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I

(Information)

COUNCIL

COUNCIL RESOLUTION

of 25 January 1988

on a Community action programme to combat environmental pollution by cadmium

(88/C 30/01)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas exposure of man and the environment to cadmium has increased because of the large-scale use thereof over recent decades;

Whereas in certain areas such exposure has already reached levels which cause concern and constitute a problem for human health and the environment;

Whereas cadmium pollution poses a complex and difficult problem since it is a 'multimedia' form of pollution, affecting all environmental sectors; whereas cadmium may be emitted into the environment at numerous points in the production, manufacturing, use and waste disposal processes, and can readily migrate between environmental sectors;

Whereas the effectiveness of a Community programme aimed at combating environmental pollution by cadmium will depend on a proper scientific and technical understanding of the ways in which human beings and the environment are being contaminated;

Considers that, without prejudice and in addition to national and Community action already taken in this field, new action should be taken at Community level to control and reduce cadmium pollution, in order to increase the protection of human health and the environment,

Considers that it may be necessary in certain areas to further intensify efforts to measure and monitor the presence of cadmium in the environment, for example in the soil,

Invites the Commission, in consultation with Member States, to continue its examination, in the light of scientific and technical studies, of the extent and relative importance of the sources of human and environmental contamination from cadmium and to submit to the Council a report thereon,

Welcomes the initiative of the Commission proposing an action programme as an additional step forward to control environmental pollution by cadmium and agrees that such control should be pursued through an integrated approach taking into account all the various sources of cadmium pollution, including diffuse sources,

Invites the Commission to pursue without delay the development of specific measures of the kind identified in the action programme, taking into account relevant Community provisions,

Stresses that, in the light of the result of scientific and technical studies, the major elements of the strategy for cadmium control in the interests of the protection of human health and the environment should be the following:

- limitation of the uses of cadmium to cases where suitable alternatives do not exist;
- stimulation of research and development:
 - of substitutes and technological derivatives, in particular, encouragement to the development of further alternatives to the use of cadmium in pigments, stabilizers and plating;
 - related to the cadmium content of the raw materials used for the production of phosphate fertilizers;
 - of varieties of tobacco and food plants with a lower cadmium content;
- collection and recycling of products containing cadmium, for example batteries;
- development of a strategy designed to reduce cadmium input in soil, for example by appropriate control measures for the cadmium content of phosphate fertilizers based on suitable technology not entailing excessive costs, taking into account environmental conditions in the different regions of the Community;
- combating significant sources of airborne and water pollution.

COMMISSION

ECU ⁽¹⁾

3 February 1988

(88/C 30/02)

Currency amount for one unit:

Belgian and Luxembourg franc con.	43,1932	Spanish peseta	139,558
Belgian and Luxembourg franc fin.	43,2636	Portuguese escudo	168,720
German mark	2,06612	United States dollar	1,22473
Dutch guilder	2,32038	Swiss franc	1,68645
Pound sterling	0,693113	Swedish krona	7,39493
Danish krone	7,89645	Norwegian krone	7,82787
French franc	6,97117	Canadian dollar	1,56410
Italian lira	1521,12	Austrian schilling	14,5167
Irish pound	0,776522	Finnish markka	5,00058
Greek drachma	165,143	Japanese yen	156,949
		Australian dollar	1,72061
		New Zealand dollar	1,82932

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ECU;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) providing daily data on calculation of monetary compensatory amounts for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as amended by Regulation (EEC) No 2626/84 (OJ No L 247, 16. 9. 1984, p. 1).

Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

Average prices and representative prices for table wines at the various marketing centres (*)

(88/C 30/03)

(Established on 2 February 1988 for the application of Article 30 (1) of Regulation (EEC) No 822/87)

Type of wine and the various marketing centres	ECU per % vol/hl	Type of wine and the various marketing centres	ECU per % vol/hl
R I		A I	
Heraklion	No quotation	Athens	No quotation
Patras	No quotation	Heraklion	No quotation
Requena	2,478	Patras	No quotation (1)
Reus	No quotation	Alcázar de San Juan	No quotation
Villafranca del Bierzo	No quotation (1)	Almendralejo	1,852
Bastia	No quotation	Medina del Campo	No quotation (1)
Béziers	2,408	Ribadavia	No quotation (1)
Montpellier	2,427	Vilafranca del Penedés	No quotation (1)
Narbonne	2,447	Villar del Arzobispo	No quotation (1)
Nîmes	2,394	Villarobledo	No quotation (1)
Perpignan	2,419	Bordeaux	3,009
Asti	2,776	Nantes	No quotation
Firenze	1,996	Bari	2,059
Lecce	No quotation	Cagliari	2,308
Pescara	No quotation	Chieti	No quotation
Reggio Emilia	2,651	Ravenna (Lugo, Faenza)	No quotation
Treviso	No quotation	Trapani (Alcamo)	No quotation
Verona (for local wines)	2,464	Treviso	No quotation
Representative price	2,414	Representative price	2,035
R II			
Heraklion	No quotation		
Patras	No quotation		
Calatayud	No quotation		
Falset	2,842		
Jumilla	2,641		
Navalcarnero	No quotation		
Requena	No quotation		
Toro	No quotation		
Villena	2,383		
Bastia	2,395		
Brignoles	No quotation		
Bari	No quotation		
Barletta	1,871		
Cagliari	No quotation		
Lecce	No quotation		
Taranto	No quotation		
Representative price	2,508		
	<hr/> ECU/hl		<hr/> ECU/hl
R III		A II	
Rheinpfalz-Rheinhessen (Hügelland)	No quotation (1)	Rheinpfalz (Oberhaardt)	41,800
		Rheinhessen (Hügelland)	40,534
		The wine-growing region of the Luxembourg Moselle	No quotation (1)
		Representative price	41,291
		A III	
		Mosel-Rheingau	59,019
		The wine-growing region of the Luxembourg Moselle	No quotation (1)
		Representative price	59,019

(*) Quotation not taken into account in accordance with Article 10 of Regulation (EEC) No 2682/77.

(1) Since 1 September 1987, the Spanish prices published are to be multiplied by a factor of 1,47 for the ratio between the Community and Spanish guide prices, in accordance with Regulation (EEC) No 481/86 of 25 February 1986.

Scientific apparatus Decision — Authorization of relief from import duties

(88/C 30/04)

(Legal basis: Regulations (EEC) No 918/83 ⁽¹⁾ and (EEC) No 2290/83 ⁽²⁾)

File: XXI/B/3 — 014/87

By virtue of a Commission Decision C(88) 168/1 of 29 January 1988 the apparatus known as 'DASIBI — Photometric Ozone Analyzer, model 1008 AH' may be imported free of import duties.

This apparatus, the subject of an application made by the Italian Republic on the 17 July 1987 and ordered on 25 February 1985 is intended for use for determination of the atmospheric ozone concentration in the 0 to 50 °C temperature range.

Reasoning:

- Scientific apparatus,
- Absence of apparatus of equivalent scientific value in the Community at date of order.

File: XXI/B/3 — 017/87

By virtue of a Commission Decision C(88) 168/2 of 29 January 1988 the apparatus known as 'BIOSYSTEMS — Peptide Synthesizer, model 430 A' may be imported free of import duties.

This apparatus, the subject of an application made by the Republic of Italy on the 17 July 1987 and ordered on 13 August 1985 is intended to be used for the chemical synthesis of polypeptides using the solid-phase technique and for the determination of the hypervariable structure of monoclonal antibodies.

Reasoning:

- Scientific apparatus,
- Absence of apparatus of equivalent scientific value in the Community at date of order.

⁽¹⁾ OJ No L 105, 23. 4. 1983, p. 1.

⁽²⁾ OJ No L 220, 11. 8. 1983, p. 20.

Scientific apparatus Decision — Refusal of relief from import duties

(88/C 30/05)

(Legal basis: Regulations (EEC) No 918/83 ⁽¹⁾ and (EEC) No 2290/83 ⁽²⁾)

File: XXI/B/3 — 016/87

By virtue of a Commission Decision C(88) 169/1 of 29 January 1988 the apparatus known as 'LECO — Automatic Carbon and Sulphur Determinator, model CS-125' may not be imported free of import duties.

This apparatus, the subject of an application made by the Italian Republic on the 17 July 1987 and ordered on 6 June 1985 is intended for use for geochemical monitoring of volcanoes and data gathering.

Reasoning:

— Not scientific apparatus.

File: XXI/B/3 — 019/87

By virtue of a Commission Decision C(88) 169/2 of 29 January 1988 the apparatus known as 'ANRITZU — Spectrum Analyzer, model MS 710 A' may not be imported free of import duties.

This apparatus, the subject of an application made by the Italian Republic on the 27 July 1987 and ordered on 2 July 1986 is intended for use of the evaluation of electromagnetic fields in the presence of living beings and the protection against electromagnetic interference in the radio frequency and microwave bands.

Reasoning:

— Not scientific apparatus.

⁽¹⁾ OJ No L 105, 23. 4. 1983, p. 1.

⁽²⁾ OJ No L 220, 11. 8. 1983, p. 20.

Conversion rate to be used for sales of alcohol by invitation to tender

(88/C 30/06)

(Article 15 of Regulation (EEC) No 1915/86)

Currency	= ... ECU	1 ECU = ... national currency
1 Bfr	0,0207096	48,2869
1 Dkr	0,111981	8,93007
1 DM	0,427144	2,34113
1 FF	0,127359	7,85183
1 £ Irl	1,14430	0,873900
1 Fl	0,379097	2,63785
1 £	1,28115	0,780549
100 Lit	0,0586408	17,0530 (*)
100 Dra	0,539708	1,85285 (*)
100 Pta	0,633665	1,57812 (*)
100 Esc	0,525500	1,90295 (*)

(*) 1 ECU = 100 × ... national currency.

II

(Preparatory Acts)

COMMISSION

Amended proposal for a Decision concerning the establishment at Community level of a policy and a plan of priority actions for the development of an information services market ⁽¹⁾

*COM(88) 3 final/2**(Submitted by the Commission to the Council on 7 January 1988)**(88/C 30/07)*

THE COUNCIL OF THE EUROPEAN COMMUNITIES

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

Having regard to the proposal from the Commission,

In cooperation with the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas it is essential to adopt measures for the gradual establishment of the internal market during the period up to 31 December 1992; whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas the Community programme on the specialized information market (OJ No L 314, 4. 12. 1984) has revealed that a much more comprehensive Community information market policy is necessary;

Whereas the Heads of State and of Government, meeting at the European Council in Brussels on 29 and 30 March 1985, approved the creation of a Community information market as a specific objective;

Whereas the Council on 18 March 1986 gave a favourable reception to the communication from the Commission comprising a work programme for creating a common information market;

Whereas the Commission, having consulted representatives of users and suppliers of information services as well as the Senior Officials Advisory Group on the information market, has been able to draw up an agreed definition of the principal objectives and lines of action

of a Community policy which is designed to tackle on a broad front the complex, diverse and overlapping questions arising out of the evolution of the information market;

Whereas it is recognized that information plays a role of fundamental importance in the development of trade and industry, giving strength and coherence to the European economy as a whole, as well as being an essential component both of the cultural identity of the Community and of the fabric of a modern society;

Whereas the rapid development and convergence of new technologies has led to considerable difficulties in defining the exact scope of the information market sector;

Whereas fuller statistics on the Community information market are vitally needed to match those for more traditional sectors;

Whereas, by virtue of the economic importance of information, the creation of a common information services market occupies an essential place in the achievement of the internal market by the end of 1992;

Whereas there exist numerous technical, administrative and legal barriers to the creation of an internal market for information, which are hindering the development of new services and causing unacceptable distortions of competition;

Whereas simplification of procedures as well as harmonization in the field of access to databases should both have a high priority in a Community information market programme;

Whereas the development of information resources and information-based services requires the application of new technologies and the achievement of economies of scale;

Whereas the Community has a strong competitive position in some areas of the information market, but is much weaker in others;

⁽¹⁾ OJ No C 249, 17. 9. 1987, p. 5.

Whereas the Community's competitive weaknesses, and dependence on third countries, in some areas of the information market has considerable potential costs, in financial and strategic terms;

Whereas public authorities in the Member States are carrying out to a varied extent different activities in the domain of the information market;

Whereas the growing importance of information in international transactions, and of the related problems concerning services, is receiving increasing attention in international forums and this fact serves to emphasize the necessity for Member States to develop common positions in those forums;

Whereas the needs and legitimate demands of users of information services and particularly of those in small and medium-sized enterprises and in the less-favoured regions of the Community merit special attention;

Whereas the needs of developing countries for low-cost access to information should also be borne in mind;

Whereas the Community already possesses potentially useful instruments for the implementation of the above policy;

Whereas the Community's financial engineering mechanisms may contribute to the implementation of the present action plan, in particular with regard to the pilot and demonstration projects designed to exert a catalytic effect on the development of the information services market;

Whereas an information market policy is complementary to other ongoing Community initiatives, notably in the field of telecommunications,

HAS ADOPTED THIS DECISION:

Article 1

Approval is hereby given to the objectives and broad lines of the plan of action proposed by the Commission with the following aims:

- to set up an internal information services market by the end of 1992;
- to stimulate and reinforce the competitive capability of European suppliers of information services;
- to promote the use of advanced information services in the Community;
- to reinforce joint efforts to achieve the internal and external cohesion of the Community with respect to information services.

Article 2

In order to attain the objectives referred to in Article 1 the following actions shall be undertaken under the responsibility of the Commission:

- the establishment of a European information market observatory, **to provide fuller statistics, and to identify the European Community competitive strengths and weaknesses in the sector;**
- presentation to the Council of proposals which will aim at eliminating **legal, administrative, fiscal and other** technical barriers, to the establishment of an information market;
- the improvement of the conditions for transmitting and accessing information services, **through greater standardization and simplification;**
- the preparation of initiatives concerning the role of the public sector in the information market;
- the launching of pilot and demonstration projects which will act as catalysts for the development of a European market;
- the preparation of a specific action in favour of libraries;
- the reinforcement of user support activities and the launching, in coordination with the Member States, of a campaign to promote the wealth and quality of European information services available on the market;
- the preparation of guidelines on the principles governing **tarification, aimed at a much greater approximation of tariffs throughout the Community, if possible on a distance-independent basis;**
- the preparation of measures to help small and medium enterprises to derive the maximum possible benefit from the information services market;
- the preparation of special initiatives for the less-developed and peripheral regions of the Community.

Article 3

The action plan described in Article 2 shall be implemented in two phases, the first of which shall last two years, beginning with the date of adoption of this Decision, and shall constitute an introductory phase designed to intensify cooperation between the different

parties concerned and to test the feasibility of a number of pilot and demonstration projects.

Article 4

The amount deemed necessary for the implementation of the introductory phase is 20 million ECU for 1989 and 25 million ECU for 1990.

Part of the amount deemed necessary, that used to finance pilot and demonstration projects, may serve in particular to bring to bear, as appropriate, additional sources of finance emanating from interested partners, thus multiplying its effect on the development of the European information services market.

Article 5

During the second half of 1989, the Commission shall transmit to the Council and to the European Parliament an evaluation report on the results obtained during the introductory phase and shall present, on the basis of those results, guidelines for the continuation of actions until 1992.

Beginning in 1988, the Commission shall also transmit to the Council and the European Parliament an annual report on the most important events and developments taking place in the information market.

Article 6

This Decision is addressed to the Member States.

Amended proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to construction products (1)

COM(87) 728 final

(Submitted by the Commission to the Council pursuant to the third paragraph of Article 149 of the EEC Treaty on 13 January 1988)

(88/C 30/08)

In response to the opinion delivered by the European Parliament on the proposal for a Directive transmitted by the Commission to the Council on the approximation of the laws of the Member States relating to construction products (1), and in accordance with the third paragraph of Article 149 of the Treaty establishing the European Economic Community, the Commission has decided to amend the aforementioned proposal as follows:

1. The first recital is replaced by the following:

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

2. Paragraph 1 of Article 21 is amended as follows:

'If a Member State finds, on the basis of a reasoned justification, that a product, even though in conformity with the provisions of this Directive, presents a danger for safety or health, or conflicts with other requirements in the general interest, *within the meaning of Article 2(2)*, it may temporarily prohibit it or subject its marketing and use to special conditions. It shall immediately inform the Commission and the other Member States, stating the reasons for its decision.'

(1) OJ No C 93, 6. 4. 1987, p. 1.

Amended proposal for a Council Regulation (EEC) opening a tariff quota for high-quality fresh, chilled or frozen beef and veal falling within heading Nos 0201 and 0202 of the combined nomenclature (1988) ⁽¹⁾

COM(88) 5 final

(Submitted by the Commission to the Council pursuant to the third paragraph of Article 149 of the EEC Treaty on 14 January 1988)

(88/C 30/09)

The proposal for a Council Regulation as set out in Doc. COM(87) 464 final is hereby amended as follows:

1. The title is replaced by the following:

'Proposal for a Council Regulation (EEC) opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within heading Nos 0201 and 0202 and subheadings 0206 10 95 and 0206 29 91 of the combined nomenclature (1988)'.

2. The first recital is replaced by the following:

'Whereas, for high-quality fresh, chilled or frozen beef and veal falling within heading Nos 0201 and 0202 and subheadings 0206 10 95 and 0206 29 91 of the combined nomenclature, the Community has undertaken in the framework of the General Agreement on Tariffs and Trade (GATT) to open an annual tariff quota attracting duty of 20 % the quantity of which, expressed in weight of product, is fixed at 29 800 tonnes; whereas, under the terms of an agreement signed with Argentina pursuant to Article XXIV of the GATT, the quota has been raised to 34 300 tonnes and whereas that quota should therefore be opened for 1988;'.

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

'1. A Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within heading Nos 0201 and 0202 and subheadings 0206 10 95 and 0206 29 91 of the combined nomenclature is hereby opened for 1988.

This quota shall amount in total to 34 300 tonnes, expressed in weight of product.'

⁽¹⁾ OJ No C 286, 24. 10. 1987, p. 8.

Amended proposal for a Council Regulation (EEC) opening, allocating and providing for the administration of a Community tariff quota for frozen beef and veal falling within heading No 0202 of the combined nomenclature (1988) ⁽¹⁾

COM(88) 5 final

(Submitted by the Commission to the Council pursuant to the third paragraph of Article 149 of the EEC Treaty on 14 January 1988)

(88/C 30/10)

The proposal for a Council Regulation as set out in Doc. COM(87) 464 final is hereby amended as follows:

1. The title is replaced by the following:

'Proposal amending a Council Regulation opening, allocating and providing for the administration of a Community tariff quota for frozen beef and veal falling within heading No 0202 and subheading 0206 29 91 of the combined nomenclature (1988)'.

⁽¹⁾ OJ No C 286, 24. 10. 1987, p. 9.

2. The first recital is replaced by the following:

'Whereas; for frozen beef and veal, falling within heading No 0202 and subheading 0206 29 91 of the combined nomenclature, the Community has undertaken, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota attracting duty of 20 %, the amount of which expressed in boneless meat is fixed at 50 000 tonnes; whereas, under the terms of an agreement with Argentina pursuant to Article XXIV of the GATT, the quota has been raised to 53 000 tonnes; whereas that quota should accordingly be opened for 1988;'

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

'1. A Community tariff quota for frozen beef and veal falling within heading No 0202 and subheading 0206 29 91 of the combined nomenclature of a total of 53 000 tonnes expressed in terms of boneless meat is hereby opened for 1988.'

4. Article 2 is replaced by the following:

Article 2

The quota amount of 53 000 tonnes shall be subdivided into two parts, one totalling 36 500 tonnes and the other 16 500 tonnes, broken down as follows:

Member State	For the part totalling 36 500 tonnes	For the part totalling 16 500 tonnes
Benelux	3 369	1 523
Denmark	340	153
Germany	7 698	3 480
Greece	997	450
Spain	1 036	469
France	5 599	2 531
Ireland	292	132
Italy	7 322	3 310
Portugal	543	246
United Kingdom	9 304	4 206'

Proposal for a Council Regulation (EEC) opening, for 1988, a special unilateral tariff quota for imported high-quality beef and veal falling within heading No 0201 and subheading 0206 10 95 of the combined nomenclature

COM(88) 5 final

(Submitted by the Commission to the Council on 14 January 1988)

(88/C 30/11)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Agreement on the conclusion of the negotiations held with Argentina pursuant to Article

XXIV (6) of the GATT following the accession of Spain and Portugal provides for a unilateral concession under which 1 000 tonnes of fresh high-quality beef and veal falling within heading No 0201 and subheading 0206 10 95 of the combined nomenclature may be imported in 1987/88 at a rate of duty of 20 %, thus covering the period between the initialling of the Agreement and its entry into force in the Community;

Whereas there should be a guarantee of, *inter alia*, equal and continuing access for all interested importers in the Community to the said tariff quota and of uninterrupted application of the rate laid down for that quota to all

imports of the product in question, in all the Member States up to the limit of the quota; whereas to that end it is advisable to introduce a system of utilization of the tariff quota, based on the presentation of a certificate of authenticity guaranteeing the nature, the provenance and the origin of the products;

Whereas detailed implementing rules should be adopted in accordance with the procedure laid down in Article 27 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 467/87⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. A special tariff quota for fresh high-quality beef and veal falling within heading No 0201 and subheading 0206 10 95 of the combined nomenclature is hereby opened for 1988.

That tariff quota shall total 1 000 tonnes expressed in weight of the product.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

2. The rate of duty of the Common Customs Tariff applicable to the quota provided for in paragraph 1 shall be 20 %.

No levy shall apply to the said quota.

Article 2

In accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, detailed rules for the application of this Regulation shall be laid down, and in particular:

- (a) the provisions guaranteeing the nature, the provenance and the origin of the products in question and providing in particular for the document to be used for that purpose;
- (b) the provisions relating to the recognition of the document provided for in (a).

Article 3

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

It shall apply with effect from 1 January 1988.