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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3697/88**of 24 November 1988****applying the full amount of the premium for maintaining suckler cows in Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (2) thereof,

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

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

Whereas, in accordance with Article 102 of the Act of Accession, Article 79 is to apply, as regards Spain, to the premium for maintaining suckler cows;

Whereas, owing to changes since accession in the intervention mechanisms for beef and veal and accordingly to the application, from 6 April 1987, of the common prices in that sector in Spain, the full amount of

the abovementioned premium should also be applied in that Member State from that date,

HAS ADOPTED THIS REGULATION:

Article 1

From 6 April 1987 to 31 December 1988, the amount of the premium for maintaining suckler cows applicable in Spain shall be 25 ECU per suckler cow held by the producer on the day on which the application is submitted.

Article 2

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

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

Done at Brussels, 24 November 1988.

For the Council

The President

V. KEDIKOGLOU

⁽¹⁾ OJ No C 254, 30. 9. 1988, p. 5.

⁽²⁾ Opinion delivered on 18 November 1988 (not yet published in the Official Journal).

COUNCIL REGULATION (EEC) No 3698/88

of 24 November 1988

laying down special measures for hemp seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas the production of hemp seed is of importance to the economy of certain regions of the Community; whereas, in order to promote the expansion of this crop, which is subject to direct competition from hemp seed imported from third countries duty free, provision should be made for appropriate support;

Whereas for this purpose the marketing of Community production must ensure producers a fair income; whereas to this end aid should be granted for hemp seed produced in the Community; whereas, in view of the characteristics of the crop, a system for laying down the aid on a flat-rate basis should be provided for;

Whereas provision should be made to ensure that expenditure incurred by Member States as a result of the obligations arising out of the application of this Regulation falls within the financial responsibility of the Community in accordance with the regulations on the financing of the common agricultural policy;

Whereas certain varieties of hemp contain substances which may harm human health; whereas therefore the aid should be granted only for hemp presenting adequate guarantees as to the content of intoxicating substances in the product as harvested;

Whereas, in order to ensure that the measures provided for in this Regulation are applied under optimum conditions during the 1988/89 marketing year, transitional measures are necessary; whereas therefore a flat-rate aid per hectare should be granted for that marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

1. Every year before 1 August, an aid for hemp seed falling within CN codes ex 1207 99 10 and 1207 99 91

shall be fixed for the Community, for the following marketing year, in accordance with the procedure laid down in Article 43 (2) of the Treaty. The aid shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community.

2. The aid shall be granted only for seed of varieties providing certain safeguards to be determined in respect of the content of intoxicating substances in the product harvested.

3. The aid shall continue to apply throughout the marketing year in question; this shall cover the period 1 August to 31 July, unless otherwise decided by the Council acting by a qualified majority on a proposal from the Commission.

Article 2

1. The aid shall be granted for a production figure obtained by applying an indicative yield to the surface areas sown and harvested. The indicative yield may be differentiated taking into account the yield ascertained in the major producing areas in the Community. The indicative yield shall relate to a product of sound and merchantable quality.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall lay down general rules in accordance with which the aid shall be granted and the rules for verifying areas sown and harvested within the Community with a view to establishing eligibility for the aid.

3. The following shall be determined in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC ⁽³⁾, as last amended by Regulation (EEC) No 2210/88 ⁽⁴⁾:

- (a) the indicative yield;
- (b) detailed rules for the application of this Article.

Article 3

The Member States and the Commission shall communicate to each other the information necessary for the application of this Regulation. This information shall be decided upon in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC. Detailed rules concerning the communication and dissemination of this information shall be adopted in accordance with the same procedure.

⁽¹⁾ OJ No C 276, 26. 10. 1988, p. 5.

⁽²⁾ Opinion delivered on 18 November 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 1.

Article 4

The provisions on the financing of the common agricultural policy shall apply to the system of aid provided for in this Regulation.

Article 5

1. By way of derogation from Article 2, the aid for hemp seed in respect of the 1988/89 marketing year shall be 250 ECU/hectare. The aid shall be granted to the producer in respect of the areas eligible for the aid provided for in Article 4 of Regulation (EEC) No 1308/70 ⁽¹⁾, as last amended by Regulation (EEC) No 3995/87 ⁽²⁾, where the producer demonstrates to the

satisfaction of the Member State concerned that normal operations for harvesting the seed have been carried out.

2. The operative event within the meaning of Article 5 of Regulation (EEC) No 1676/85 ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, as regards eligibility for the aid for hemp seed for the 1988/89 marketing year shall be deemed to have occurred on 1 September 1988.

Article 6

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

It shall apply for the first time to hemp seed harvested during the 1988/89 marketing year.

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

Done at Brussels, 24 November 1988.

For the Council

The President

V. KEDIKOGLOU

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

COUNCIL REGULATION (EEC) No 3699/88

of 24 November 1988

increasing the volume of the Community tariff quota opened for 1988 for ferro-chromium containing more than 6 % by weight of carbon

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Council Regulations (EEC) No 4098/87⁽¹⁾ and (EEC) No 2065/88⁽²⁾ opened, for 1988, and allocated among the Member States a zero-duty Community tariff quota for ferro-chromium containing more than 6 % by weight of carbon, the quota volume of which was set provisionally at 390 000 tonnes;

Whereas it can be estimated from the economic data now available on consumption, production and imports under other preferential tariff arrangements that immediate Community requirements for imports of this product from non-member countries could, during the current year, reach levels higher than the volume laid down by the said Regulations; whereas, in order not to disturb the balance of the market for this product and to ensure both an outlet for Community production and sufficiently secure supplies for user industries, the quota volume should be increased by a quantity corresponding to the needs of user industries until the end of the current year, i.e. by 180 000 tonnes;

Whereas the increase in the quota volume should be divided into two parts, the first being allocated among certain Member States in proportion to their estimated needs and the second held as a Community reserve to cover any additional requirements,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of the Community tariff quota opened by Regulations (EEC) No 4098/87 and (EEC) No 2065/88 for ferro-chromium containing more than 6 % by weight of carbon shall be increased from 390 000 tonnes to 570 000 tonnes.

Article 2

1. A first part of the additional volume referred to in Article 1, amounting to 90 000 tonnes, shall be allocated among the following Member States:

	(tonnes)
Benelux	12 070,
Germany	30 170,
Spain	10 050,
France	20 120,
Italy	10 050,
United Kingdom	7 540.

2. The second part, amounting to 90 000 tonnes, shall constitute the reserve. Thus the reserve provided for in Article 2 (3) of Regulation (EEC) No 4098/87 shall be increased from 142 500 tonnes to 232 500 tonnes.

Article 3

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

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

Done at Brussels, 24 November 1988.

For the Council

The President

V. KEDIKOGLOU

⁽¹⁾ OJ No L 383, 31. 12. 1987, p. 14.

⁽²⁾ OJ No L 181, 12. 7. 1988, p. 38.

COMMISSION REGULATION (EEC) No 3700/88

of 28 November 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⁽¹⁾, as last amended by Regulation (EEC) 2221/88⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, 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⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 25 November 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 2401/88 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 29 November 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

ANNEX

to the Commission Regulation of 28 November 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	0,00	133,49
0712 90 19	0,00	133,49
1001 10 10	30,88	186,68 ⁽¹⁾ ⁽²⁾
1001 10 90	30,88	186,68 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	130,73
1001 90 99	0,00	130,73
1002 00 00	34,32	115,93 ⁽³⁾
1003 00 10	28,09	123,08
1003 00 90	28,09	123,08
1004 00 10	83,90	72,61
1004 00 90	83,90	72,61
1005 10 90	0,00	133,49 ⁽²⁾ ⁽³⁾
1005 90 00	0,00	133,49 ⁽²⁾ ⁽³⁾
1007 00 90	22,78	141,05 ⁽⁴⁾
1008 10 00	28,09	45,94
1008 20 00	28,09	118,11 ⁽⁴⁾
1008 30 00	28,09	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	28,09	0,00
1101 00 00	0,77	196,70
1102 10 00	61,73	175,98
1103 11 10	61,12	301,88
1103 11 90	1,55	211,71

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

⁽²⁾ In accordance with 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'.

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

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

⁽⁵⁾ 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.

⁽⁶⁾ 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.

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

COMMISSION REGULATION (EEC) No 3701/88

of 28 November 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⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, 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⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 25 November 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 29 November 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 28 November 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2
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	7,63
1001 90 99	0	0	0	7,63
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	3,74
1004 00 90	0	0	0	3,74
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	10,68

B. Malt

(ECU/tonne)

CN code	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	0	13,58	13,58
1107 10 19	0	0	0	10,15	10,15
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 3702/88

of 28 November 1988

fixing the export refunds 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⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68⁽⁹⁾, as amended by Regulation (EEC) No 2764/71⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

(¹) OJ No L 281, 1. 11. 1975, p. 1.
(²) OJ No L 197, 26. 7. 1988, p. 16.
(³) OJ No L 166, 25. 6. 1976, p. 1.
(⁴) OJ No L 197, 26. 7. 1988, p. 30.
(⁵) OJ No L 281, 1. 11. 1975, p. 78.
(⁶) OJ No L 166, 25. 6. 1976, p. 36.

(⁷) OJ No L 281, 1. 11. 1975, p. 65.
(⁸) OJ No L 182, 3. 7. 1987, p. 49.
(⁹) OJ No L 181, 27. 7. 1968, p. 1.
(¹⁰) OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas Commission Regulation (EEC) No 2806/71⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾,
- 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 rela-

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 December 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 28 November 1988 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	119,56	1104 22 10 100	38,32
1102 20 10 300	102,48	1104 22 10 900	—
1102 20 10 900	—	1104 22 30 100	40,72
1102 20 90 100	102,48	1104 22 30 900	—
1102 20 90 900	—	1104 22 50 000	—
1102 30 00 000	—	1104 23 10 100	128,10
1102 90 10 100	102,03	1104 23 10 300	98,21
1102 90 10 900	69,38	1104 23 10 900	—
1102 90 30 100	43,11	1104 29 10 100	—
1102 90 30 900	—	1104 29 10 900	—
1103 12 00 100	43,11	1104 29 91 000	63,27
1103 12 00 900	—	1104 29 95 000	63,27
1103 13 11 100	153,72	1104 30 10 000	18,56
1103 13 11 300	119,56	1104 30 90 000	21,35
1103 13 11 500	102,48	1107 10 11 000	132,13
1103 13 11 900	—	1107 10 91 000	121,08
1103 13 19 100	153,72	1108 11 00 100	134,46
1103 13 19 300	119,56	1108 11 00 900	—
1103 13 19 500	102,48	1108 12 00 100	128,64
1103 13 19 900	—	1108 12 00 900	—
1103 13 90 100	102,48	1108 13 00 100	128,64
1103 13 90 900	—	1108 13 00 900	—
1103 14 00 000	—	1108 14 00 100	—
1103 19 10 000	63,27	1108 14 00 900	—
1103 19 30 100	105,43	1108 19 10 100	165,71
1103 19 30 900	—	1108 19 10 900	—
1103 21 00 000	75,71	1108 19 90 100	—
1103 29 20 000	69,38	1108 19 90 900	—
1103 29 30 000	—	1109 00 00 100	0,00
1103 29 40 000	87,11	1109 00 00 900	—
1104 11 90 100	102,03	1702 30 91 000	168,04
1104 11 90 900	—	1702 30 99 000	128,64
1104 12 90 100	47,90	1702 40 90 000	128,64
1104 12 90 300	38,32	1702 90 50 100	168,04
1104 12 90 900	—	1702 90 50 900	128,64
1104 19 10 000	75,71	1702 90 75 000	176,08
1104 19 50 110	136,64	1702 90 79 000	122,21
1104 19 50 130	111,02	2106 90 55 000	128,64
1104 19 50 150	—	2302 10 10 000	18,21
1104 19 50 190	—	2302 10 90 100	18,21
1104 19 50 900	—	2302 10 90 900	—
1104 19 91 000	—	2302 20 10 000	18,21
1104 21 10 100	102,03	2302 20 90 100	18,21
1104 21 10 900	—	2302 20 90 900	—
1104 21 30 100	102,03	2302 30 10 000	18,21
1104 21 30 900	—	2302 30 90 000	18,21
1104 21 50 100	136,04	2302 40 10 000	18,21
1104 21 50 300	108,83	2302 40 90 000	18,21
1104 21 50 900	—	2303 10 11 100	64,32
		2303 10 11 900	—

NB: The products codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3703/88

of 28 November 1988

fixing the export refunds on cereal-based compound feedingstuffs

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⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as last amended by Regulation (EEC) No 944/87⁽⁵⁾, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 296/88⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 30, 2. 2. 1988, p. 9.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case

of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 December 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 28 November 1988 fixing the export refunds on cereal-based compound feedingstuffs

Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	4,70
	09	—
2309 10 11 190	01	3,74
	09	—
2309 10 11 210	01	9,39
	09	—
2309 10 11 290	01	7,49
	09	—
2309 10 11 310	01	18,79
	09	—
2309 10 11 390	01	14,98
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	4,70
	09	—
2309 10 13 190	01	3,74
	09	—
2309 10 13 210	01	9,39
	09	—
2309 10 13 290	01	7,49
	09	—
2309 10 13 310	01	18,79
	09	—
2309 10 13 390	01	14,98
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	4,70
	09	—
2309 10 31 190	01	3,74
	09	—
2309 10 31 210	01	9,39
	09	—
2309 10 31 290	01	7,49
	09	—
2309 10 31 310	01	18,79
	09	—
2309 10 31 390	01	14,98
	09	—
2309 10 31 410	01	28,18
	09	—
2309 10 31 490	01	22,47
	09	—
2309 10 31 510	01	37,58
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	29,96
	09	—
2309 10 31 610	01	46,97
	09	—
2309 10 31 690	01	37,45
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	4,70
	09	—
2309 10 33 190	01	3,74
	09	—
2309 10 33 210	01	9,39
	09	—
2309 10 33 290	01	7,49
	09	—
2309 10 33 310	01	18,79
	09	—
2309 10 33 390	01	14,98
	09	—
2309 10 33 410	01	28,18
	09	—
2309 10 33 490	01	22,47
	09	—
2309 10 33 510	01	37,58
	09	—
2309 10 33 590	01	29,96
	09	—
2309 10 33 610	01	46,97
	09	—
2309 10 33 690	01	37,45
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	4,70
	09	—
2309 10 51 190	01	3,74
	09	—
2309 10 51 210	01	9,39
	09	—
2309 10 51 290	01	7,49
	09	—
2309 10 51 310	01	18,79
	09	—
2309 10 51 390	01	14,98
	09	—
2309 10 51 410	01	28,18
	09	—
2309 10 51 490	01	22,47
	09	—
2309 10 51 510	01	37,58
	09	—
2309 10 51 590	01	29,96
	09	—
2309 10 51 610	01	46,97
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 51 690	01	37,45
	09	—
2309 10 51 710	01	56,36
	09	—
2309 10 51 790	01	44,94
	09	—
2309 10 51 810	01	61,49
	09	—
2309 10 51 890	01	49,02
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	4,70
	09	—
2309 10 53 190	01	3,74
	09	—
2309 10 53 210	01	9,39
	09	—
2309 10 53 290	01	7,49
	09	—
2309 10 53 310	01	18,79
	09	—
2309 10 53 390	01	14,98
	09	—
2309 10 53 410	01	28,18
	09	—
2309 10 53 490	01	22,47
	09	—
2309 10 53 510	01	37,58
	09	—
2309 10 53 590	01	29,96
	09	—
2309 10 53 610	01	46,97
	09	—
2309 10 53 690	01	37,45
	09	—
2309 10 53 710	01	56,36
	09	—
2309 10 53 790	01	44,94
	09	—
2309 10 53 810	01	61,49
	09	—
2309 10 53 890	01	49,02
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	4,70
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,74
	09	—
2309 90 31 210	01	9,39
	09	—
2309 90 31 290	01	7,49
	09	—
2309 90 31 310	01	18,79
	09	—
2309 90 31 390	01	14,98
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	4,70
	09	—
2309 90 33 190	01	3,74
	09	—
2309 90 33 210	01	9,39
	09	—
2309 90 33 290	01	7,49
	09	—
2309 90 33 310	01	18,79
	09	—
2309 90 33 390	01	14,98
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	4,70
	09	—
2309 90 41 190	01	3,74
	09	—
2309 90 41 210	01	9,39
	09	—
2309 90 41 290	01	7,49
	09	—
2309 90 41 310	01	18,79
	09	—
2309 90 41 390	01	14,98
	09	—
2309 90 41 410	01	28,18
	09	—
2309 90 41 490	01	22,47
	09	—
2309 90 41 510	01	37,58
	09	—
2309 90 41 590	01	29,96
	09	—
2309 90 41 610	01	46,97
	09	—
2309 90 41 690	01	37,45
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	4,70
	09	—
2309 90 43 190	01	3,74
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 43 210	01	9,39
	09	—
2309 90 43 290	01	7,49
	09	—
2309 90 43 310	01	18,79
	09	—
2309 90 43 390	01	14,98
	09	—
2309 90 43 410	01	28,18
	09	—
2309 90 43 490	01	22,47
	09	—
2309 90 43 510	01	37,58
	09	—
2309 90 43 590	01	29,96
	09	—
2309 90 43 610	01	46,97
	09	—
2309 90 43 690	01	37,45
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	4,70
	09	—
2309 90 51 190	01	3,74
	09	—
2309 90 51 210	01	9,39
	09	—
2309 90 51 290	01	7,49
	09	—
2309 90 51 310	01	18,79
	09	—
2309 90 51 390	01	14,98
	09	—
2309 90 51 410	01	28,18
	09	—
2309 90 51 490	01	22,47
	09	—
2309 90 51 510	01	37,58
	09	—
2309 90 51 590	01	29,96
	09	—
2309 90 51 610	01	46,97
	09	—
2309 90 51 690	01	37,45
	09	—
2309 90 51 710	01	56,36
	09	—
2309 90 51 790	01	44,94
	09	—
2309 90 51 810	01	61,49
	09	—

(ECU/tonne)

Product code	Destination (¹)	Amount of refund
2309 90 51 890	01	49,02
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	4,70
	09	—
2309 90 53 190	01	3,74
	09	—
2309 90 53 210	01	9,39
	09	—
2309 90 53 290	01	7,49
	09	—
2309 90 53 310	01	18,79
	09	—
2309 90 53 390	01	14,98
	09	—
2309 90 53 410	01	28,18
	09	—
2309 90 53 490	01	22,47
	09	—
2309 90 53 510	01	37,58
	09	—
2309 90 53 590	01	29,96
	09	—
2309 90 53 610	01	46,97
	09	—
2309 90 53 690	01	37,45
	09	—
2309 90 53 710	01	56,36
	09	—
2309 90 53 790	01	44,94
	09	—
2309 90 53 810	01	61,49
	09	—
2309 90 53 890	01	49,02
	09	—
2309 90 53 900	—	—

(¹) The destinations are as follows:

- 01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,
- 09 Other destinations.

NB : The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

**COMMISSION REGULATION (EEC) No 3704/88
of 28 November 1988**

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 1 December 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 November 1988 fixing the export refunds on rice and broken rice

(ECU/tonne)

Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾
1006 20 10 000	—	—
1006 20 90 000	01	194,40
	02	—
1006 30 11 000	—	—
1006 30 19 000	01	194,40
	02	—
1006 30 91 000	—	—
1006 30 99 100	01	243,00
	03	262,00
	05	262,00
	06	267,00
	07	267,00
	08	262,00
	09	262,00
	10	267,00
	11	267,00
	12	267,00
	13	243,00
	14	267,00
1006 30 99 900	01	243,00
	13	243,00
1006 40 00 000	—	—

⁽¹⁾ The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie
- 03 Zone I
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of Zone I
- 05 Zone II b)
- 06 Zone IV a)
- 07 Zone IV b)
- 08 Zone VI
- 09 Canary Islands, Ceuta and Melilla
- 10 Zone V a)
- 11 Zone VII c)
- 12 Canada
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1)
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

⁽²⁾ The amount is applicable to medium-grain and long-grain rice, of type A (with a length/width ratio of greater than 2 and less than 3), as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987, p. 1).

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

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

The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EEC) No 3705/88

of 28 November 1988

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accor-

dance with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 December 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. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 November 1988 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 12	1st period 1	2nd period 2	3rd period 3
1006 20 10 000	—	—	—	—
1006 20 90 000 ⁽¹⁾	0	0	0	0
1006 30 11 000	—	—	—	—
1006 30 19 000	0	0	0	0
1006 30 91 000	—	—	—	—
1006 30 99 100 ⁽¹⁾	0	0	0	0
1006 30 99 900 ⁽¹⁾	0	0	0	0
1006 40 00 000	—	—	—	—

⁽¹⁾ The amount is applicable to medium-grain and long-grain rice, of type A (with a length/width ratio of greater than 2 and less than 3), as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987, p. 1).

N.B. : The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3706/88
of 24 November 1988
on the supply of various consignments of cereals 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, 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 ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 13 000 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 ⁽⁴⁾; 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

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

Article 2

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

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

Done at Brussels, 24 November 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation Nos (°):** 1102/88 and 1103/88
2. **Programme:** 1987 and 1988
3. **Recipient:** M. G. Coosemans, UNHCR, Case Postale 2500, CH-1211 Geneva 2 Depot, tel. 39 81 11, telex 27492 UNHCR CH
4. **Representative of the recipient (°):** The UNHCR Regional Liaison Representative for Africa, Ground Floor, EEC Building, Bole Road Higher 18, Kebele 26, House No 519, 001 Addis Ababa, Ethiopia
5. **Place or country of destination:** Ethiopia
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (°):**
See list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: protein content 11 % minimum
8. **Total quantity:** 13 000 tonnés
9. **Number of lots:** two (A: 8 000 tonnes; B: 5 000 tonnes)
10. **Packaging and marking (°):**
See list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1a):
Supplementary markings on the packing:
 - A: 'ACTION No 1102/88 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR ASSISTANCE PROGRAMME IN ETHIOPIA / FOR FREE DISTRIBUTION'
 - B: 'ACTION No 1103/88 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR ASSISTANCE PROGRAMME IN ETHIOPIA / FOR FREE DISTRIBUTION'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Assab
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 1 to 15. 1. 1989
18. **Deadline for the supply:** 28. 2. 1989
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 13. 12. 1988, at 12 noon
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 3. 1. 1989, 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: 20 to 31. 1. 1989
 - (c) deadline for the supply: 15. 3. 1989
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 (°):**
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 (°):**
Refund applicable on 10. 11. 1988 fixed by Regulation (EEC) No 3372/88 in OJ No L 296, 29. 10. 1988, p. 63

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer:
see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (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 levels.
The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
— certificate of origin,
— fumigation certificate.
- (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 3707/88
of 24 November 1988
on the supply of various consignments of cereals 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, 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 ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 7 000 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 ⁽⁴⁾; 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

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

Article 2

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

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

Done at Brussels, 24 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** ⁽¹⁾: 1078/88
2. **Programme**: 1988
3. **Recipient**: Lesotho Flour Mills, Private Bag A 62, Maseru 100, tel. 234 98, telex 329 BB
4. **Representative of the recipient** ⁽²⁾: Manager, Food Management Unit, PO Box 527, Maseru, tel. 32 39 58
5. **Place or country of destination**: Lesotho
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: protein content 11 % minimum
8. **Total quantity**: 7 000 tonnes
9. **Number of lots**: one
10. **Packaging**: in bulk
11. **Method of mobilization**: the 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**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Lesotho Flour Mills, Private Bag A 62, Maseru 100, tel. 234 98, telex 329 BB
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. 1. 1989
18. **Deadline for the supply**: 28. 2. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 13. 12. 1988, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 12. 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: 1 to 15. 1. 1989
 - (c) deadline for the supply: 28. 2. 1989
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** ⁽⁴⁾: 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** ⁽⁵⁾: refund applicable on 22. 11. 1988 fixed by Regulation (EEC) No 3372/88 (OJ No L 296, 29. 10. 1988, p. 63)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
A. Kratz, PO Box MS 518, Maseru, Lesotho, tel. 31 37 26, telex DELEGEUR 4351 LO.
- (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 levels.
The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
— certificate of origin,
— phytosanitary certificate.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
— either by porter at the office referred to in point 24 of this Annex,
— or by telecopier on one of the following numbers in Brussels :
235 01 32
236 10 97
235 01 30
236 20 05.
- (⁵) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, 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 3708/88
of 25 November 1988
on the supply of common wheat to Madagascar 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, 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 ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 20 000 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 ⁽⁴⁾; 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

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

Article 2

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

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

Done at Brussels, 25 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation Nos⁽¹⁾:** 1135 and 1136/88
2. **Programme:** 1988
3. **Recipient:** Madagascar (Régie malgache des monopoles fiscaux pour compte État Malgache, Ministère des Finances, boîte postale 23 Antananarivo)
4. **Representative of the recipient⁽²⁾:** Ambassade de la république démocratique de Madagascar, avenue de Tervuren 276, B-1150 Bruxelles tel. 770 17 26, telex 61197 REPERMAD Bruxelles
5. **Place or country of destination:** Madagascar
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods⁽³⁾:**
See list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.1); specific characteristics: protein content 11 % maximum
8. **Total quantity:** 20 000 tonnes
9. **Number of lots:** two (I: 10 000 tonnes, II: 10 000 tonnes)
10. **Packaging:** in bulk, plus
 - 210 000 new woven-polypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light and for each lot 75 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high:
 - Lot I: 'ACTION N° 1135/88 / FROMENT / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE DÉMOCRATIQUE DE MADAGASCAR'
 - Lot II: 'ACTION N° 1136/88 / FROMENT / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE DÉMOCRATIQUE DE MADAGASCAR'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** Toamasina
15. **Port of landing:** —
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:**
 - I. 1. to 15. 1. 1989
 - II. 15. to 28. 2. 1989
18. **Deadline for the supply:** Lot I: 31. 1. 1989; Lot II: 15. 3. 1989
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 13. 12. 1989
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon 3. 1. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: I. 22. 1. to 5. 2. 1989; II: 10. 3. to 25. 3. 1989
 - (c) deadline for the supply: Lot I: 28. 2. 1989; Lot II: 15. 4. 1989
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⁽⁴⁾:**
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 Bruxelles, telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁵⁾:**
Refund applicable on 21. 11. 1988 fixed by Regulation (EEC) No 3372/88 in OJ No L 296, of 29. 10. 1988, p. 63.

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer:
M. le Délégué de la Commission des Communautés européennes, Immeuble Nyhavana, 67 Ha, BP 746, Antananarivo (RDM) telex 22327 DELFED MGI.
- (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 levels.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
235 01 32
236 10 97
235 01 30
236 20 05.
- (⁵) Commission 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 3709/88

of 28 November 1988

on the supply of olive oil to non-governmental organizations (NGOs) 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, 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 ⁽³⁾ 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 16 March 1988 on the supply of food aid to NGOs the Commission allocated to the these organizations 135 tonnes of olive oil;

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 ⁽⁴⁾; 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 olive oil to NGOs in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes 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, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation Nos⁽¹⁾**: 663/88 to 665/88
2. **Programme**: 1988
3. **Recipient**: Euronaid
4. **Representative of the recipient⁽²⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: olive oil
7. **Characteristics and quality of the goods⁽³⁾⁽⁵⁾⁽⁶⁾**:
See list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.4)
8. **Total quantity**: 135 tonnes net
9. **Number of lots**: one
10. **Packaging and marking⁽⁴⁾**: See OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of 10 litres or 10 kilograms
 - the cans must be packed in cartons, with two cans per carton
 - the cans must carry the following wording: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 24. 1 to 21. 2. 1989
18. **Deadline for the supply**: 4. 4. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 13. 12. 1988 not later than 12 noon. Tenders shall be valid until 12 midnight on 14. 12. 1988
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 3. 1. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 4. 1. 1989
 - (b) period for making the goods available at the port of shipment: 14. 2 to 14. 3. 1989
 - (c) deadline for the supply: 25. 4. 1989
22. **Amount of the tendering security**: 45 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁷⁾**:

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 Bruxelles;
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁸⁾**:

Refund applicable on 30. 11. 1988 fixed by Regulation (EEC) No 3392/88 (OJ No L 299, 1. 11. 1988, p. 23.

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (⁴) The supplier should send a duplicate of the original invoice to:
MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (⁵) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁷) 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.
- (⁸) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
1	135	45	Caritas B	Algérie	Action n° 663/88 / Huile d'olive / Algérie / Caritas Belgica / 80212 / Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		45	WCC	Algérie	Action n° 664/88 / Huile d'olive / Algérie / WCC / 80704 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		45	Oxfam B	Algérie	Action n° 665/88 / Huile d'olive / Algérie / Oxfam B / 80805 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite

COMMISSION REGULATION (EEC) No 3710/88

of 28 November 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 7 to 13 November 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, as amended by Regulation (EEC) No 3988/87 ⁽⁴⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 7 to 13 November 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 7 to 13 November 1988 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 7 November 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 7 to 13 November 1988

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	14,55645
0201 10 90	14,55645
0201 20 11	14,55645
0201 20 19	14,55645
0201 20 31	11,64516
0201 20 39	11,64516
0201 20 51	17,46774
0201 20 59	17,46774
0201 20 90	11,64516
0201 30	19,94234
0202 10 00	14,55645
0202 20 10	14,55645
0202 20 30	11,64516
0202 20 50	17,46774
0202 20 90	11,64516
0202 30 10	19,94234
0202 30 50	19,94234
0202 30 90	19,94234
0206 10 95	19,94234
0206 29 91	19,94234
0210 20 10	11,64516
0210 20 90	16,59435
0210 90 41	16,59435
1602 50 10 ⁽¹⁾	16,59435
1602 50 10 ⁽²⁾	11,64516

⁽¹⁾ Containing 80 % or more by weight of beef meat.

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 3711/88

of 28 November 1988

fixing the target ceiling for imports of olive oil into Portugal in the 1988/89 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 Article 251 thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 2297/86 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 249 of the Act of Accession provides that the supplementary trade mechanism (STM) is to apply to olive oil; whereas Article 251 of that Act provides that a forward estimate is to be drawn up, as a general rule at the start of each marketing year, of production and consumption of olive oil in Portugal; whereas the target ceiling fixed is based on the estimate thus drawn up;

Whereas under Article 251 of the Act of Accession, the ceiling must be successively fixed at levels designed to ensure that traditional trade patterns alter in such a way that the Portuguese market is gradually and harmoniously opened up;

Whereas, as Regulation (EEC) No 569/86 allows for the possibility of spreading out the issue of STM licenses, in the light of experience gained the quantities for which licences are issued should be limited for each quarter;

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

The target ceiling for imports into Portugal of olive oil covered by CN codes 1509 and 1510 00 from the other Member States is hereby fixed at 6 000 tonnes for the period 1 November 1988 to 31 October 1989.

For each quarter, the maximum quantity in respect of which STM licences may be issued shall amount to 1 500 tonnes.

Where applications for STM licences relate to quantities exceeding the abovementioned quarterly ceiling, the Commission shall authorize the Member States concerned to issue licences in proportion to the quantity available.

Article 2

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

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 201, 24. 7. 1986, p. 3.

COMMISSION REGULATION (EEC) No 3712/88

of 28 November 1988

fixing the intervention threshold for clementines in Spain for the 1988/89 marketing year

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 16a (5) thereof,

Having regard to Council Regulation (EEC) No 3241/88 of 18 October 1988 concerning the fixing of an intervention threshold for clementines in Spain for the 1988/89 marketing year⁽³⁾, and in particular Article 1 (2) thereof,

Whereas Article 1 of Regulation (EEC) No 3241/88 lays down the criteria for fixing the intervention threshold for clementines in Spain; whereas it is for the Commission to fix that intervention threshold by applying the percentage laid down in Article 1 (1) of that Regulation to the average production grown for consumption as fresh fruit over the last five marketing years for which data are available;

Whereas the consequences of exceeding the intervention threshold by any amount for the Spanish institutional prices fixed for the following marketing year should be determined in accordance with the criteria used for the Community of Ten;

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 intervention threshold for clementines in Spain for the 1988/89 marketing year shall be 61 500 tonnes.

Article 2

Where the quantities of clementines bought in Spain during a marketing year exceed the threshold laid down in Article 1, the institutional prices applicable in Spain shall be reduced by 1 % for every 6 200 tonnes by which the threshold is exceeded for the following marketing year.

Article 3

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, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 289, 22. 10. 1988, p. 3.

COMMISSION REGULATION (EEC) No 3713/88

of 28 November 1988

laying down detailed rules for applying the limitation of processing aid to certain quantities of oranges and lemons in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Regulation (EEC) No 3525/87⁽⁸⁾, should be amended accordingly;

Having regard to the Treaty establishing the European Economic Community,

Whereas the Spanish marketing years 1985/86, 1986/87 and 1987/88 should be used as the reference period for the 1988/89 marketing year;

Having regard to Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of certain varieties of oranges⁽¹⁾, as last amended by Regulation (EEC) No 2241/88⁽²⁾, and in particular Article 3 (2) thereof,

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

Having regard to Council Regulation (EEC) No 460/86 of 25 February 1986 laying down general rules for applying the Act of Accession of Spain and Portugal as regards the processing of oranges and lemons⁽³⁾, and in particular Article 2 thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Whereas Article 119 (4) of the Act of Accession limits the quantities of oranges and lemons which may qualify for processing aid in Spain during the first four marketing years following accession;

Article 1 (1) of Regulation (EEC) No 989/86 is hereby replaced by the following:

Whereas Council Regulation (EEC) No 3391/87 of November 1987 concerning special measures for the processing of certain varieties of oranges⁽⁴⁾, as amended by Regulation (EEC) No 2241/88, extends the processing aid arrangements in question to oranges of the Cadenera, Castellana and Macetera varieties for the 1987/88 and 1988/89 marketing years in Spain;

1. For the 1988/89 marketing year, processors established in Spain shall by 1 January 1989 at the latest forward the following data for each of the 1985/86, 1986/87 and 1987/88 marketing years to the agency designated by the Spanish authorities:

by:

- (a) the total quantity of fresh oranges of the Bianca commune variety used and the quantity, in net weight, of finished products obtained;
- (b) the total quantity of fresh oranges of the blood varieties used and the quantity, in net weight, of finished products obtained;
- (c) the total quantities of fresh oranges of each of the Cadenera, Castellana and Macetera varieties used and the quantity, in net weight, of finished products obtained.

*Article 2*Whereas, with a view to a fair apportionment of the quantities between the processors and to the allocation of a certain quantity to new processors, provision should be made for information to be forwarded by processors in addition to that required pursuant to Commission Regulation (EEC) No 1562/85 of 7 June 1985 laying down detailed rules for the application of measures to encourage the processing of oranges and the marketing of products processed from lemons⁽⁵⁾, as last amended by Regulation (EEC) No 1715/86⁽⁶⁾; whereas Commission Regulation (EEC) No 989/86⁽⁷⁾, as amended byThis Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 21.⁽²⁾ OJ No L 198, 26. 7. 1988, p. 11.⁽³⁾ OJ No L 53, 1. 3. 1986, p. 14.⁽⁴⁾ OJ No L 323, 13. 11. 1987, p. 2.⁽⁵⁾ OJ No L 152, 11. 6. 1985, p. 5.⁽⁶⁾ OJ No L 149, 3. 6. 1986, p. 19.⁽⁷⁾ OJ No L 90, 5. 4. 1986, p. 33.⁽⁸⁾ OJ No L 335, 25. 11. 1987, p. 15.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3714/88
of 28 November 1988

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

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

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

Having regard to Council Regulation No 805/68 of 27
June 1968 on the common organization of the market in
beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No
2248/88 ⁽²⁾, and in particular Article 6a (4) thereof,

Whereas Commission Regulation (EEC) No 1787/87 ⁽³⁾,
as last amended by Regulation (EEC) No 3681/88 ⁽⁴⁾,
introduced the buying-in of beef in respect of certain
Member States or regions thereof and quality groups, and
fixed the buying-in prices in the beef sector;

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

2226/78 ⁽⁵⁾, as last amended by Regulation (EEC) No
3338/88 ⁽⁶⁾, the buying-in prices should be replaced, on
the basis of the data and prices available to the Commis-
sion, according to the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 1787/87 is
hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 5 December
1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 24.

⁽³⁾ OJ No L 168, 27. 6. 1987, p. 22.

⁽⁴⁾ OJ No L 321, 26. 11. 1988, p. 9.

⁽⁵⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁶⁾ OJ No L 295, 28. 10. 1988, p. 50.

ANNEX

ANNEX II

Buying-in price in ECU per 100 kg carcase weight

Quality (category and class)	Equivalent carcase price	Forequarter price	
		straight cut (1)	pistola cut (2)
AU2	304,006	243,205	228,005
AU3	299,830	239,864	224,873
AR2	293,576	234,861	220,182
AR3	289,370	231,496	217,028
AO2	283,782	227,026	212,837
AO3	279,469	223,575	209,602
CU2	310,054	248,043	232,541
CU3	305,795	244,636	229,346
CU4	297,277	237,822	222,958
CR3	287,355	229,884	215,516
CR4	279,002	223,202	209,252
CO3	269,166	215,333	201,875

(1) Conversion coefficient 0,80.

(2) Conversion coefficient 0,75.

COMMISSION REGULATION (EEC) No 3715/88

of 28 November 1988

fixing the refunds applicable for December 1988 to cereal and rice sector products supplied as Community and national 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 2727/73 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 the fourth subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 2229/88 ⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75 ⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76 ⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for December 1988 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 December 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 28 November 1988 fixing the refunds applicable for December 1988 to cereal and rice sector products supplied as Community and national food aid

Product code	Refund (ECU/tonne)
1001 10 90 000	130,00
1001 90 99 000	68,00
1002 00 00 000	20,00
1003 00 90 000	67,00
1004 00 90 000	—
1005 90 00 000	67,00
1006 20 10 000	205,60
1006 20 90 000*	205,60
1006 30 11 000	—
1006 30 19 000*	—
1006 30 91 000	257,00
1006 30 99 900*	257,00
1006 40 00 000	—
1007 00 90 000	67,00
1101 00 00 110	87,00
1101 00 00 120	87,00
1101 00 00 130	87,00
1102 20 10 000	119,43
1102 30 00 000	—
1102 90 10 100	101,97
1103 11 10 500	168,00
1103 11 90 100	95,00
1103 13 19 100	153,56
1103 14 00 000	—
1104 12 90 100	47,20
1104 21 50 100	135,96

(*) The amount is applicable to medium-grain and long-grain rice, of type A (with a length/width ratio of greater than 2 and less than 3), as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) 3877/87 (OJ No L 365, 24. 12. 1987, p. 1).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3716/88
of 28 November 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EEC) No 3672/88 ⁽⁴⁾;

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 29 November 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 318, 25. 11. 1988, p. 31.

ANNEX

to the Commission Regulation of 28 November 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,79 ⁽¹⁾
1701 11 90	35,79 ⁽¹⁾
1701 12 10	35,79 ⁽¹⁾
1701 12 90	35,79 ⁽¹⁾
1701 91 00	44,08
1701 99 10	44,08
1701 99 90	44,08 ⁽²⁾

⁽¹⁾ 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 Commission Regulation (EEC) No 837/68.

⁽²⁾ 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 3717/88

of 28 November 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⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, 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 3384/88⁽⁷⁾, as last amended by Regulation (EEC) No 3688/88⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ as amended by Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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 25 November 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⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, 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 3384/88 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 29 November 1988.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 299, 1. 11. 1988, p. 1.

⁽⁸⁾ OJ No L 321, 26. 11. 1988, p. 26.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 28 November 1988 altering the import levies on products processed from cereals and rice

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
2302 10 10	60,31	54,31
2302 10 90	122,39	116,39
2302 20 10	60,31	54,31
2302 20 90	122,39	116,39
2302 30 10	60,31	54,31
2302 30 90	122,39	116,39
2302 40 10	60,31	54,31
2302 40 90	122,39	116,39

COMMISSION REGULATION (EEC) No 3718/88

of 28 November 1988

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 1115/88 ⁽²⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last
amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 3 (5) of Regulation (EEC) No
1837/80; whereas it is necessary therefore for the
Commission to fix, for the week beginning 7 November
1988, the level of the premium and the amount to be
charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter premium
is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 5 shall be fixed weekly by the Commis-
sion;

Whereas in the Annex to Commission Regulation (EEC)
No 1310/88 of 11 May 1988 on the application of the
guarantee limitation arrangements for sheepmeat and
goatmeat ⁽⁵⁾ the weekly amounts of the guide level are set
out pursuant to Article 9a (3) of Regulation (EEC) No
1837/80;

Whereas, pursuant to the provisions of Article 9 (1) of
Regulation (EEC) No 1837/80, for the week beginning 7

November 1988, the variable slaughter premium for
sheep certified as eligible in the United Kingdom is to be
in accordance with the amounts fixed in the Annexes
hereto; whereas, for that week, in the light of the Judg-
ment of the Court of Justice of 2 February 1988 in Case
61/86, the provisions of Article 9 (3) of Regulation (EEC)
No 1837/80 and of Article 4 of Regulation (EEC) No
1633/84 lead to the amounts to be charged on products,
leaving region 5, being fixed in accordance with those
Annexes;

Whereas, as regards the controls necessary for the appli-
cation of the provisions relating to the said amounts, the
system of controls provided for by Regulation (EEC) No
1633/84 should be maintained without prejudice to the
preparation of any more specific provisions following the
abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 5, within the meaning of Article 3 (5)
of Regulation (EEC) No 1837/80, for the variable
slaughter premium during the week beginning 7
November 1988, the level of the premium is fixed at
57,261 ECU/100 kilograms of estimated or actual dressed
carcase weight within the limits laid down by Article 1 (1)
(b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regula-
tion (EEC) No 1837/80, which left the territory of region
5 during the week beginning 7 November 1988, the
amounts to be charged shall be equivalent to those fixed
in the Annexes hereto.

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 7 November 1988.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 28 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing
7 November 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 (1)
	Live weight	Live weight
0104 10 90	26,913	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	57,261	0
0204 21 00	57,261	0
0204 50 11		0
0204 22 10	40,083	
0204 22 30	62,987	
0204 22 50	74,439	
0204 22 90	74,439	
0204 23 00	104,215	
0204 30 00	42,946	
0204 41 00	42,946	
0204 42 10	30,062	
0204 42 30	47,241	
0204 42 50	55,830	
0204 42 90	55,830	
0204 43 00	78,162	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	74,439	
0210 90 19	104,215	
1602 90 71 :		
— unboned (bone-in)	74,439	
— boned or boneless	104,215	

(1) Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 23 November 1988

on standard checking procedures for the implementation of Regulation (EEC) No 3820/85 on the harmonization of certain social legislation relating to road transport and Regulation (EEC) No 3821/85 on recording equipment in road transport

(88/599/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

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

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

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

Having regard to the resolution of the Council and the representatives of the Governments of the Member States, meeting within the Council, of 20 December 1985 to improve the implementation of the social regulations in road transport ⁽⁴⁾,

Whereas Regulations (EEC) No 3820/85 ⁽⁵⁾ and (EEC) No 3821/85 ⁽⁶⁾ are important for the creation of a common market for inland transport services;

Whereas proper application of the social regulations in road transport requires uniform and effective checking by Member States;

Whereas it is necessary to introduce minimum requirements to check compliance with the relevant provisions in order to reduce and prevent infringements;

Whereas the Portuguese Republic has only recently introduced checking procedures in road transport and should accordingly be permitted to defer the date of application of this Directive;

Whereas effective and efficient control throughout the Community will require the exchange of information on, and mutual assistance in, the enforcement of the regulations in Member States;

Whereas the exchange of information is compulsory and should take place at regular intervals;

Whereas uniform application of the social regulations on road transport is necessary to avoid distortions of competition between transport undertakings as well as to promote road safety and social progress,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Checks

The objective of this Directive is to lay down, minimum conditions for checking the correct and uniform application of Regulations (EEC) No 3820/85 and (EEC) No 3821/85.

⁽¹⁾ OJ No C 116, 3. 5. 1988, p. 17.

⁽²⁾ Opinion delivered on 17 November 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No C 208, 8. 8. 1988, p. 26.

⁽⁴⁾ OJ No C 348, 31. 12. 1985, p. 1.

⁽⁵⁾ OJ No L 370, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 370, 31. 12. 1985, p. 8.

Article 2

Checking systems

1. Member States shall organize a system for appropriate and regular checks, both at the roadside and at premises of undertakings, covering each year a large and representative cross-section of drivers, undertakings and vehicles of all transport categories falling within the scope of Regulations (EEC) No 3820/85 and (EEC) No 3821/85.

2. Each Member State shall organize checks in such a way that:

- they cover each year at least 1 % of days worked by drivers of vehicles falling within the scope of Regulations (EEC) No 3820/85 and (EEC) No 3821/85,
- not less than 15 % of the total number of the working days checked shall be checked at the roadside and not less than 25 % at the premises of undertakings.

3. The number of drivers checked at the roadside, the number of checks at premises of undertakings, the number of working days checked and the number of infringements reported shall be included, *inter alia*, in the information submitted to the Commission in accordance with Article 16 (2) of Regulation (EEC) No 3820/85.

Article 3

Roadside checks

1. Roadside checks shall be organized in different places at any time, covering a sufficiently extensive part of the road network to make it difficult to avoid checkpoints.

2. The elements of roadside checks are:

- daily driving periods, breaks and daily rest periods and, in the case of clear indications of irregularities, also the record sheets for the preceding days carried on the vehicle in accordance with Article 15 (7) of Regulation (EEC) No 3821/85,
- last weekly rest period, where appropriate,
- correct functioning of the recording equipment (determination of possible misuse of the equipment and/or record sheets) or, where appropriate, presence of the documents referred to in Article 14 (5) of Regulation (EEC) No 3820/85.

3. Roadside checks shall be carried out without discrimination of vehicles and drivers, whether resident or not.

4. To facilitate the authorized inspecting officer's task, they shall be provided with:

- a list of the principal points to be checked,
- a language chart containing the expressions currently used and relating to road transport operations. The Commission will provide the Member States with such a chart.

5. If the findings of a roadside check on the driver of a vehicle registered in another Member State provide grounds to believe that infringements have been committed which cannot be detected during the check due to lack of necessary data, the competent authorities of the Member States concerned shall assist each other to clarify the situation. In cases where, to this end, the competent Member State carries out a check at the premises of the undertaking, the results of this check shall be communicated to the other State concerned.

Article 4

Checks at the premises of undertakings

1. Checks at premises as provided for in Article 2 (1) shall be planned taking account of past experience of different categories of transport.

Checks shall also be carried out at premises of undertakings when serious breaches of Regulations (EEC) No 3820/85 and (EEC) No 3821/85 have been detected at the roadside.

2. The elements of checks at the premises of undertakings, in addition to those for roadside checks, are:

- weekly rest periods and driving periods between these rest periods,
- two-weekly limitation of driving hours,
- compensation for reduced daily or weekly rest periods,
- the use of record sheets and/or the organization of drivers' working times.

3. For the purposes laid down in this Article, checks carried out at the premises of the competent authorities, on the basis of relevant documents handed over by undertakings at the request of the said authorities, shall have the same status as checks carried out at the premises of undertakings.

Article 5

Concerted and coordinated checks

1. Member States shall, at least twice yearly, undertake concerted operations to check at the roadside drivers and vehicles falling within the scope of Regulations (EEC) No 3820/85 and (EEC) No 3821/85.

2. Such operations shall, wherever possible, be undertaken at the same time by the enforcement authorities of two or more Member States, each operating on their own territory.

*Article 6***Exchange of information**

1. Information made available bilaterally under Article 17 (3) of Regulation (EEC) No 3820/85 and Article 19 (3) of Regulation (EEC) No 3821/85 shall be exchanged every 12 months beginning six months after notification of this Directive ⁽¹⁾ and also upon a specific request by a Member State in individual cases.

2. For this purpose, the competent authorities in each Member State shall use a standard reporting form drawn up by the Commission in agreement with the Member States.

Article 7

1. With the exception of the Portuguese Republic, Member States shall bring into force the laws, regulations

and administrative provisions necessary to comply with this Directive on 1 January 1989 at the latest.

The Portuguese Republic shall bring the said laws, regulations and administrative provisions into force on 1 January 1990 at the latest.

2. Member States shall communicate to the Commission their laws, regulations and administrative provisions concerning the application of this Directive.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 23 November 1988.

For the Council

The President

Th. PANGALOS

⁽¹⁾ This Directive was notified to the Member States on 24 November 1988.

COMMISSION

COMMISSION DECISION

of 22 November 1988

renewing and amending Decision 85/594/EEC authorizing the Hellenic Republic to take certain protective measures under Article 108 (3) of the EEC Treaty

(Only the Greek text is authentic)

(88/600/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108 (3) thereof,

Whereas, by Decision 85/594/EEC⁽¹⁾, the Commission on a temporary basis authorized the Hellenic Republic to take certain protective measures in support of a programme of economic stabilization implemented by the Greek Government from the end of 1985 in order to deal with serious balance of payments difficulties and to restore an acceptable situation;

Whereas since then, and in line with the improvement in the external equilibrium of Greece, several of these protective measures have been revoked or amended in accordance with the provisions of Commission Decision 85/594/EEC; whereas this Decision was amended by Commission Decision 86/614/EEC⁽²⁾ and 87/152/EEC⁽³⁾ and lastly by Decision 88/438/EEC⁽⁴⁾.

Whereas the Hellenic Republic has claimed balance of payments difficulties persist; whereas it has requested an extension of certain protective measures in respect of the movement of capital and transfers relating to tourist expenditure of Greek residents abroad, in accordance with the provisions of Article 9 (5) of Commission Decision 85/594/EEC; whereas, nevertheless, the Greek authorities have relaxed the restrictions originally authorized in this

area; whereas they intend to continue to do so in line with the results achieved in the recovery of the balance of payments;

Whereas it emerges from the examination of the overall economic situation of Greece undertaken by the Commission that the improvement in the external position of Greece since 1986 makes it possible to ease the restrictions originally authorized with regard to the movement of capital and the tourist expenditure of Greek residents abroad; whereas the Greek balance of payments situation nevertheless remains fragile and whereas if its recovery is to continue and to be consolidated, in particular by the restoration of a sound public finance situation, the retention of certain protective measures in this area on a provisional basis is justified;

Whereas there are grounds for renewing and accordingly amending the authorization to apply these protective measures; whereas, however, the evolution of the economic situation in Greece should be monitored attentively so that the measures authorized may possibly be amended or repealed if the conditions justifying them were no longer to obtain;

Whereas, for the sake of transparency it is appropriate to present in a single text the complete enacting terms of Decision 85/594/EEC as last amended by this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The enacting terms of Decision 85/594/EEC are replaced by the following text:

⁽¹⁾ OJ No L 373, 31. 12. 1985, p. 9.
⁽²⁾ OJ No L 357, 18. 12. 1986, p. 28.
⁽³⁾ OJ No L 63, 6. 3. 1987, p. 38.
⁽⁴⁾ OJ No L 218, 9. 8. 1988, p. 19.

Article 1

Greece is hereby required to phase out the export aid granted under Decision No 1574/70 of the Greek Monetary Committee, as amended by Decision 350/82, in four equal steps, to take effect on 1 January 1987, 1 January 1988, 1 January 1989, 1 January 1990. This phasing-out shall be implemented as follows. The figure resulting on 16 December 1986 from the application of the formula applied in calculating the rebate due under CCD 1574/70 and 350/82, or in cases where a fixed rate is applied, shall be reduced by 40 % to allow for the effects of the introduction of VAT. The said remaining figure (60 % of the rate currently paid) shall then be eliminated in four equal steps of 25 % each of this figure at the dates indicated above.

As and from 4 February 1988, no aid shall be granted for the export of candied fruit peel (NIMEXE codes 20.04-30 and 20.06.00.-39 as from 1 January 1989).

Article 2

The Greek Government within four weeks of the end of the relevant period, i.e. up to 30 June and 31 December for each year, shall send the Commission a six monthly report on the granting of the export aid broken down by the number of transactions showing their value and the aid granted, by sector, to allow the Commission to carry out a six-monthly monitoring procedure to ensure correct application of this Decision.

The Commission reserves the right at any time to request the Greek Government to furnish, and the Greek Government shall so provide within two weeks of such a request, the relevant form used for the calculation of aid given in any particular case of an export transaction, needed by the Commission to control the application of this Decision.

Article 3

Should evidence be presented to the Commission which, upon examination and after consultation with the interested parties, shows that the grant of the export aid to any particular sector is causing, or threatens to cause, major changes in traditional trade flows and that these changes are causing, or threaten to cause, serious material injury to an established industry in other Member States to a degree contrary to the common interest, the Commission shall amend this Decision so as to reduce or exclude all aid to the sector in question.

Article 4

1. Greece is hereby authorized, temporarily and within the limits and conditions laid down in the Annex to this Decision, to prohibit or to make subject to prior authorization the conclusion or execution of transactions and transfers relating to movement of capital liberalized at the time of this Decision in accordance with the provisions of the Council Directive of 11 May 1960 for the implementation of Article 67 of the Treaty⁽¹⁾, as last amended by Directive 86/566/EEC⁽²⁾.

2. Greece is hereby temporarily authorized to limit transfers relating to the tourist expenditure of Greek residents to 840 ECU per person and per journey. In addition to this basic allowance, residents shall, however, be allowed to use payment or credit cards abroad for the purposes of holiday expenses to the amount of 300 ECU per person per year.

3. Except where otherwise indicated in the Annex to the present decision and without prejudice to the provisions of Article 5, the authorizations contained in this Article shall be valid until 31 December 1989.

Article 5

1. The Commission shall attentively monitor the evolution of the economic situation in Greece. The Commission reserves the right to amend or repeal all or part of this Decision, after consulting the Member State concerned, particularly if it finds that the circumstances which led to its adoption have changed or that its effects are more restrictive than they need be in order to achieve their objectives.

2. If, before the date of expiry of the derogations permitted up to 31 December 1989 under Article 4, Greece claims that balance of payments difficulties persist, or that there is a serious likelihood of their recurring, the Commission shall examine the overall economic situation in order to determine whether an extension of all or part of the protection measures in force is appropriate.

Article 6

This Decision is addressed to the Hellenic Republic.

⁽¹⁾ OJ No 43, 12. 7. 1960, p. 921/60.

⁽²⁾ OJ No L 332, 26. 11. 1986, p. 22.

ANNEX

Operation	Type of restriction authorized by way of derogation from Community obligations
Direct investment	The participation by residents in new or existing firms established in other Member States with a view to establishing or maintaining lasting economic links, as well as long term loans granted by residents to non-residents with the same objective, may be submitted to prior authorization up to 30 June 1989. This authorization shall be granted if at least 25 % of the investment concerned is financed by borrowing in foreign currency.
Investments in real estate	Investments in real estate abroad made by residents may be subject to prior authorization. This shall be granted to residents emigrating under the heading of the free movement of employed and self-employed persons in respect of investments related to their installation or establishment.
Operations in securities	<p>The acquisition by residents of foreign securities, or of domestic securities issued on a foreign market, may be prohibited or made subject to prior authorization. However:</p> <ul style="list-style-type: none">— residents shall be authorized to acquire securities issued by the Communities and by the European Investment Bank up to the limit of a global annual amount of 50 million on ECU,— resident collective investment undertakings shall be authorized to invest in foreign securities up to 20 % of their net assets, in the case of unit trust funds and 20 % of their paid-up capital in the case of investment companies.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 22 November 1988.

For the Commission

The President

Jacques DELORS