

Official Journal

of the European Communities

ISSN 0378-6978

L 202

Volume 31

27 July 1988

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Commission Regulation (EEC) No 2320/88 of 26 July 1988 laying down detailed rules for the application of Council Regulation (EEC) No 4028/86 in regard to projects to locate new markets 1
- ★ Commission Regulation (EEC) No 2321/88 of 26 July 1988 laying down detailed rules for the application of Council Regulation (EEC) No 4028/86 as regards measures for the provision of facilities at fishing ports. 18
- ★ Commission Regulation (EEC) No 2322/88 of 26 July 1988 amending Commission Regulation (EEC) No 3847/87 establishing the list of vessels exceeding eight metres length overall permitted to use within certain coastal areas of the Community beam trawls whose aggregate length exceeds eight metres 36
- ★ Commission Regulation (EEC) No 2323/88 of 26 July 1988 amending Regulation (EEC) No 79/88 as regards quality standards for lettuces, curled-leaved endives and broad-leaved (Batavian) endives 38
- ★ Commission Regulation (EEC) No 2324/88 of 26 July 1988 amending Regulation (EEC) No 1432/88 laying down detailed rules for applying to co-responsibility levy in the cereals sector 39
- ★ Commission Regulation (EEC) No 2325/88 of 26 July 1988 amending certain Regulations applying to the common organization of the market in rice 41
- ★ Commission Regulation (EEC) No 2326/88 of 26 July 1988 amending Regulation (EEC) No 315/88 on olive oil storage contracts for the 1987/88 marketing year 43
- ★ Commission Regulation (EEC) No 2327/88 of 26 July 1988 on the adjustment of import levies and export refunds fixed in advance for medium-grained rice 44
- ★ Commission Regulation (EEC) No 2328/88 of 26 July 1988 amending Regulation (EEC) No 626/85 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies 45

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2320/88

of 26 July 1988

laying down detailed rules for the application of Council Regulation (EEC) No 4028/86 in regard to projects to locate new markets

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

TITLE 1

Eligible projects

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector ⁽¹⁾, and in particular Articles 29 (3) and 31 (2) thereof,

Article 1

Whereas the scope of projects for promoting the consumption of fish products from surplus or underfished species that may be considered for Community financial assistance should be defined;

1. Projects to promote and find new outlets in the Community for fish products from surplus or underfished species, 'species', shall be eligible for consideration for Community financial aid under Article 29 of Regulation (EEC) No 4028/86. Projects may involve:

Whereas the nature of the project costs qualifying for reimbursement should also be defined;

- promotion campaigns,
- consumer surveys,
- consumer pilot tests,
- organization and participation in fairs and exhibitions,
- market studies, sampling,
- sales consultancy and assistance, services to wholesalers and retailers.

Whereas project applications must contain information enabling the Commission to take a decision thereon and must be presented in standardized form;

Projects must be sufficiently large in scale to have a clear impact on consumption.

Whereas payment application submitted by Member States to the Commission must contain certain information from which it can be ascertained that the expenditure is consonant with the provisions of Regulation (EEC) No 4028/86;

2. Projects covered by paragraph 1 must be concerned with products for human consumption. They may involve species subject to quantitative restrictions of which there is temporary oversupply.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for the Fishing Industry,

3. The Commission may, however, under Article 31 of Regulation (EEC) No 4028/86 grant financial assistance for promotion operations other than those specified in paragraphs 1 and 2 that meet the requirements of Article 29 thereof.

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

Article 2

1. Projects falling within the field of application of Council Regulation (EEC) No 355/77 of 15 February 1977 on a common measure to improve the conditions under which agricultural and fishery products are processed and marketed ⁽¹⁾ are excluded from the scope of Article 1.

2. Projects for which Community aid is granted under other Community schemes are excluded from the scope of Article 1.

- the market, the extent of oversupply or the scale of exploitation of the species concerned,
- the quality and cost of the project,
- the experience of the body proposing the project,
- the prospects of success of the project.

2. The Commission may seek the assistance of specialist market research and advertising agencies and of experts whose independence can be guaranteed.

TITLE II

Determination of eligible costs

Article 3

1. All expenditure, net of reclaimable taxes, required to implement projects covered by Article 1 shall count as expenditure eligible for aid. The emoluments and expenses of persons employed by the body responsible for the project, as indicated in Article 29 (2) (a) of Regulation (EEC) No 4028/86, and investments in production are, however, excluded.

2. Only expenditure incurred after the date of recorded receipt of the aid application at the Commission shall be eligible for aid.

TITLE III

Submission of projects for scrutiny

Article 4

1. Projects submitted to the Commission must contain the particulars specified in Annex 1 and be presented in the form there shown.

2. Two copies of the applications referred to in paragraph 1 shall be submitted to the Commission. One copy only of supporting and other documents need be presented.

3. Applications shall be recorded as received at the Commission on the day on which they arrive.

Article 5

1. In considering applications the Commission shall take into account:

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

TITLE IV

Financial and general provisions

Article 6

1. The aid shall be granted to the public, semi-public or private organizations with ultimate financial responsibility for the project.

2. Aid payment applications shall be transmitted to the Commission through the competent national authority designated by the Member State for this purpose. They shall be submitted in two copies in the form set out in Annex II to this Regulation. They shall be accompanied by a descriptive report (intermediary or final) indicating the completion of the work and the use of funds.

The number of payments may not exceed the number of instalments set in the decision to grant aid.

Aid payments shall be made through agencies designated for the purpose by the Member State.

Article 7

The competent authorities shall send to the Commission, within three months of the entry into force of this Regulation, a detailed description of the control methods employed to certify the accuracy of the data contained in the payment requests under Article 6 (2).

Article 8

The beneficiary shall undertake an evaluation of the results of the action undertaken, at the latest on the date indicated in the decision to grant aid.

Article 9

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, 26 July 1988.

For the Commission
António CARDOSO E CUNHA
Member of the Commission

ANNEX I

**APPLICATION FOR COMMUNITY AID FOR PROJECTS TO PROMOTE CONSUMPTION OF FISH PRODUCTS
FROM SURPLUS OR UNDERFISHED SPECIES**

Member State:

Recorded as received on:

Project No:/.....

(to be completed by Commission)

I. ADMINISTRATIVE PARTICULARS OF PROJECT

(to be completed by Member State)

Title of project

The Member State, represented by ⁽¹⁾:⁽¹⁾ Give name of competent authority.

Confirms:

1. that its opinion on the project is favourable;
2. that the project is proposed by a public, semi-public or private body representing the fisheries sector in one or more Member States:

Name of body

.....

.....

3. that the project relates to collective measures not oriented to any commercial brand or referring to any country or production region;
4. that the recipient is competent to run the project;
5. that the national financial contribution will be granted by the following authorities:
 - central,
 - regional/local.

The national contribution will be

- a capital subsidy of (in national currency),
- an interest rate subsidy or loan at a favourable rate granted by: —

.....

.....

on the following terms (specify favourable rate and loan duration and/or loan duration and rate and duration of interest rate subsidy and/or duration of any period at grace before redemption):

No	Amount of subsidized interest rate loan	Favourable loan rate	Loan duration	Interest rate subsidy	Duration of interest rate subsidy	Duration of period of grace
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Other type of aid:

.....

.....

Equivalent amount in national currency:

6. The agency responsible for transmission of supporting documents is:

.....

.....

.....

Contact department:

Telephone No:

Responsible official:

Telex:

7. VAT on the project costs is:

— totally reclaimable:	YES	NO
— partly reclaimable:	YES	NO
— not reclaimable:	YES	NO

— Comments ():

.....

.....

.....

Date:

Signature:

Stamp of authority

Member State:

Date of recorded receipt:

Project No:/.....

Title of project:

(to be completed by the Commission)

II. AID APPLICATION**PART A**

(to be completed by recipient)

1. Recipient:

1.1. Name or business name of body or company proposing project:

.....
.....

1.2. Street and number or PO box:

.....

1.3. Postal code and locality:

.....

1.4. Telephone number:

1.5. Telex:

1.6. Main activity of recipient:

.....
.....

1.7. Legal form:

.....

1.8. Date of incorporation (companies only):

.....

2. Recipient's bank or agency through which payments can be made:

2.1. Name or business name:

..... Branch or subsidiary:

2.2. Street and number or PO box:

2.3. Postal code and locality:

2.4. Number of recipient's account ⁽¹⁾:**3. General information:**3.1. Scheduled date of commencement of project ⁽²⁾:

3.2. Planned duration:

3.3. Has the recipient already received Community aid? If so, give details ⁽³⁾:

⁽¹⁾ If there are a number of recipients, give the number of a single account opened in their name or in the name of one of the beneficiaries with the agreement of all the beneficiaries.

⁽²⁾ The project may not commence until after the date on which it is received by the Commission as shown on the acknowledgement sent to the recipient. Work may only begin after this date.

⁽³⁾ — Under Title IX (Search for new markets) of Regulation (EEC) No 4028/86?

— Under another Community promotion scheme?

— From another Community fund or financing source?

FINANCING OF PROJECT

Total cost excluding reclaimable VAT:

.....

Cost for which aid is requested:

.....

Contribution from Member State:

Capital contribution:

Reduced interest rate loan
(Capital subsidy equivalent):

Community aid requested:

Recipient's contribution:

— own funds:

— borrowings:

— services in kind and work on own account:

Other contributions:

.....

.....

The undersigned declare(s) that he/they has/have at his/their disposal the amount of his/their personal financial contribution to the project.

The undersigned authorize(s) the Commission to use the project data for statistical purposes.

Date:

Signature of recipient(s):

.....

.....

.....

PART B

General description of project: explanatory note (most important)

Commission officials will examine each project application by scrutinizing the following documents that must be enclosed with the application for aid.

An incomplete application (e.g. without the project summary and/or the Annexes) will not be considered.

- (a) Part A of the Annex must be correctly completed.
- (b) A project summary from which the project can be properly assessed ⁽¹⁾, comprising at least:
 - an introduction,
 - clearly defined objectives (forecasts, targets, strategy etc.),
 - action advocated, media selected, expected results, tenders submitted,
 - planned timetable,
 - budget, together with at least three tenders, with properly detailed annual breakdown of the various costs supported by estimates and fee statements and/or documented estimate of costs.

This budget shall include the cost of evaluation of the results of the envisaged action.

The estimates and other supporting documents must be enclosed with the project application.
- (c) Information which permits the Commission to evaluate the professional and financial guarantees offered by the main contractor together with his experience and specialization in the sector.

⁽¹⁾ Compilation of the summary, although complicated, is essential. A well presented summary covering all aspects of the project is essential if Commission officials are to assess the thinking behind it, its quality, its chances of success and its relevance to the aims of the fisheries policy.

ANNEX II

MARKET SEARCH PROJECT

CERTIFICATE FOR PAYMENT OF AN AID INSTALMENT

FORM 1a

Project No: Title:

Recipient:

Address:

The⁽¹⁾ intermediary authority designated by the national authorities, declares that the documents detailed on the numbered list of accounting documents enclosed (form 3) have been examined.

IT CAN ACCORDINGLY BE CERTIFIED THAT:

1. Work commenced on
2. On (date) the amount of the total costs actually paid was, of which the eligible expenditure, net of reclaimable value added tax, came to (in national currency).
3. This amount was financed as shown on form 2 enclosed.
4. The work covered by these documents that has been carried out is as scheduled in the project submitted to the Commission (with the exception of, for which explanations are given on form 4 attached).
5. The national financial contribution and that of the recipient, worked out on the basis of all aid of whatever nature, are in accordance, or will be by completion of the work at the latest, with the provisions of Article 30 of Regulation (EEC) No 4028/86.
6. The recipient undertakes to complete the work by at the latest.
7. The specific terms set out in the Annex to the Decision granting aid have been respected.
8. The supporting documents are held by

Done at

for the competent authority

.....
(Signature and stamp)

.....
⁽¹⁾ Name of intermediary authority.

CERTIFICATE FOR PAYMENT OF BALANCE OR TOTALITY OF AID

FORM 1b

Project No: Title of project:

Recipient:

Address:

The⁽¹⁾, intermediary authority designated by the national authorities, declares that the documents detailed on the numbered list of accounting document enclosed (form 3) have been examined.

IT CAN ACCORDINGLY BE CERTIFIED THAT:

1. Work was begun on
2. Work was completed on
3. The amount of the total costs actually paid was, of which the eligible expenditure, net of reclaimable value added tax, came to (in national currency).
4. This expenditure was financed as shown on form 2 enclosed.
5. The breakdown of these costs among the different areas of work scheduled is as shown on the list of accounting documents for this payment application (form 3).
6. It has been found by that the work carried out conforms with that specified in the Commission's decision to grant aid, with the exception of work in the following categories:, the reasons for this are stated on form 4.
7. The recipient's and the Member State's financial contributions are in accordance with the provisions of Article 30 of Regulation (EEC) No 4028/86.
8. The specific terms set out in the Annex to the Decision granting aid have been respected.
9. The supporting documents examined are held by

Done at, on

for the competent authority

.....
(Signature and stamp)

⁽¹⁾ Name of intermediary authority.

CERTIFICATE ANNEX: FINANCING OF EXPENDITURE INCURRED

FORM 2

Financing of expenditure incurred up to:

Project No: Title:

1. Contribution from recipient(s):

- own capital:
- services in kind ⁽¹⁾:
- loans at market rate ⁽²⁾:

2. Contribution from Member State:

- capital subsidy paid on:
- capital subsidy equivalent:
- other aid (describe):

3. Already received from Commission:

Total:

4. The undersigned undertakes to cover with his own funds or with loans taken out on normal market terms ⁽²⁾ any shortfall resulting from a reduction in the contribution of the Commission and/or the Member State to the project.

Date:

Signature:
(recipient)

Attestation of competent authority

Date, signature and stamp:

.....
.....
.....⁽¹⁾ Show basis of calculation.⁽²⁾ By loan on normal market terms is meant, any loan without interest rate subsidy.

COMMISSION REGULATION (EEC) No 2321/88

of 26 July 1988

laying down detailed rules for the application of Council Regulation (EEC) No 4028/86 as regards measures for the provision of facilities at fishing ports.

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 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector ⁽¹⁾, and in particular Articles 27 and 28 thereof,

Whereas Article 28 of Regulation (EEC) No 4028/86 provides that investments eligible for the grant of aid projects for the provision of facilities at fishing ports are to be financed on a priority basis under Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed ⁽²⁾, as last amended by Regulation (EEC) No 1760/87 ⁽³⁾;

Whereas the investments for the grant of Community financial aid towards projects for the provision of facilities at fishing ports pursuant to Regulation (EEC) No 4028/86 should therefore be defined;

Whereas Commission Regulation (EEC) No 2515/85 ⁽⁴⁾, specifies how aid application submitted under Regulation (EEC) No 355/77 are to be presented;

Whereas projects which may qualify for Community financial aid under Regulation (EEC) No 4028/86 must contain the information that will enable the Commission to take a decision on the applications concerned and must be presented in a standard form;

Whereas the application for payment which Member States are to submit to the Commission must contain certain particulars which show that the expenditure is in conformity with the provisions of Regulation (EEC) No 4028/86;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for the Fishing Industry,

Article 1

1. The investments listed in Annex I hereto shall be eligible for Community financial aid as part of a project for the provision of facilities at fishing ports within the meaning of Title VIII of Regulation (EEC) No 4028/86 provided that they relate to back-up facilities for fishing or for the marketing of fishery products and are to be made in respect of those activities only.

2. The Commission may, when taking the decisions referred to in Article 35 of Regulation (EEC) No 4028/86, grant financial aid for investments not listed in Annex I but meeting the requirements of Article 27 (2) of the Regulation.

Article 2

1. The investments listed in Annex II hereto shall not qualify for Community aid under Title VIII of Regulation (EEC) No 4028/86.

2. Projects which qualify for Community aid other than that introduced by Regulation (EEC) No 355/77 shall not be eligible under Title VIII of Regulation (EEC) No 4028/86.

3. For a given project, Community aid cannot be granted under both Regulation (EEC) No 355/77 and Regulation (EEC) No 4028/86.

Article 3

Eligible investment shall be expressed net of recoverable value added tax (VAT).

Article 4

Applications for Community aid submitted under Regulation (EEC) No 4028/86 shall be submitted in the form provided for in Regulation (EEC) No 2515/85 and shall be supplemented as provided for in Annex III hereto.

Article 5

1. Applications for the payment relating to aid granted under Regulation (EEC) No 355/77 shall be submitted to the

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽³⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 243, 11. 9. 1985, p. 1.

Commission in the form and in accordance with the conditions laid down in Commission Regulation (EEC) No 1685/78 ⁽¹⁾.

2. No increase in the anticipated eligible investment amount notified after the final date for submission of aid applications to the Commission shall be taken into account for the calculation of the Community aid.

3. Applications for payment of aid granted under Article 27 of Regulation (EEC) No 4028/86 and not referred to in paragraph 1 shall be submitted to the Commission by the Member State or Member States concerned. They must

contain the particulars set out in Annex IV hereto and be submitted in the form there specified.

4. The competent authority shall send to the Commission, within three months of the entry into force of this Regulation, a detailed description of the control methods employed to certify the accuracy of the data contained in the payment requests.

Article 6

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, 26 July 1988.

For the Commission

António CARDOSA E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 197, 22. 7. 1978, p. 1.

ANNEX I

INVESTMENTS ELIGIBLE FOR COMMUNITY FINANCIAL AID AS PART OF A PROJECT FOR THE PROVISION OF FACILITIES AT FISHING PORTS WITHIN THE MEANING OF TITLE VIII OF REGULATION (EEC) No 4028/86

- A. All investments covered by Regulation (EEC) No 355/77 and which have not received Community aid under that Regulation.
- B. The following investments, provided that they do not qualify for Community financial aid under Regulation (EEC) No 355/77:
- (a) **Ice supplies**
Plant and equipment for the production, storage and distribution of ice.
 - (b) **Cold storage plant**
 - (c) **Water supplies**
The installation of water supplies at ports and in fishing vessels.
 - (d) **Fish-landing equipment**
 - cranes and other equipment for landing fish,
 - fish pumps,
 - conveyor belts or other conveyors such as fork-lift trucks, bucket conveyors or sorting rings.
 - (e) **Fuel supplies**
Fuel tanks and supply facilities such as pumps, piping, filters and centrifuges.
 - (f) **The improvement of back-up facilities for fishing vessels**
 - slip dock or gridiron,
 - slipway,
 - ship elevator,
 - buildings for the storage of fishing gear.
 - small workshops for the maintenance and repair of vessels and equipment,
 - shops supplying various types of equipment required by fishing vessels and their crews.
 - (g) **Alterations to or the provision of facilities at quays in order to improve safety conditions during embarkation or the landing of products**
 - anti-slip coverings on stairways and on quays,
 - gangway ladders to facilitate access to vessels,
 - lighting system for quays,
 - cleaning equipment for quays.

ANNEX II

INVESTMENTS WHICH DO NOT QUALIFY FOR COMMUNITY FINANCIAL AID UNDER TITLE VIII OF REGULATION (EEC) No 4028/86

1. Investments to be made principally in the marketing or processing of fishery products for purposes other than human consumption. Investments may, however, be eligible if they are to be made solely in the treatment, processing or marketing of waste fishery products.
2. Investments linked principally with the marketing or processing of products coming from non-member countries.

ANNEX III

Explanatory note and instructions concerning aid applications submitted under the scheme relating to the provision of facilities at fishing ports as provided for in Title VIII of Regulation (EEC) No 4028/86

Article 28 of Regulation (EEC) No 4028/86 provides that investments eligible for aid are to be financed on a priority basis under the common measure introduced by Regulation (EEC) No 355/77. To that end aid applications relating to the projects referred to in Article 27 will, when submitted pursuant to that Regulation, be considered to have been submitted at the same time pursuant to Regulation (EEC) No 355/77.

Due account being taken of these provisions, applications for aid for the provision of facilities at fishing ports are to be submitted in accordance with the procedure laid down in Regulation (EEC) No 2515/85.

Projects must, in addition, contain a description, for the entire port concerned, of the coordinated investments designed to bring about a lasting improvement in conditions for the production and initial sale of fishery products.

It is essential, therefore, when describing the project in the form provided for in Regulation (EEC) No 2515/85, to include all the investments which make up the project, irrespective of whether they are covered by Regulation (EEC) No 355/77. It is very important also to explain the coordination of the various investments when describing the project as required by Annex B to the form attached to Regulation (EEC) No 2515/85. An application presented in this way will clearly show the links between the various investments which make up the project.

Under Regulation (EEC) No 4028/86 aid may be granted in respect of certain fishing-port facilities listed in Annex I (B) to the Regulation but not eligible under Regulation (EEC) No 355/77. Where these investments are concerned, therefore, it is necessary that information additional to that required under Regulation (EEC) No 2515/85 be provided, so that the Commission can clearly identify the various investments comprising the project as a whole and thus decide whether they are eligible under the one or the other Regulation.

Such identification requires that the various investments in the project which are covered by Annex I (B) to this Regulation be submitted separately so as to show clearly their nature, their use, the purpose for which the product or products concerned are to be used, whether each investment has a separate financing plan, whether supporting cost estimates are attached, etc.

Applicants will therefore complete, in respect of each of the investments covered by Annex I (B) to this Regulation, the form attached, which will constitute a 'supplementary document' or 'Annex C' to the form contained in Regulation (EEC) No 2515/85. Applicants must also include a summary of those investments ('Annex D').

Annex C

SUPPLEMENTARY DOCUMENT
TO THE AID APPLICATION FORM PROVIDED FOR IN REGULATION (EEC) No 2515/85 IN RESPECT OF
INVESTMENTS IN THE PROVISION OF FACILITIES AT FISHING PORTS

- NB: 1. This supplementary document is to be completed by the applicant in respect of each of the investments referred to in Annex I (B) to Regulation (EEC) No 2321/88 of 26 July 1988 ⁽¹⁾.
2. This supplementary document is of no value unless accompanying an aid application in the form prescribed in Regulation (EEC) No 2515/85.
3. Three copies of the entire aid application are to be sent by the competent national authority to:

Commission of the European Communities,
 Directorate-General for Fisheries,
 Structures Directorate,
 200 rue de la Loi,
 B-1049 Brussels.

Member State:

Recorded as received on:

Project No:/.....

(space reserved for the Commission)

I. General information

1. Title of project:

Development of the fishing port of

2. Name or business name and address of applicant:

3. Investment covered by this supplementary document:

4. Confirmation by the Member State of the public interest of the project:

5. Declaration by the beneficiary guaranteeing the respect of the measures provided for in Article 1, paragraph 1 of this Regulation:

II. TECHNICAL INFORMATION

1. Date of preparation of estimate/estimates:
2. Scheduled date of commencement of work ⁽²⁾:
3. Scheduled date of completion of work ⁽²⁾:
4. Description of project:
 - short description of the project (one page only) summarizing the objectives and the nature of the investment. The description must show the link between this investment and the project as a whole, as stated already in Annex B, point 1, to Regulation (EEC) No 2515/85;
 - technical description of work envisaged: attach plan and technical specifications, stating figures (m², m³, power, capacity, etc.);
 - copy of supporting cost estimates for the investments in question.

.....

.....

.....

III. Financial plan for the investment

1. Contribution of beneficiary
 - of which:
 - 1.1. Own funds:
 - 1.2. Loans:
 - 1.3. Payments in kind and work on own account:
2. Member State's contribution as capital grant
3. Other contributions
4. Community aid requested
5. Total financing = total investments
6. Total eligible investment

The undersigned declares (declare) that he (they) have the funds necessary to cover his (their) personal financial contribution towards the investment.

The undersigned authorizes (authorize) the Commission to use the particulars given in this Annex for statistical purposes.

Date:

Signature of beneficiary (beneficiaries):

.....

.....

.....

⁽¹⁾ OJ No L 202, 27. 7. 1988, p. 18.

⁽²⁾ The date on which the project is received by the Commission, which is shown in the acknowledgement of receipt sent to the applicant, constitutes a reference date for the admissibility of the project.

It should be borne in mind that Article 44 of Regulation (EEC) No 4028/86 provides that the Commission may suspend, reduce or discontinue aid if, in particular:

- the beneficiary has not begun the work within one year from the date of notification of the decision, or has not, before the end of this period, supplied satisfactory assurances that the project will be carried out,
- the beneficiary does not complete the work within a period of two years from the start of the project, except in cases of *force majeure*.

Annex D

**SUMMARY OF INVESTMENTS COVERED BY ANNEX I (B)
TO REGULATION (EEC) No 2321/88 ⁽¹⁾**

1. Purchase of land ⁽²⁾ :
2. Construction of roads and excavation work:	.....
2.1. Green spaces ⁽²⁾
3. Construction:	.....
3.1. Cold storage	.....
3.2. Production, storage and distribution of ice	.....
3.3. Water supplies	.....
3.4. Fuel supplies	.....
3.5. Improvement of back-up facilities for fishing vessels	.....
3.6. Workshops, shops, other buildings	.....
3.7. Slip dock, slipway	.....
3.8. Other buildings (offices, accommodation, etc.) ⁽²⁾
4. Plant and equipment:	.....
4.1. Freezer and refrigeration plant and equipment	.....
4.2. Water supplies	.....
4.3. Landing of fish	.....
4.4. Improvement of back up facilities for fishing vessels	.....
5. Facilities at quays:	.....
6. Other investments:	.....
7. Sub-total:	.....
8. Fees and overheads:	.....
9. Contingencies:	.....
10. Inflation:	.....
11. Total:	.....

Estimates must relate to the scheduled duration of the work and supporting documents should be attached (estimates of civil engineers and of specialised firms which supply machines and secondary equipment, work plants).

⁽¹⁾ OJ No L 202, 27. 7. 1988, p. 18.

⁽²⁾ Non eligible costs.

ANNEX IV

PROVISION OF FACILITIES AT FISHING PORTS

CERTIFICATE FOR PAYMENT OF A PROPORTION OF THE AID

MODEL 1

Project No: Port of:

Beneficiary:

Address:

The⁽¹⁾ being the intermediate authority appointed for this purpose by the national authorities, hereby states that the supporting documents referred to in the description sent to the Commission pursuant to Article 5 of Commission Regulation (EEC) No 2321/88⁽²⁾ have been inspected.

THIS INSPECTION INDICATES THAT:

1. The work was begun on
2. In the case of public tender⁽³⁾, the date of publication of the tender notice relating to the project in the *Official Journal of the European Communities* is:
 - date,
 - reference (No etc.).
3. On total costs actually paid in respect of eligible expenditure,; without taking into consideration the recoverable part of the value added tax, amounted to (in national currency).
4. The expenditure specified above was financed as shown in MODEL 2 of this certificate.
5. The costs referred to above can be broken down among the various categories of work planned, as shown in the list of documents supporting this application for payment (MODEL 4).
6. The national financial contribution and that of the beneficiary, taking into consideration all aids of whatever nature, satisfy, or will satisfy by the date of completion of the work, the requirements of Articles 28 of Regulation (EEC) No 4028/86.
7. The beneficiary undertakes to complete the work within⁽⁴⁾.
8. The supporting documents that have been checked are kept by

Drawn up at

For the competent authority

.....
(signature and stamp)⁽¹⁾ Name or description of intermediate authority.⁽²⁾ OJ No L 202, 27. 7. 1988, p. 18.⁽³⁾ See Council Directives 77/62/EEC, 80/767/EEC and 71/305/EEC (OJ No L 13, 15. 1. 1977, p. 1, OJ No L 215, 18. 8. 1980, p. 1 and OJ No L 185, 16. 8. 1971, p. 5).⁽⁴⁾ Form of undertaking to be attached. If the date of completion is more than six months later than the scheduled date, reasons must be given.

ANNEX TO THE CERTIFICATE: FINANCING OF EXPENDITURE

(Incurred in paying a proportion of the aid)

MODEL 2

Financing of expenditure up to:

Project No:

Beneficiary (beneficiaries):
.....

1. Contribution of beneficiary (beneficiaries):

- own capital
- payments in kind ⁽¹⁾
- loans at market rate
- financial institution

2. Member States' contribution ⁽²⁾:

- capital grant ⁽³⁾
- capital grant equivalent (subsidies)
- other aid:

3. Total:

Date:

Signature:
(Beneficiary)

Attestation of competent authority

Date, signature and stamp

.....
.....
.....⁽¹⁾ Give bases for calculation.⁽²⁾ Including regional and/or local contributions.⁽³⁾ Instructions for payment were given on, payment to be made to account No, bank

FINANCIAL PLAN ENVISAGED FOR TOTAL INVESTMENT

MODEL 3

Project No:

Beneficiary (beneficiaries):
.....

1. Contribution of beneficiary (beneficiaries):

- own capital
- payments in kind ⁽¹⁾
- loans at market rate

2. Member States' contribution ⁽²⁾:

- capital grant
- capital grant equivalent (subsidies)
- other aid
.....
.....

3. Other contributions ⁽³⁾:

-
.....

4. Total:

.....

Date:

Signature:
(Beneficiary)

Attestation of competent authority

Date, signature and stamp

.....
.....
.....⁽¹⁾ Give bases for calculation.⁽²⁾ Including regional and/or local contributions.⁽³⁾ In the case of aid, state only the amounts already received by the beneficiary.

LIST OF ACCOUNTING DOCUMENTS

MODEL 4

(Period from to)

Project No

Category (⁽¹⁾)	No	Subject	Costs according to estimates	Accounting documents (⁽²⁾)			Amount, net of recoverable VAT	Method of payment (⁽³⁾)	Date of payment (⁽⁴⁾)	Payments made Amount without decimal point, net of recoverable VAT
				No	Date	Issued by	Subject (brief description)			

⁽¹⁾ See Annex I B to the aid application.⁽²⁾ All documents concerning the implementation of the project financed must be listed.⁽³⁾ Method of payment: 1. Bank, 2. Cheque, 3. Cash.⁽⁴⁾ The date to be shown is that of actual payment and not the date on which the debt falls due, for example, in the case of payment by bill of exchange.

Date:

Attestation of competent authority:

Date, signature and stamp:

Signature of beneficiary:

CERTIFICATE FOR THE PAYMENT OF THE BALANCE OF THE FULL AMOUNT OF THE AID

MODEL 6

Project No: Port of:

Beneficiary:

Address:

The⁽¹⁾ being the intermediate authority appointed for this purpose by the national authorities, hereby declares that the supporting documents referred to in the description sent to the Commission in accordance with Article 5 of Regulation (EEC) No 2321/88⁽²⁾ have been inspected.

THIS INSPECTION INDICATES THAT:

1. Work was commenced on
2. On the construction and development work at the port of was completed.
3. The total costs actually paid, not including the recoverable part of the VAT, amount to (in national currency).
4. The expenditure specified above was financed as shown in the Annex to this certificate.
5. The costs referred to above can be broken down among the various categories of work planned, as shown in the list of documents supporting this application for payment (Model 8).
6. The completed work was inspected at the site by (name, qualifications), on and was found to tally with that described in the Decision granting the Community aid, with the exception of work in categories, for which explanations are given in the Model of this certificate.
(This inspection report must be available at the premises of the intermediate authority.)
7. The beneficiary's financial contribution and that of the Member State satisfy the requirements of Article 28 of Regulation (EEC) No 4028/86.
8. The special conditions set out in the Annex to the Decision granting the aid have been observed.
9. The supporting documents that have been checked are kept by

Drawn up at, on

By the competent authority

.....
(Signature and stamp)⁽¹⁾ Name or description of intermediate authority.⁽²⁾ OJ No L 202, 27. 7. 1988, p. 18.

ANNEX TO THE CERTIFICATE: FINANCING OF EXPENDITURE INCURRED

(For the final payment application)

MODEL 7

Financing of expenditure incurred up to:

Project No: Port of:

1. Contribution of beneficiary (beneficiaries):

- own capital
- payment in kind ⁽¹⁾
- loans at market rate (*)

2. Member States' contribution:

- capital grant paid on
- capital grant equivalent
- other aid
(to be specified):

3. Already received from the Commission:

Total:

4. The undersigned hereby undertakes to provide from his own funds or from loans to be concluded on normal market terms (*) any difference arising from a smaller contribution from the Commission and/or the Member States towards the financing of the project concerned.

Date:

Signature:
(beneficiary)

Attestation of competent authority:

Date, signature and stamp:

.....

.....

.....

⁽¹⁾ Give bases for calculations.

(*) Loan on normal market terms means any loan at a non-subsidized rate of interest.

ANNEX TO THE CERTIFICATE: EXPLANATIONS FOR DIFFERENCES BETWEEN
WORK PLANNED AND WORK COMPLETED

MODEL 9

Project No

Work and measures planned according to original file		Work and measures completed		Reasons for differences ⁽¹⁾
Brief description	Costs net of recoverable VAT	Brief description	Costs net of recoverable VAT	

⁽¹⁾ Relevant invoices attached and, where necessary, correspondence on the subject between the Ministry and the beneficiary.

Date:

Attestation of competent authority:

Date, signature and stamp:

Signature of beneficiary:

COMMISSION REGULATION (EEC) No 2322/88

of 26 July 1988

amending Commission Regulation (EEC) No 3847/87 establishing the list of vessels exceeding eight metres length overall permitted to use within certain coastal areas of the Community beam trawls whose aggregate length exceeds eight metres

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, as last amended by Council Regulation (EEC) No 2024/88 ⁽²⁾, and in particular Article 15 thereof,

Whereas Commission Regulation (EEC) No 3847/87 ⁽³⁾, amended by Regulation (EEC) No 1355/88 ⁽⁴⁾, established the list of vessels exceeding eight metres length overall permitted to use within certain coastal areas of the Community beam trawls whose aggregate length exceeds eight metres;

Whereas Article 1 (4) of this Regulation provides for supplementing the list, if necessary;

Whereas, following a request made by the Netherlands authorities on 9 June 1988 it is appropriate to add to the list a vessel which entered into service before 1 January 1987 but which was not included in it;

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

HAS ADOPTED THIS REGULATION:

Article 1

The vessel referred to in the Annex of this Regulation is added to the Annex of Commission Regulation (EEC) No 3847/87.

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, 26 July 1988.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 179, 9. 7. 1988, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 125, 19. 5. 1988, p. 20.

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

Letras y cifras exteriores de identificación	Nombre del barco	Indicativo de llamada de radio	Puerto de registro	Potencia del motor (kW)
Havnekendingsbogstaver og -nummer	Fartøjets navn	Radio-kaldesignal	Registreringshavn	Maskin-effekt (kW)
Äußere Identifizierungskennbuchstaben und -nummer	Name des Schiffes	Rufzeichen	Registrierhafen	Motorstärke (kW)
Εξωτερικά στοιχεία και αριθμοί αναγνώρισης	Όνομα σκάφους	Αριθμός κλήσης ασυρμάτου	Λιμένας νηολόγησης	Ισχύς κινητήρος (kW)
External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
Numéro d'immatriculation lettres + chiffres	Nom du bateau	Indicatif d'appel radio	Port d'attache	Puissance motrice (kW)
Identificazione esterna lettere + numeri	Nome del peschereccio	Indicativo di chiamata	Porto di immatricolazione	Potenza motrice (kW)
Op de romp aangebrachte identificatieletters en -cijfers	Naam van het vaartuig	Roepletters	Haven van registratie	Motorvermogen (kW)
Identificação externa letras + números	Nome do navio	Indicativo de chamada	Porto de registo	Potência motriz (kW)
1	2	3	4	5

ΠΑΪΣΕΣ ΒΑΪΟ΢ / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕ΢ / NETHERLANDS / PAYS-BAS / PAESI BASSI / NEDERLAND / ΠΑΪΣΕ΢ ΒΑΪΧΟ΢

SL 22	Nella		Goedereede-Stellendam	124
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COMMISSION REGULATION (EEC) No 2323/88

of 26 July 1988

amending Regulation (EEC) No 79/88 as regards quality standards for lettuces, curled-leaved endives and broad-leaved (Batavian) endives

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2238/88 ⁽²⁾, and in particular Article 2 (3) thereof,

Whereas the quality standards for lettuces, curled-leaved endives and broad-leaved (Batavian) endives are laid down in Annex I to Commission Regulation (EEC) No 79/88 ⁽³⁾;

Whereas the standards in force should be amended to take account of the packaging methods most widely used at present;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second paragraph of Section IV. C of Annex I to Regulation (EEC) No 79/88 is hereby deleted.

Article 2

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

Done at Brussels, 26 July 1988.

For the Commission

Franz ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 7.

⁽³⁾ OJ No L 10, 14. 1. 1988, p. 8.

COMMISSION REGULATION (EEC) No 2324/88

of 26 July 1988

amending Regulation (EEC) No 1432/88 laying down detailed rules for applying to co-responsibility levy in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Articles 4 (5) and 4b (5) thereof,

Whereas, in its judgment of 29 June 1988 in Case 300/86, the Court of Justice of the European Communities declared invalid the second subparagraph of Article 1 (2) of Commission Regulation (EEC) No 2040/86 of 30 June 1986 laying down detailed rules for the application of the co-responsibility levy in the cereals sector ⁽³⁾, as last amended by Regulation (EEC) No 2546/87 ⁽⁴⁾, as declared invalid by Commission Regulation (EEC) No 2572/86 ⁽⁵⁾ since that provision treats differently the first-stage processing of cereals for utilization on the farm depending on whether it is carried out directly by the producer or by a third party on behalf of the latter; whereas, in accordance with the abovementioned provision, only first-stage processing operations carried out directly by the producer are exempt from the co-responsibility levy;

Whereas the same difference in treatment arises in Commission Regulation (EEC) No 1432/88 ⁽⁶⁾, which replaces Regulation (EEC) No 2040/86 from 1 July 1988; whereas equality of treatment of operators should therefore be re-established by exempting from the co-responsibility levy producers who have first-stage processing operations carried out by a third party with a view to the subsequent use of the processed product on their holdings;

Whereas, moreover, in view of the objectives of the co-responsibility levy arrangements, namely to limit the formation of structural surpluses on the market by taxing cereals when they are first placed on the market, the said levy should also be applied to cereals when they are first placed on the market in the form of a processed product; whereas, to that end and with a view to eliminating any discrimination between operators, provision should be made for the

co-responsibility levy to apply to cereals which a producer processes directly with a view to the sale of the products obtained;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1432/88 is hereby amended as follows:

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

'2. For the purposes of this Regulation, "placing on the market" means sales (including barter operations) by producers of the products referred to in paragraph 1 either as such or in the form of processed products, with the exception of crushed maize ears harvested with a view to their ensilage on an agricultural holding, to collection, trading and processing undertakings, to other producers and to the intervention agency.

The acceptance by a producer of a warrant of entitlement for his cereals to a recognized storage depot in the framework of a forward transaction (London Grain Futures Market) shall be treated as placing on the market.'

2. The second indent of the first subparagraph of Article 2 (1) is deleted.

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

'1. The levies referred to in Article 1 (1) shall be collected by the purchasers. However, the levies should be payable by the producers in the case of sales of the products referred to in Article 1 (2), in the case of a consignment of cereals by a producer to another Member State, of export of cereals by a producer to a third country, or of delivery by a producer to recognized storage depots in the framework of a forward transaction.'

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 173, 1. 7. 1986, p. 65.

⁽⁴⁾ OJ No L 242, 26. 8. 1987, p. 18.

⁽⁵⁾ OJ No L 229, 15. 8. 1986, p. 25.

⁽⁶⁾ OJ No L 131, 27. 5. 1988, p. 37.

4. In Article 4 (2), 'and processing undertakings' is replaced by 'and producers'.

sold and the quantities of basis cereals used to obtain the said products.'

5. The following paragraph is added to Article 6:

Article 2

'Producers who sell their cereals in the form of the processed products referred to in Article 1 shall indicate in their accounts in particular the quantities of products

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, 26 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2325/88

of 26 July 1988

amending certain Regulations applying to the common organization of the market in rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 16 (5) and 19 thereof,

Whereas under Regulation (EEC) No 1418/76 from 1 September 1988 rice will no longer be classified into two but into three categories, round-grained, medium-grained and long-grained; whereas the latter two categories correspond to the old long-grain category;

Whereas it is consequently necessary to amend Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing ⁽³⁾, as last amended by Regulation (EEC) No 2249/85 ⁽⁴⁾, and Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto ⁽⁵⁾, as last amended by Regulation (EEC) No 2117/80 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation No 467/67/EEC in Article 1 (2) and (3) and in

Article 3 (2) (b) and (3) (b) 'long-grained rice' is hereby replaced by 'medium-grained or long-grained rice'.

Article 2

Regulation (EEC) No 1613/71 is hereby amended as follows:

1. Article 4 (2) is replaced by the following:
 2. For long-grained or medium-grained husked rice:
 - (a) to medium-grained or long-grained husked rice, adjusted for any differences in quality compared with the standard quality;
 - (b) where appropriate, to medium-grained and long-grained paddy rice, adjusted for the conversion rates, milling costs and the value of the by-products and any differences in quality compared with the standard quality.'
2. Article 4 (4) is replaced by:
 4. For medium-grained or long-grained milled rice:
 - (a) to medium-grained or long-grained milled rice, adjusted for any differences in quality compared with the standard quality for which the threshold price for husked rice is fixed, those differences being themselves adjusted in line with the rate applicable on conversion of long-grained husked rice into the long-grained milled rice;
 - (b) where appropriate, to medium-grained or long-grained semi-milled rice, adjusted for the conversion rate, milling costs and the value of the by-products for the purpose of obtaining medium-grained or long-grained milled rice, that price itself to be adjusted in accordance with the provisions of (a) above.'

Article 3

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

It shall apply from 1 September 1988.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 1.

⁽⁴⁾ OJ No L 210, 7. 8. 1985, p. 13.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁶⁾ OJ No L 206, 8. 8. 1980, p. 15.

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

Done at Brussels, 26 July 1988.

For the Commission
Frans ANDRIESEN
Vice-President

COMMISSION REGULATION (EEC) No 2326/88

of 26 July 1988

amending Regulation (EEC) No 315/88 on olive oil storage contracts for the 1987/88 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 90 (1) and 257 (1) thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 20d (3) and (4) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 315/88 ⁽³⁾, olive oil storage contracts may be concluded for the 1987/88 marketing year; whereas, with the exception of Spain and Portugal, those contracts are to be concluded between the intervention agencies of the producer Member States and groups or associations thereof recognized in accordance with Council Regulation (EEC) No 1360/78 ⁽⁴⁾, as last amended by Regulation (EEC) No 1760/87 ⁽⁵⁾;

Whereas Council Regulation (EEC) No 1869/88 ⁽⁶⁾ provides that in Greece, to take account of the special situation of the country, producer groups and associations thereof, recognized in accordance with Regulation No 136/66/EEC may also conclude storage contracts for the 1987/88 and 1988/89 marketing years;

Whereas Article 2 (5) of Regulation (EEC) No 315/88 fixes the maximum quantity that may be covered by contracts at any one time; whereas that quantity has already been attained; whereas applications for the conclusion of storage

contracts submitted after the exhaustion of that quantity have been rejected;

Whereas olive oil producer organizations in Greece could not conclude storage contracts before the adoption of the abovementioned Regulation (EEC) No 1869/88; whereas other producer organizations could apparently also request that storage contracts be concluded; whereas the quantity that may be covered by a storage contract for the current marketing year should accordingly be increased and the time limit for the submission of applications should be reopened;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 315/88 is hereby amended as follows:

1. In Article 2 (5), '200 000' is replaced by '300 000'.
2. In Article 3 (1), '30 April 1988' is replaced by '31 August 1988'.

Article 2

Applications for the conclusion of storage contracts may be submitted to the intervention agency of the Member State where the olive oil is located from the date of entry into force of this Regulation.

Article 3

This Regulation shall enter into force on 8 August 1988.

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

Done at Brussels, 26 July 1988.

For the Commission
Frans ANDRIESEN
Vice-President

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 31, 3. 2. 1988, p. 17.

⁽⁴⁾ OJ No L 166, 23. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽⁶⁾ OJ No L 168, 1. 7. 1988, p. 6.

COMMISSION REGULATION (EEC) No 2327/88

of 26 July 1988

on the adjustment of import levies and export refunds fixed in advance for medium-grained rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular Articles 13 (5) and 17 (6) thereof,

Whereas, in accordance with Articles 13 (2) and 17 (4) of Regulation (EEC) No 1418/76, the levy or refund applicable on the day on which the application for a licence is lodged is to be adjusted, in the case of advance fixing, by reference to the threshold price in force in the month of import or export;

Whereas Regulation (EEC) No 1418/76 provides from 1 September 1988 for rice to be classified no longer into two but into three categories, namely round-grained, medium-grained and long-grained; whereas, in accordance with that Regulation, the levies applicable to medium-grained rice are the same as those applicable to long-grained rice;

Whereas, in the absence of a threshold price for medium-grained rice, that result can only be achieved as regards the levies fixed in advance for that product if the adjustment provided for in Article 13 (2) of Regulation

(EEC) No 1418/76 effected on the basis of the threshold price for long-grained rice; whereas, for reasons of consistency, the adjustment provided for in Article 17 (4) of that Regulation should be effected on the same basis;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the case of advance fixing of the import levy or of the export refund for medium-grained rice, the adjustments provided for in Articles 13 (2) and 17 (4) of Regulation (EEC) No 1418/76 shall be calculated on the basis of the threshold prices applying for long-grained rice.

Article 2

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 26 July 1988.

For the Commission
Frans ANDRIESEN
Vice President

⁽¹⁾ OJ No L 166, 25. 6. 1988, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

COMMISSION REGULATION (EEC) No 2328/88

of 26 July 1988

amending Regulation (EEC) No 626/85 on the purchasing, selling and storage of unprocessed dried grapes and figs by 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2247/88 ⁽²⁾, and in particular Articles 8 (8) and 20 thereof,Whereas Commission Regulation (EEC) No 626/85 ⁽³⁾, as last amended by Regulation (EEC) No 1470/88 ⁽⁴⁾, designates the storage agencies with whom tenders are to be lodged for the products put up for sale at a set price under a tendering procedure; whereas, with a view to permitting the purchase of sultanas, currants and dried figs in the last two months of the marketing year by the storage agency in Spain pursuant to Article 8 of Regulation (EEC) No 426/86, the list of storage agencies should be supplemented;

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

The following third indent is hereby inserted in Article 13 (1) of Regulation (EEC) No 626/85:

‘— in the case of products held by a Spanish storage agency, the relevant storage agency, at the head office of SENPA, c/Beneficiencia 8, 28004 Madrid.’

*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, 26 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.⁽²⁾ OJ No L 198, 26. 7. 1988, p. 21.⁽³⁾ OJ No L 72, 13. 3. 1985, p. 7.⁽⁴⁾ OJ No L 132, 28. 5. 1988, p. 75.