent for melting at a furnace in the Karlsruhe nuclear research centre (KfK).
4. In the case of an unplanned discharge of radioactive effluents which could be occasioned by an accident of

the magnitude considered in the general data, doses liable to be received in other Member States will not be significant from the point of view of health.

In conclusion, the Commission is of the opinion that the implementation of the plan for the disposal of radioactive waste from the dismantling of Niederaichbach nuclear power station is not liable, either in normal conditions or in the case of an accident of the magnitude considered, to result in the radioactive contamination, significant from the point of view of health, of the water, soil or airspace of another Member State.

This opinion is addressed to the Federal Republic of Germany.

Done at Brussels, 7 July 1988.

*For the Commission*

Stanley CLINTON DAVIS

*Member of the Commission*