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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1171/87 of 28 April 1987 on the conclusion of the Agreement amending for the second time the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau** 1
- Agreement amending for the second time the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau** 3
- Protocol establishing rights and financial compensation for the period from 16 June 1986 to 15 June 1989** 10
- ★ **Council Regulation (EEC) No 1172/87 of 28 April 1987 allocating additional catch quotas among Member States for vessels fishing in Swedish waters . . .** 11
- ★ **Council Regulation (EEC) No 1173/87 of 28 April 1987 amending Regulation (EEC) No 1417/78 on the aid system for dried fodder** 13
- Commission Regulation (EEC) No 1174/87 of 29 April 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal** 14
- Commission Regulation (EEC) No 1175/87 of 29 April 1987 fixing the premiums to be added to the import levies on cereals, flour and malt** 16
- ★ **Commission Regulation (EEC) No 1176/87 of 28 April 1987 establishing unit values for the determination of the customs value of certain perishable goods** 18
- Commission Regulation (EEC) No 1177/87 of 29 April 1987 fixing the export refunds on white sugar and raw sugar exported in the natural state** 21
- Commission Regulation (EEC) No 1178/87 of 29 April 1987 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5** 23

Contents (continued)

Commission Regulation (EEC) No 1179/87 of 29 April 1987 on the issue of import licences on 30 April 1987 for sheepmeat and goatmeat products originating in certain non-member countries	26
★ Commission Regulation (EEC) No 1180/87 of 29 April 1987 amending Regulation (EEC) No 2730/79 laying down common detailed rules for the application of the system of export refunds on agricultural products	27
★ Commission Regulation (EEC) No 1181/87 of 29 April 1987 amending Regulation (EEC) No 2220/85 laying down common detailed rules for the application of the system of securities for agricultural products	31
Commission Regulation (EEC) No 1182/87 of 29 April 1987 fixing the import levies on products processed from cereals and rice	33
Commission Regulation (EEC) No 1183/87 of 29 April 1987 fixing the import levies on compound feedingstuffs	37
Commission Regulation (EEC) No 1184/87 of 29 April 1987 fixing the import levies on rice and broken rice	40
Commission Regulation (EEC) No 1185/87 of 29 April 1987 fixing the premiums to be added to the import levies on rice and broken rice	42
Commission Regulation (EEC) No 1186/87 of 29 April 1987 introducing a countervailing charge on tomatoes originating in the Canary Islands	44
Commission Regulation (EEC) No 1187/87 of 29 April 1987 introducing a countervailing charge on fresh lemons originating in Cyprus	46
Commission Regulation (EEC) No 1188/87 of 29 April 1987 amending for the second time Regulation (EEC) No 1082/87 introducing a countervailing charge on aubergines originating in Spain (except the Canary Islands)	47
Commission Regulation (EEC) No 1189/87 of 29 April 1987 amending Regulation (EEC) No 1099/87 introducing a countervailing charge on tomatoes originating in Spain (except the Canary Islands)	48
Commission Regulation (EEC) No 1190/87 of 29 April 1987 fixing the import levy on molasses	49
Commission Regulation (EEC) No 1191/87 of 29 April 1987 fixing the maximum export refund for white sugar for the 46th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86	50
Commission Regulation (EEC) No 1192/87 of 29 April 1987 fixing the import levies on white sugar and raw sugar	51
★ Commission Regulation (EEC) No 1193/87 of 29 April 1987 fixing the monetary coefficient applicable on imports of dried grapes	52

(Continued on inside back cover)

Commission**87/246/EEC :**

Commission Decision of 10 April 1987 fixing maximum amounts for contracts awarded under the tendering procedure opened by Regulation (EEC) No 697/87 on the supply of one lot of skimmed-milk powder as food aid 53

87/247/EEC :

Commission Decision of 10 April 1987 fixing maximum amounts for contracts awarded under the tendering procedure opened by Regulation (EEC) No 840/87 on the supply of various lots of skimmed-milk powder as food aid 54

87/248/EEC :

Commission Decision of 10 April 1987 fixing maximum amounts for contracts awarded under the tendering procedure opened by Regulation (EEC) No 839/87 on the supply of various lots of butteroil as food aid 55

87/249/EEC :

Commission Decision of 14 April 1987 on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe 56

87/250/EEC :

★ **Commission Directive of 15 April 1987 on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer 57**

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1171/87

of 28 April 1987

on the conclusion of the Agreement amending for the second time the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) and Article 167 (3) thereof,

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

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

Whereas, pursuant to the second paragraph of Article 17 of the Agreement on fishing off the coast of Guinea-Bissau ⁽³⁾, the Community and the Republic of Guinea-Bissau conducted negotiations to determine the amendments or additions to be made to that Agreement at the end of the second three-year period of application;

Whereas, as a result of these negotiations, an Agreement amending for the second time of Agreement on fishing was initialled on 22 May 1986;

Whereas, under the terms of Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas it is in the Community's interest to approve the said Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement amending for the second time the Agreement between the European Economic Community and

the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, insofar as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fisheries resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the competent authorities at local level ('registros de base') in the Canary Islands, under the conditions defined in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽⁴⁾.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and shall give the notification provided for in Article 2 of the Agreement ⁽⁵⁾.

Article 4

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

⁽¹⁾ OJ No C 197, 6. 8. 1986, p. 12.

⁽²⁾ OJ No C 283, 10. 11. 1986, p. 104.

⁽³⁾ OJ No L 226, 29. 8. 1980, p. 34.

⁽⁴⁾ OJ No L 56, 1. 3. 1986, p. 1.

⁽⁵⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

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

Done at Luxembourg, 28 April 1987.

For the Council

The President

P. DE KEERSMAEKER

AGREEMENT

amending for the second time the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

Article 1

The Annex referred to in Article 5 and the Protocol referred to in Article 9 of the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau, signed on 27 February 1980, shall be replaced by the texts annexed to this Agreement.

The Agreement in the form of Exchanges of Letters No 1 and No 2, signed on 27 February 1980 and referring to the Agreement on fishing mentioned in the preceding paragraph, shall be repealed.

Article 2

This Agreement, drawn up in duplicate in the Spanish, Danish, German, Greek, English, French, Italian, Dutch and Portuguese languages, each of these texts being equally authentic, shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose. It shall be applicable from 16 June 1986 to 15 June 1989.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN GUINEA-BISSAU'S FISHING ZONE BY VESSELS FLYING THE FLAGS OF MEMBER STATES OF THE COMMUNITY**A. Licence application and issuing formalities**

The procedure for applications for, and issue of, the licences enabling vessels flying the flags of the Member States of the Community to fish in Guinea-Bissau's fishing zone shall be as follows:

The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea-Bissau, via the Delegation of the Commission in Guinea-Bissau, an application for each vessel that wishes to fish under this Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Guinea-Bissau, a specimen of which is annexed hereto.

Each licence application shall be accompanied by proof of payment for the period of the licence's validity.

By way of derogation from Article 4 (3) of the Agreement, licences shall be valid for quarterly, half-yearly or annual periods.

Licences must be held on board at all times.

1. Provisions applicable to trawlers**a) The fees for annual licences shall be set as follows:**

- 100 ECU/GRT per year for fin fish trawlers;
- 116 ECU/GRT per year for cephalopod trawlers;
- 133 ECU/GRT per year for shrimp trawlers.

Vessels shall be required to put in at the port of Bissau for the issuing of the licence.

b) By way of derogation from Article 5 (2) of the Agreement, the annual fees may, at the shipowner's request, be paid quarterly or half-yearly, in which case they shall be increased respectively by 5 % and 3 %.

Applications shall be accompanied by proof of a banker's guarantee held at the Banque Nationale de Paris in favour of the BNGB/Office of the Secretary of State for Fisheries covering an amount equal to the fee due for the period not covered by the payment, which shall be forfeited to the Guinea-Bissau authorities if the licence is not used.

c) The fees for half-yearly licences shall be set as follows:

- 57,5 ECU/GRT per half year for fin fish trawlers;
- 66,5 ECU/GRT per half year for cephalopod trawlers;
- 76,5 ECU/GRT per half year for shrimp trawlers.

The fees for quarterly licences shall be set as follows:

- 30 ECU/GRT per quarter for fin fish trawlers;
- 35 ECU/GRT per quarter for cephalopod trawlers;
- 40 ECU/GRT per quarter for shrimp trawlers.

d) Trawlers authorized to fish in the Guinea-Bissau fishing zone shall make a contribution to fish supplies for the local population by landing each quarter:

- fin fish trawlers: 20 kg of fish/GRT,
- cephalopod trawlers: 16 kg of fish/GRT,
- shrimp trawlers: 14 kg of fish/GRT,

at a price set by the Office of the Secretary of State for Fisheries by mutual agreement with the shipowner on the basis of equivalent prices for that quality fish at the Dakar and Conakry markets and in consultation with the Delegation of the Commission of the European Communities at Bissau.

Should the licence be renewed, the fee may be accordingly reduced in relation to the value of the fish landed.

Landings may be made individually or collectively.

Any failure to comply with the obligation to land catches shall render the offender liable to the following sanctions on the part of the Guinea-Bissau authorities :

- fine of 1 000 ECU per tonne not landed, and
- withdrawal and non-renewal of the licence of the vessel concerned or another vessel belonging to the same shipowner.

e) By-catch

Cephalopod and fin fish trawlers may not take more than 5 tonnes of shrimps per year per vessel as by-catch.

In the case of by-catches exceeding this limit, shipowners shall be required to pay to the Office of the Secretary of State for Fisheries a sum equal to 50 % of their commercial value at a price fixed according to the procedure set out in d).

Provisions on by-catches of other crustaceans may be adopted at the next meeting of the Joint Committee.

2. *Provisions applicable to tuna vessels and longliners*

- a) The fees shall be set at 20 ECU per tonne caught within Guinea-Bissau's fishing zone.
- b) Applications for licences for tuna vessels and longliners shall be issued following payment to the Office of the Secretary of State of an overall lump sum of 35 000 ECU equivalent to the fees for :
 - 1 600 tonnes of tuna caught per year in the case of seiners,
 - 100 tonnes of tuna caught per year in the case of pole-and-line vessels,
 - 50 tonnes of swordfish caught per year in the case of longliners.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the Guinea-Bissau authorities and the Commission departments responsible. The corresponding amount shall be paid by shipowners to the Office of the Secretary of State for Fisheries no later than 31 March of the following year.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by a specialist scientific body in the region. The final statement shall be communicated to the Guinea-Bissau authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

- c) The competent authorities of Guinea-Bissau shall examine each application for a licence in order to ensure that it complies with the provisions of the Agreement and with the laws of Guinea-Bissau.

The competent Guinea-Bissau authorities shall inform the Community authorities of their decisions.

- d) Should there be any difficulties or additional information needed when applications are examined and licences issued, consultations shall be held between the representatives of the Contracting Parties, in particular through the Office of the Secretary of State for Fisheries and the Delegation of the Commission of the European Communities in Guinea-Bissau.

B. Statement of catch

- 1. All vessels authorized to fish in Guinea-Bissau's waters under the Agreement shall be obliged to forward to the Office of the Secretary of State for Fisheries a statement of their catch made out according to the specimen annexed hereto.

Such statement of catch must be drawn up for each month and presented at least once every quarter.

Should this provision not be adhered to, the Government of Guinea-Bissau reserves the right to suspend the licence of the offending vessel until the formality has been complied with.

- 2. Any Community vessel fishing in Guinea-Bissau's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Guinea-Bissau responsible for inspection and monitoring.

C. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the Community shall make it easier for nationals of Guinea-Bissau to find places in establishments in its Member States and shall provide for that purpose, during the period from 16 June 1986 to 15 June 1989, sixteen study and training grants of a maximum duration of five years in the various scientific, technical and economic subjects connected with fisheries. The equivalent of one of these grants of five years will be converted to cover the costs of participation in international meetings in the fisheries sector.

D. Signing on of seamen

Shipowners who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Guinea-Bissau nationals subject to the conditions and limits set out below:

1. Each trawler owner shall undertake to employ:
 - one fisherman on vessels of less than 200 GRT,
 - two fishermen on vessels of between 200 and 300 GRT,
 - three fishermen on vessels of more than 300 GRT,and apply the salary scales applicable in Guinea-Bissau.
2. Owners of tuna vessels and longliners shall undertake to employ Guinea-Bissau nationals either on board their vessels or in appropriate posts on land, to have been approved by the Guinea-Bissau authorities. The number of those to be employed and the duration of employment shall be decided on a general basis taking into account the scale of these vessels' activities in Guinea-Bissau's fishing zone and the employment of other nationals of countries in whose fishing zones the said vessels fish.
3. The employment contracts of the fishermen shall be drawn up in Bissau between the shipowner's representative and the fisherman in agreement with the Office of the Secretary of State for Fisheries. These contracts shall cover the social security arrangements applicable to the fishermen (including life, accident and sickness insurance).

E. Taking on board of observers

Each trawler shall take on board an observer designated by the Office of the Secretary of State for Fisheries. The skipper shall assist the observer in the accomplishment of his duties and the observer shall be accorded the conditions enjoyed by officers of that vessel. The salary and the social contributions of the observer shall be borne by the Government of Guinea-Bissau.

REPUBLIC OF GUINEA-BISSAU

OFFICE OF THE SECRETARY OF STATE FOR
FISHERIES

APPLICATION FOR A FISHING LICENCE ⁽¹⁾

1. Valid from : to :
2. Name of vessel :
3. Name of shipowner :
4. Port and registration number :
5. Type of fishing :
6. Authorized mesh size :
7. Length of vessel :
8. Width of vessel :
9. Gross registered tonnage :
10. Hold capacity :
11. Engine rating :
12. Type of construction :
13. Usual number of seamen aboard :
14. Radio/electrical equipment :
15. Master's name :

The above information is the sole responsibility of the shipowner or his representative.

Date of application :

⁽¹⁾ The original application form is issued in French and Portuguese only.

INSTRUCTIONS FOR FILLING IN THE LOG-BOOK

Each ship's master shall be responsible for the information supplied every month to the Office of the Secretary of State for Fisheries. He shall fill in this log-book in a spirit of frank cooperation.

The following information is requested :

1. Month : Year :
2. Name of vessel :
Nationality (flag) :
3. Engine rating in HP :
Gross registered tonnage (GRT) :
4. Fishing method (gear) :
Port of landing :

The statistical table of catches and fishing activity is divided into two parts :

The first part shows the daily fishing activity (each horizontal line corresponds to a day's activity). The first page should be used for the first half of the month and the second page for the last half.

The master should indicate the fishing zone by noting the latitude and longitude. He should note the number of times the net is thrown per day. He should give the total number of fishing hours for each day.

The second part of the log is for information on catches, in kilograms or in tonnes. It should be clearly stated whether the figure is in kilograms or tonnes. There are seven columns, one for each species. Only the six most important species fished should be entered in the log. The column before the total (headed 'other') should be reserved for the sum of all other species fished.

The monthly logs, once filled in, should be sent every month to the Office of the Secretary of State for Fisheries for those vessels landing their catches in Bissau. For other vessels, the monthly logs should be sent, duly filled in, to the Office of the Secretary of State for Fisheries every three months.

PROTOCOL

establishing rights and financial compensation for the period from 16 June 1986 to 15 June 1989

Article 1

For a period of three years from 16 June 1986 the limits referred to in Article 4 of the Agreement shall be as follows :

1. Trawlers : 11 000 GRT per month, annual average
2. 45 freezer tuna seiners : 900 GRT on average
3. 25 wet pole-and-line tuna vessels : 130 GRT on average
4. 6 longliners : 160 GRT on average

Article 2

The financial compensation referred to in Article 9 of the Agreement shall be, for the period referred to in Article 1 of this Protocol, 7 500 000 ECU, payable in three annual instalments.

Article 3

The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Guinea-Bissau.

The compensation shall be paid into the account of the 'Office of the Secretary of State for Fisheries'.

Article 4

At the request of the Community, the fishing rights referred to in Article 1 (1) may be increased by successive instalments of 1 000 GRT a month on annual average. In this case, the financial compensation referred to in Article 2 shall be increased proportionately *pro rata temporis*.

Article 5

The Community shall also contribute a sum of 400 000 ECU towards the financing of a Guinea-Bissau scientific programme to ensure the operation of a marine biology laboratory and improve information on the fishery resources within the exclusive economic zone of Guinea-Bissau.

This sum shall be made available to the Office of the Secretary of State for Fisheries.

The competent Guinea-Bissau authorities shall send to the Commission of the European Communities a brief report on the utilization of the funds.

Article 6

Should the Community fail to make the payments provided for in this Protocol, the Agreement on fishing shall be suspended.

COUNCIL REGULATION (EEC) No 1172/87

of 28 April 1987

allocating additional catch quotas among Member States for vessels fishing in Swedish waters

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, as amended by the Act of Accession of Spain and Portugal ⁽²⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Community and the Kingdom of Sweden have initialled an agreement on their mutual fishing rights for 1987 which provides *inter alia* for the allocation of certain catch quotas for Community vessels in Swedish waters; whereas those catch quotas were allocated by Regulation (EEC) No 4036/86 ⁽³⁾;

Whereas, in order to take account of the accession of Spain and Portugal to the Community, the Community and the Kingdom of Sweden have *inter alia* concluded an Agreement in the form of an Exchange of Letters concerning agriculture and fisheries ⁽⁴⁾; whereas, under that Agreement, the Kingdom of Sweden undertook in particular to grant the Community catch quotas for cod and herring in the Swedish fishing zone in the Baltic Sea, in addition to the fishing possibilities agreed annually under the Agreement on fisheries between the Community and the Kingdom of Sweden;

Whereas the Government of Sweden, by notification dated 20 January 1987, informed the Community of the supplementary catch quotas for 1987;

Whereas, under Article 3 of Regulation (EEC) No 170/83, it is for the Council to lay down in particular the specific conditions for taking those catches; whereas, under Article 4 of the said Regulation, the quantity available to the Community is to be distributed among the Member States;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities ⁽⁵⁾, as last amended by Regulation (EEC) No 4027/86 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the flag of a Member State shall be authorized in 1987 to take catches within the quotas set out in the Annex in waters falling within the fisheries jurisdiction of Sweden, without prejudice to catches already authorized for the same period by Regulation (EEC) No 4036/86.

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 until 31 December 1987.

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

Done at Luxembourg, 28 April 1987.

For the Council

The President

P. DE KEERSMAEKER

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 302, 15. 11. 1985, p. 1.

⁽³⁾ OJ No L 376, 31. 12. 1986, p. 83.

⁽⁴⁾ OJ No L 328, 22. 11. 1986, p. 90.

⁽⁵⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 376, 31. 12. 1986, p. 4.

*ANNEX***Quantities referred to in Article 1 for 1987**

<i>(tonnes)</i>			
Species	ICES division	Quotas	Allocations
Cod	III d	2 500	Denmark 1 830
			Germany 670
Herring	III d	1 500	Denmark 855
			Germany 645

COUNCIL REGULATION (EEC) No 1173/87**of 28 April 1987****amending Regulation (EEC) No 1417/78 on the aid system for dried fodder**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1985/86⁽²⁾, and in particular Article 6 (2) thereof,

Whereas, pursuant to Article 6 (1) of Regulation (EEC) No 1117/78, from 1 May 1987 undertakings which process fodder may draw their supplies from middlemen who have concluded contracts with producers; whereas the general rules of the aid scheme for dried fodder laid down in Regulation (EEC) No 1417/78⁽³⁾, as last amended by Regulation (EEC) No 943/87⁽⁴⁾, should therefore be amended accordingly by rewording Article 7 and by specifying the safeguards which the middlemen in question must provide,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1417/78 is hereby amended as follows:

1. Article 7 is replaced by the following:

'Article 7

1. Where contracts with producers of fodder for drying, as referred to in Article 6 (1) (c) of Regulation (EEC) No 1117/78, are for the purchase of the

products by a processing plant or, where appropriate, an approved buyer within the meaning of Article 8a, they shall include at least:

- the price to be paid to the producer for the green fodder or, where appropriate, sun-dried fodder,
- the area the crop of which is to be delivered, and
- the conditions of supply and payment.

2. Where the contracts referred to in the first indent of Article 6 (1) (c) of Regulation (EEC) No 1117/78 are special-order contracts for the processing of fodder supplied by the producer, they shall specify at least the area the crop of which is to be delivered and include a clause obliging the processing plant to pay the producer the amount of the aid specified in Articles 3 and 5 of Regulation (EEC) No 1117/78 which it receives for the quantities processed in discharge of the contracts.'

2. The following Article is inserted:

'Article 8a

The natural or legal persons specified in the third indent of Article 6 (1) (c) of Regulation (EEC) No 1117/78, from whom the processing plants may draw their supplies, shall be buyers approved, as specified for in Article 12 of Regulation (EEC) No 1117/78, by the competent body of the Member State in which the fodder is harvested.

The said approved buyers shall keep daily records of the quantities of fodder purchased from each producer and sold to each processing plant.'

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Luxembourg, 28 April 1987.

For the Council

The President

P. DE KEERSMAEKER

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 171, 28. 6. 1986, p. 4.

⁽³⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1174/87

of 29 April 1987

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) No 1579/86 ⁽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 amended by Regulation (EEC) No 910/87 ⁽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 135/87 ⁽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 28 April 1987 ;

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 135/87 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 88, 31. 3. 1987, p. 42.⁽⁵⁾ OJ No L 17, 20. 1. 1987, p. 1.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	14,16	199,63
10.01 B II	Durum wheat	49,60	260,78 ⁽¹⁾ ⁽²⁾
10.02	Rye	43,23	182,99 ⁽⁶⁾
10.03	Barley	41,50	193,96
10.04	Oats	99,79	153,98
10.05 B	Maize, other than hybrid maize for sowing	2,43	182,37 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	41,50	128,86
10.07 B	Millet	41,50	151,67 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	27,41	190,82 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	41,50	69,36 ⁽⁵⁾
11.01 A	Wheat or meslin flour	35,25	294,91
11.01 B	Rye flour	75,95	271,61
11.02 A I a)	Durum wheat groats and meal	90,63	417,17
11.02 A I b)	Common wheat groats and meal	35,41	315,84

⁽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 10.07 D I (triticale).

⁽⁸⁾ The levy referred to in Article 1 of Council Regulation (EEC) No 2913/86 shall be fixed on the basis of an invitation to tender in accordance with Commission Regulation (EEC) No 3140/86.

COMMISSION REGULATION (EEC) No 1175/87

of 29 April 1987

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 1579/86 ⁽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 amended by Regulation (EEC) No 910/87 ⁽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 2011/86 ⁽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 28 April 1987;

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 originating in 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 originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 88, 31. 3. 1987, p. 42.
⁽⁵⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1176/87**of 28 April 1987****establishing unit values for the determination of the customs value of certain perishable goods**

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 Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3502/85 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 28 April 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 335, 13. 12. 1985, p. 9.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	07.01-13 07.01-15	07.01 A II	New potatoes	36,34	1 565	284,42	75,51	251,60	5 583	28,24	53 884	85,17	25,50
1.12	ex 07.01-21 ex 07.01-22	ex 07.01 B I	Broccoli	123,72	5 330	968,36	257,10	856,62	19 010	96,17	183 459	289,97	86,82
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	41,22	1 772	322,69	85,59	285,00	6 316	32,06	61 054	96,57	29,13
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	81,29	3 502	636,28	168,93	562,86	12 491	63,19	120 546	190,53	57,05
1.20	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	70,40	3 033	551,05	146,30	487,46	10 818	54,73	104 398	165,01	49,41
1.22	ex 07.01-36	ex 07.01 D II	Endives	40,67	1 748	318,40	84,46	281,22	6 232	31,63	60 243	95,28	28,74
1.28	07.01-41 07.01-43	07.01 F I	Peas	113,38	4 885	887,45	235,62	785,04	17 422	88,14	168 130	265,75	79,57
1.30	07.01-45 07.01-47	07.01 F II	Beans (of the species Phaseolus)	121,59	5 238	951,67	252,67	841,85	18 682	94,52	180 297	284,98	85,33
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	30,82	1 328	241,26	64,05	213,42	4 736	23,96	45 709	72,24	21,63
1.40	ex 07.01-54	ex 07.01 G II	Carrots	28,27	1 218	221,28	58,75	195,74	4 344	21,97	41 922	66,26	19,84
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	77,43	3 336	606,02	160,90	536,09	11 897	60,19	114 812	181,47	54,33
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	27,52	1 185	215,40	57,19	190,55	4 228	21,39	40 809	64,50	19,31
1.70	07.01-67	ex 07.01 H	Garlic	258,07	11 119	2 019,87	536,29	1 786,78	39 652	200,61	382 668	604,85	181,11
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	30,12	1 297	235,77	62,60	208,56	4 628	23,41	44 668	70,60	21,14
1.80		07.01 K	Asparagus :										
1.80.1	ex 07.01-71		— green	274,48	11 826	2 148,30	570,39	1 900,39	42 174	213,37	407 000	643,31	192,63
1.80.2	ex 07.01-71		— other	255,43	11 004	1 999,15	530,79	1 768,46	39 246	198,55	378 744	598,65	179,25
1.90	07.01-73	07.01 L	Artichokes	62,08	2 674	485,87	129,00	429,81	9 538	48,25	92 050	145,49	43,56
1.100	07.01-75 07.01-77	07.01 M	Tomatoes	99,68	4 294	780,19	207,14	690,16	15 316	77,48	147 808	233,62	69,95
1.110	07.01-81 07.01-82	07.01 P I	Cucumbers	85,46	3 682	668,90	177,60	591,71	13 131	66,43	126 725	200,30	59,97
1.112	07.01-85	07.01 Q II	Chantarelles	980,32	41 938	7 660,46	2 022,11	6 757,62	146 689	760,37	1 437 668	2 279,32	724,02
1.118	07.01-91	07.01 R	Fennel	31,34	1 350	245,33	65,13	217,02	4 816	24,36	46 478	73,46	21,99
1.120	07.01-93	07.01 S	Sweet peppers	155,74	6 710	1 218,94	323,63	1 078,28	23 929	121,06	230 930	365,01	109,29
1.130	07.01-97	07.01 T II	Aubergines	74,70	3 218	584,65	155,23	517,19	11 477	58,06	110 764	175,07	52,42
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	62,15	2 677	486,48	129,16	430,34	9 550	48,31	92 164	145,67	43,62
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	42,14	1 815	329,82	87,57	291,76	6 474	32,75	62 486	98,76	29,57
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	74,60	3 185	582,47	153,85	512,38	11 235	57,94	109 532	173,25	55,53
2.10	08.01-31	ex 08.01 B	Bananas, fresh	51,15	2 204	400,39	106,30	354,18	7 860	39,76	75 854	119,89	35,90
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	58,29	2 511	456,22	121,13	403,57	8 956	45,31	86 431	136,61	40,90
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	102,34	4 409	801,02	212,67	708,58	15 725	79,55	151 755	239,86	71,82
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	172,79	7 444	1 352,38	359,06	1 196,32	26 549	134,32	256 212	404,97	121,26
2.50		08.02 A I	Sweet oranges, fresh :										
2.50.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	49,61	2 137	388,31	103,10	343,50	7 623	38,56	73 567	116,28	34,81

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Máltese, Shamoutis, Ovalis, Trovita and Hamlins	39,73	1 712	311,00	82,57	275,11	6 105	30,88	58 920	93,13	27,88
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	38,59	1 651	301,62	79,61	266,07	5 775	29,93	56 607	89,74	28,50
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :										
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	45,80	1 969	358,52	95,10	316,65	7 018	35,62	67 834	107,29	32,37
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	40,78	1 756	319,17	84,74	282,34	6 265	31,70	60 468	95,57	28,61
2.60.3	08.02-28	08.02 B I	— Clementines	54,64	2 354	427,66	113,54	378,31	8 395	42,47	81 021	128,06	38,34
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	57,03	2 457	446,38	118,51	394,87	8 763	44,33	84 567	133,66	40,02
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	36,88	1 589	288,71	76,65	255,39	5 667	28,67	54 696	86,45	25,88
2.80		ex 08.02 D	Grapefruit, fresh :										
2.80.1	ex 08.02-70		— white	36,27	1 562	283,91	75,38	251,15	5 573	28,19	53 788	85,01	25,45
2.80.2	ex 08.02-70		— pink	57,14	2 461	447,23	118,74	395,62	8 779	44,42	84 730	133,92	40,10
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	150,41	6 480	1 177,23	312,56	1 041,38	23 110	116,92	223 028	352,52	105,55
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	114,03	4 913	892,53	236,97	789,54	17 521	88,64	169 092	267,27	80,03
2.95	08.05-50	08.05 C	Chestnuts	101,92	4 360	796,49	210,24	702,62	15 251	79,05	149 480	236,99	75,27
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	61,48	2 649	481,24	127,77	425,70	9 447	47,79	91 171	144,10	43,15
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	67,48	2 907	528,15	140,23	467,21	10 368	52,45	100 060	158,15	47,35
2.120	08.07-10	08.07 A	Apricots	137,46	5 882	1 072,14	284,11	945,48	20 833	106,72	202 051	321,03	100,59
2.130	ex 08.07-32	ex 08.07 B	Peaches	177,21	7 618	1 386,17	367,91	1 224,22	27 001	137,71	262 089	415,29	125,66
2.140	ex 08.07-32	ex 08.07 B	Nectarines	171,96	7 393	1 346,15	357,08	1 188,95	26 351	133,74	254 697	402,86	121,54
2.150	08.07-51 08.07-55	08.07 C	Cherries	88,56	3 788	692,07	182,68	610,50	13 252	68,69	129 883	205,92	65,41
2.160	08.07-71 08.07-75	08.07 D	Plums	77,32	3 324	605,31	160,56	534,62	11 849	60,14	114 526	181,15	54,65
2.170	08.08-11 08.08-15	08.08 A	Strawberries	179,02	7 713	1 401,17	372,02	1 239,48	27 507	139,16	265 456	419,58	125,63
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	131,10	5 608	1 024,49	270,43	903,74	19 617	101,69	192 269	304,83	96,82
2.180	08.09-11	ex 08.09	Water melons	51,22	2 206	400,90	106,44	354,64	7 870	39,81	75 952	120,05	35,94
2.190		ex 08.09	Melons (other than water melons) :										
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	104,90	4 519	821,04	217,99	726,29	16 118	81,54	155 548	245,86	73,61
2.190.2	ex 08.09-19		— other	153,74	6 623	1 203,27	319,47	1 064,42	23 621	119,51	227 962	360,32	107,89
2.195	ex 08.09-80	ex 08.09	Pomegranates	47,87	2 048	374,10	98,75	330,01	7 163	37,13	70 209	111,31	35,35
2.200	08.09-50	ex 08.09	Kiwis	243,55	10 493	1 906,24	506,12	1 686,26	37 422	189,33	361 141	570,82	170,92
2.202	ex 08.09-80	ex 08.09	Khakis	182,19	7 849	1 425,93	378,59	1 261,39	27 993	141,62	270 146	427,00	127,85
2.203	ex 08.09-80	ex 08.09	Lychees	255,87	10 997	1 998,23	531,12	1 767,36	38 873	198,85	377 418	599,90	181,98

COMMISSION REGULATION (EEC) No 1177/87

of 29 April 1987

fixing the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 ⁽⁴⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore,

this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 ⁽⁸⁾,
- 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 the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the 1 May

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 29 April 1987 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	43,77	
	(b) Other	44,77	
	(II) Flavoured or coloured sugar		0,4377
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	40,26 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4377
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	39,00 ⁽¹⁾	
	(d) Other raw sugar	⁽²⁾	

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

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

COMMISSION REGULATION (EEC) No 1178/87

of 29 April 1987

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 794/87 ⁽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 1860/86 ⁽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 6 April 1987, 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 Commission;

Whereas it follows from the application of the rules laid down in Article 9 (1) of Regulation (EEC) No 1837/80

and in Article 4 (1), (3) and (4) of Regulation (EEC) No 1633/84 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving region 5 of the aforesaid Member State during the week beginning 6 April 1987, shall be set out in the Annexes hereto,

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 6 April 1987 the level of the premium shall be equivalent to the amount fixed in Annex I.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80 which left the territory of region 5 during the week beginning 6 April 1987, the amounts to be charged shall be equivalent to those fixed in Annex II 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 6 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 6 April 1987

Description	Premium
Certified sheep or sheepmeat	7,302 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
6 April 1987

(ECU/100 kg)

CCT heading No	Description	Amounts		
		A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified at the second, third and fourth indents of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (1)	C. Products specified at the first indent of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (1)
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight	Live weight	Live weight
		3,432	1,716	0,343
		Net weight	Net weight	Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :			
	1. Carcases or half-carcases	7,302	3,651	0,730
	2. Short forequarters	5,111		
	3. Chines and/or best ends	8,032		
	4. Legs	9,493		
	5. Other :			
02.01 A IV b)	aa) Unboned (bone-in)	9,493		
	bb) Boned or boneless	13,290		
	Meat of sheep or goats, frozen :			
	1. Carcases or half-carcases	5,477		
	2. Short forequarters	3,834		
	3. Chines and/or best ends	6,025		
02.06 C II a)	4. Legs	7,120		
	5. Other :			
	aa) Unboned (bone-in)	7,120		
	bb) Boned or boneless	9,968		
	Meat of sheep or goats, salted in brine, dried or smoked :			
	1. Unboned (bone-in)	9,493		
ex 16.02 B III b) 2 aa) 11)	2. Boned or boneless	13,290		
	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :			
	— unboned (bone-in)	9,493		
	— boned or boneless	13,290		

(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.

COMMISSION REGULATION (EEC) No 1179/87

of 29 April 1987

on the issue of import licences on 30 April 1987 for sheepmeat and goatmeat products originating in certain non-member countries

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

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 794/87 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector as from 1986 ⁽³⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3653/85 ⁽⁴⁾ laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3643/85; whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3653/85, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the second quarter of 1987;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3653/85, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence applications have been lodged do not exceed the quantities provided for in Regulation (EEC) No 3653/85,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, on 30 April 1987, issue the import licences provided for in Regulation (EEC) No 3653/85 and applied for from 1 to 10 April 1987, subject to the following conditions:

- (a) for products falling within subheading 02.01 A IV a) of the Common Customs Tariff, the quantities applied for, originating in other non-member countries, shall be granted in full;
- (b) for products falling within subheading 02.01 A IV b) of the Common Customs Tariff, the quantities applied for, originating:
 - in Chile, shall be granted in full,
 - in other non-member countries, shall be granted in full;
- (c) for products falling within subheading 01.04 B of the Common Customs Tariff, the quantities applied for, originating in other non-member countries, shall be reduced by 75 %.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 348, 24. 12. 1985, p. 2.

⁽⁴⁾ OJ No L 348, 24. 12. 1985, p. 21.

COMMISSION REGULATION (EEC) No 1180/87

of 29 April 1987

amending Regulation (EEC) No 2730/79 laying down common detailed rules for the application of the system of export refunds on agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 16 (6) thereof, and to the corresponding provisions of the other Regulations on the common organization of markets in agricultural products,

Whereas Commission Regulation (EEC) No 2730/79⁽³⁾, as last amended by Regulation (EEC) No 3903/86⁽⁴⁾, contains provisions concerning ship and aircraft supplies ;

Whereas the agricultural products used in supplying ship and aircraft in non-member countries are eligible only for the lowest refund applicable to such products ; whereas, in the case of certain products, the lowest refund is equivalent to no refund being fixed ;

Whereas it is desirable that agricultural products used in supplying ships and aircraft should qualify for an identical refund whether they are taken on board a ship or an aircraft within the Community or outside it ;

Whereas deliveries of such supplies in non-member countries may be direct or indirect ; whereas methods of supervision appropriate to each type of delivery should be introduced ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2730/79 is hereby amended as follows :

1. The following Article 19c is inserted :

Article 19c

1. For the purposes of establishing the level of refund to be granted, supplies for victualling outside

the Community shall be considered as supplies under Article 5 (1) (a).

2. The provisions of paragraph 1 shall apply where evidence is furnished pursuant to paragraph 3 that the goods actually delivered on board are the same as those that left the geographical territory of the Community for that purpose.

3. (a) Evidence of direct delivery on board for victualling shall be furnished by a customs document or a document certified by the customs authorities of the third country where delivery on board took place ; this document may be drawn up in accordance with the model set out in Annex IV.

For the application of this Article, direct delivery is considered to be the delivery of a container or an undivided lot of products taken on board a vessel.

(b) Where the exported goods are not delivered direct and are placed under customs supervision in the third country of destination before delivery on board for victualling, evidence of such delivery on board shall be furnished by the following documents :

— a customs document, or document certified by the customs authorities of the third country, showing that the products have entered a victualling warehouse and that they will be used solely for victualling. This document may be drawn up in accordance with the model set out in Annex IV ; and

— a customs document, or document certified by the customs authorities of the third country where delivery took place, showing that the goods have been delivered on board. This document may be drawn up in accordance with the model set out in Annex IV.

(c) Where the documents referred to in (a) or the second indent of (b) cannot be produced, the Member State may accept evidence furnished in the form of an acceptance certificate signed by the captain of the vessel or by another officer on duty and bearing the vessel's stamp.

Where the documents referred to in the second indent of (b) cannot be produced, the Member State may accept evidence furnished in the form of an acceptance certificate signed by an employee of the airline and bearing the airline's stamp.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 364, 23. 12. 1986, p. 13.

- (d) The abovementioned documents may not be accepted by the Member States unless they provide full details of the products delivered on board, and state the date of delivery, the name and country of registration of the vessel or the registration number of the aircraft. In order to ensure that the quantities delivered for victualling correspond to the normal needs of the crew members and passengers of the vessel or aircraft in question, Member States may require additional information or documents to be provided.
4. In all cases, a copy or photocopy of the transport document and the document providing evidence of payment for the products intended for victualling must be submitted in support of the request for payment.
5. Products or goods placed under the arrangements laid down in Article 26 may not be used for deliveries pursuant to paragraph 3 (b),
6. Article 23 shall apply *mutatis mutandis*.
7. Member States shall inform the Commission during the third month of each six-month period of the quantities of each product to which this Article has been applied during the previous six months, and of the amounts paid in the cases referred to in paragraph 3 (b). The Commission shall in turn inform the other Member States.'
2. The Annex to this Regulation is added as Annex IV.

Article 2

This Regulation shall enter into force on 1 July 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

(¹) Kilogram, etc. (translation).
(²) Delete as appropriate (translation).

COMMISSION REGULATION (EEC) No 1181/87

of 29 April 1987

amending Regulation (EEC) No 2220/85 laying down common detailed rules for the application of the system of securities for agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Articles 7 (5), 8 (4), 12 (2), 15 (3) and (5), and 16 (6) thereof, and the corresponding provisions of the other Regulations on the common organization of the market in respect of agricultural products, and also to other provisions in the Regulations on the common organization of markets which, when applied in practice, provide for a security,

Having regard to Council Regulation (EEC) No 525/77 of 14 March 1977 establishing a system of production aid for tinned pineapple⁽³⁾, as last amended by Regulation (EEC) No 1699/85⁽⁴⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽⁵⁾, as last amended by Regulation (EEC) No 1338/86⁽⁶⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽⁷⁾, as last amended by Regulation (EEC) No 3128/86⁽⁸⁾, and in particular Article 5 (3) thereof,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽⁹⁾, as last amended by Regulation (EEC) No 3127/86⁽¹⁰⁾, and in particular Article 3 (5) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽¹¹⁾, as last amended by Regulation (EEC) No 90/87⁽¹²⁾ and in particular Article 12 thereof,

Whereas Commission Regulation (EEC) No 2220/85⁽¹³⁾ provides that a proportion of a security be forfeit corresponding to the importance of the requirement not observed; whereas the significance of breaching a subordinate requirement can be assimilated to the significance of late production of proof that all primary requirements have been met; whereas, therefore, the consequences should in both cases be the same; whereas Regulation (EEC) No 2220/85 should be amended accordingly;

Whereas, in order to avoid doubt, each context in which it is relevant to consider whether or not a case of *force majeure* has arisen should be specified;

Whereas certain amendments clarifying the text of Regulation (EEC) No 2220/85 and amending the field of application of certain terms should be made in the light of experience; whereas at the time an error in the Dutch text should be corrected;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the relevant Management Committees,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2220/85 is hereby amended as follows:

1. Article 19 is amended as follows:

- (a) In paragraph 1 in the Dutch version, 'waarborg' is replaced by 'zekerheid'.
- (b) Paragraph 2 is replaced by the following:

'2. Once the deadline for showing final entitlement to the sum granted has passed without production of evidence of entitlement, the competent authority shall immediately follow the procedure in Article 29.

The deadline may be postponed in a case of *force majeure*.

However, where Community legislation so provides, evidence may still be produced after that date against partial repayment of the security.'

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 73, 21. 3. 1977, p. 46.

⁽⁴⁾ OJ No L 163, 22. 6. 1985, p. 12.

⁽⁵⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽⁶⁾ OJ No L 119, 8. 5. 1986, p. 27.

⁽⁷⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽⁸⁾ OJ No L 292, 16. 10. 1986, p. 2.

⁽⁹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽¹⁰⁾ OJ No L 292, 16. 10. 1986, p. 1.

⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽¹²⁾ OJ No L 13, 15. 1. 1987, p. 12.

⁽¹³⁾ OJ No L 205, 3. 8. 1985, p. 5.

2. The following paragraph 6 is added to Article 20 :

'6. For the purposes of this Title "the relevant part of the sum secured" shall mean the part of the sum secured corresponding to the quantity for which a requirement has been breached.'

3. Paragraphs 1 and 2 of Article 22 are replaced by the following :

'1. A security shall be forfeit in full for the quantity for which a primary requirement is not fulfilled, unless *force majeure* prevented fulfilment.'

2. A primary requirement shall be considered to have been breached if the relevant evidence is not produced within the time limit set for the production of that evidence unless *force majeure* prevented production of such evidence within that time limit. The procedure in Article 29 for recovering the sum forfeited shall immediately be followed.'

4. The following is added to Article 22 (4) :

'... unless *force majeure* prevented production of this evidence within that period.'

5. Article 24 (1) is replaced by the following :

'1. Failure to fulfil one or more subordinate requirements shall lead to forfeiture of 15 % of the relevant

part of the sum secured unless *force majeure* prevented fulfilment.'

6. Article 25 is replaced by the following :

'Article 25

If evidence is produced that all primary requirements have been observed but both a secondary and a subordinate requirement have been breached, Articles 23 and 24 shall apply and the total sum to be forfeit shall be the sum forfeit in accordance with Article 23 plus 15 % of the relevant part of the sum secured.'

7. The following heading is inserted after Article 26 :

'TITLE VI

'General Provisions'

8. The following heading is deleted after Article 28 :

'TITLE VI

'General Provisions'

Article 2

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

Article 1 (6) shall apply only to securities pledged after the entry into force of this Regulation.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1182/87**of 29 April 1987****fixing 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 1579/86⁽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 1449/86⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1588/86⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No

1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Commission Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 3794/85⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the agreements arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹³⁾, as amended by Regulation (EEC) No 625/87⁽¹⁴⁾;

Whereas, in respect of products falling within subheading 07.06 A of the Common Customs Tariff, Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff

(¹) OJ No L 281, 1. 11. 1975, p. 1.
(²) OJ No L 139, 24. 5. 1986, p. 29.
(³) OJ No L 166, 25. 6. 1976, p. 1.
(⁴) OJ No L 133, 21. 5. 1986, p. 1.
(⁵) OJ No L 281, 1. 11. 1975, p. 65.
(⁶) OJ No L 139, 24. 5. 1986, p. 47.
(⁷) OJ No L 168, 25. 6. 1974, p. 7.

(⁸) OJ No L 202, 26. 7. 1978, p. 8.
(⁹) OJ No L 195, 26. 7. 1975, p. 25.
(¹⁰) OJ No L 247, 23. 9. 1975, p. 22.
(¹¹) OJ No L 281, 1. 11. 1975, p. 57.
(¹²) OJ No L 367, 31. 12. 1985, p. 20.
(¹³) OJ No L 61, 1. 3. 1985, p. 4.
(¹⁴) OJ No L 58, 28. 2. 1987, p. 102.

coming from third countries and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽¹⁾ lays down the terms on which the import levy may be charged at 6 % *ad valorem* and provides for the Common Customs Tariff to be amended accordingly;

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 Council Regulation (EEC) No 1676/85 ⁽²⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged 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, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)

CCT heading No	Imports		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	43,95	195,52 ⁽¹⁾	193,71 ⁽¹⁾ ⁽²⁾
07.06 A II	46,97	198,54 ⁽¹⁾	193,71 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	85,15	357,98	351,94
11.01 D ⁽²⁾	190,07	283,92	277,88
11.01 E I ⁽²⁾	14,82	343,20	337,16
11.01 E II ⁽²⁾	8,00	194,08	191,06
11.01 F ⁽²⁾	90,92	229,70	226,68
11.01 G ⁽²⁾	33,48	199,51	196,49
11.02 A II ⁽²⁾	88,26	341,65	335,61
11.02 A III ⁽²⁾	85,15	357,98	351,94
11.02 A IV ⁽²⁾	190,07	283,92	277,88
11.02 A V a) 1 ⁽²⁾	14,82	316,20	310,16
11.02 A V a) 2 ⁽²⁾	14,82	343,20	337,16
11.02 A V b) ⁽²⁾	8,00	194,08	191,06
11.02 A VI ⁽²⁾	90,92	229,70	226,68
11.02 A VII ⁽²⁾	33,48	199,51	196,49
11.02 B I a) 1 ⁽²⁾	73,34	315,85	312,83
11.02 B I a) 2 aa)	107,30	160,49	157,47
11.02 B I a) 2 bb) ⁽²⁾	187,05	280,90	277,88
11.02 B I b) 1 ⁽²⁾	73,34	315,85	312,83
11.02 B I b) 2 ⁽²⁾	187,05	280,90	277,88
11.02 B II a) ⁽²⁾	25,11	270,40	267,38
11.02 B II b) ⁽²⁾	63,77	251,00	247,98
11.02 B II c) ⁽²⁾	10,83	302,72	299,70
11.02 B II d) ⁽²⁾	50,80	311,24	308,22
11.02 C I ⁽²⁾	29,60	324,68	321,66
11.02 C II ⁽²⁾	76,11	301,34	298,32
11.02 C III ⁽²⁾	115,92	494,84	488,80
11.02 C IV ⁽²⁾	166,60	250,03	247,01
11.02 C V ⁽²⁾	10,83	302,72	299,70
11.02 C VI ⁽²⁾	50,80	311,24	308,22
11.02 D I ⁽²⁾	19,96	208,08	205,06
11.02 D II ⁽²⁾	49,61	193,20	190,18
11.02 D III ⁽²⁾	47,85	202,45	199,43
11.02 D IV ⁽²⁾	107,30	160,49	157,47
11.02 D V ⁽²⁾	8,00	194,08	191,06
11.02 D VI ⁽²⁾	33,48	199,51	196,49
11.02 E I a) 1 ⁽²⁾	47,85	202,45	199,43
11.02 E I a) 2 ⁽²⁾	107,30	160,49	157,47
11.02 E I b) 1 ⁽²⁾	93,94	397,08	391,04
11.02 E I b) 2 ⁽²⁾	210,52	314,80	308,76
11.02 E II a) ⁽²⁾	35,94	367,91	361,87
11.02 E II b) ⁽²⁾	88,26	341,65	335,61
11.02 E II c) ⁽²⁾	14,82	343,20	337,16
11.02 E II d) 1 ⁽²⁾	155,30	390,97	384,93
11.02 E II d) 2 ⁽²⁾	59,79	352,79	346,75
11.02 F I ⁽²⁾	35,94	367,91	361,87
11.02 F II ⁽²⁾	88,26	341,65	335,61
11.02 F III ⁽²⁾	85,15	357,98	351,94
11.02 F IV ⁽²⁾	190,07	283,92	277,88

(ECU/tonne)

CCT heading No	Imports		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F V ⁽²⁾	14,82	343,20	337,16
11.02 F VI ⁽²⁾	90,92	229,70	226,68
11.02 F VII ⁽²⁾	33,48	199,51	196,49
11.02 G I	18,50	156,82	150,78
11.02 G II	9,70	146,52	140,48
11.04 C I	46,97	198,54	191,89 ⁽³⁾
11.04 C II a)	28,41	297,97	273,79 ⁽³⁾
11.04 C II b)	28,41	322,12	297,94 ⁽³⁾
11.07 A I a)	40,45	368,73	357,85
11.07 A I b)	32,97	278,26	267,38
11.07 A II a)	89,11	358,91 ⁽⁴⁾	348,03
11.07 A II b)	69,33	270,92	260,04
11.07 B	79,00	313,94 ⁽⁴⁾	303,06
11.08 A I	28,41	297,97	277,42
11.08 A II	156,87	328,52	297,69
11.08 A III	57,09	418,84	398,29
11.08 A IV	28,41	297,97	277,42
11.08 A V	28,41	297,97	138,71 ⁽³⁾
11.09	247,78	905,50	724,16
17.02 B II a) ⁽³⁾	106,97	458,57	361,85
17.02 B II b) ⁽³⁾	74,35	343,91	277,42
17.02 F II a)	107,46	475,80	379,08
17.02 F II b)	73,96	330,12	263,63
21.07 F II	74,35	343,91	277,42
23.02 A I a)	15,16	87,74	81,74
23.02 A I b)	25,63	181,16	175,16
23.02 A II a)	15,16	87,74	81,74
23.02 A II b)	25,63	181,16	175,16
23.03 A I	191,10	525,96	344,62

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 1183/87
of 29 April 1987
fixing the import levies on 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 1579/86⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific

States or in the overseas countries and territories⁽⁵⁾, as amended by Regulation (EEC) No 625/87⁽⁶⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁷⁾, as last amended by Regulation (EEC) No 1449/86⁽⁸⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹⁰⁾, as last amended by Regulation (EEC) No 31/76⁽¹¹⁾, and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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 Council Regulation (EEC) No 1676/85⁽¹²⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.
⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 61, 26. 2. 1986, p. 4.
⁽⁶⁾ OJ No L 58, 28. 2. 1987, p. 102.
⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁸⁾ OJ No L 133, 21. 5. 1986, p. 1.
⁽⁹⁾ OJ No L 367, 31. 12. 1985, p. 7.
⁽¹⁰⁾ OJ No 128, 27. 6. 1967, p. 2533/67.
⁽¹¹⁾ OJ No L 5, 10. 1. 1976, p. 18.
⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION :

and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex hereto.

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 April 1987 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CCT heading No	Nomenclature in simplified wording	Levies		
		Portugal	Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup :			
	Containing no starch or containing 10 % or less by weight of starch :			
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	10,88	40,85	29,97
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	10,88	820,90	810,02
	Containing more than 10 % but not more than 30 % by weight of starch :			
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	10,88	104,54	93,66
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	10,88	884,59	873,71
	Containing more than 30 % by weight of starch :			
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	10,88	198,19	187,31
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	10,88	978,24	967,36

COMMISSION REGULATION (EEC) No 1184/87
of 29 April 1987
fixing the import levies 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 1449/86⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within subheading ex 10.06 B I or II of the Common Customs Tariff⁽³⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 881/87⁽⁴⁾, as last amended by Regulation (EEC) No 1128/87⁽⁵⁾;

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 Council Regulation (EEC) No 1676/85⁽⁶⁾,

- 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 it follows from applying the detailed rules contained in Regulation (EEC) No 881/87 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 85, 28. 3. 1987, p. 5.

⁽⁵⁾ OJ No L 110, 25. 4. 1987, p. 5.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the import levies on rice and broken rice

(ECU/tonne)					
CCT heading No	Description	Portugal	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾	Basmati ⁽⁴⁾
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	—	352,36	172,58	—
	2. Long grain	—	380,63	186,71	285,47
	b) Husked rice :				
	1. Round grain	—	440,45	216,62	—
	2. Long grain	—	475,79	234,29	356,84
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	13,05	544,71	260,43	—
	2. Long grain	12,97	679,17	327,70	509,38
	b) Wholly milled rice :				
	1. Round grain	13,90	580,12	277,71	—
	2. Long grain	13,90	728,08	351,69	546,06
	III. Broken rice	82,92	209,19	105,59	—

N.B. The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Regulation (EEC) No 3294/86.

⁽¹⁾ Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

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

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

⁽⁴⁾ This levy is applicable to Basmati rice covered by the arrangement provided for by Council Regulation (EEC) No 3877/86.

COMMISSION REGULATION (EEC) No 1185/87

of 29 April 1987

fixing the premiums to be added to the import levies 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 1449/86 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2684/86 ⁽³⁾, as last amended by Regulation (EEC) No 1129/87 ⁽⁴⁾;

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 Council Regulation (EEC) No 1676/85 ⁽⁵⁾,
- 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, 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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.
2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 246, 30. 8. 1986, p. 8.

⁽⁴⁾ OJ No L 110, 25. 4. 1987, p. 7.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 5	1st period 6	2nd period 7	3rd period 8
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1186/87

of 29 April 1987

introducing a countervailing charge on tomatoes originating in the Canary Islands

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 829/87 of 23 March 1987 fixing for the 1987 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of April 1987 at 197,27 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 829/87;

Whereas, for tomatoes originating in the Canary Islands the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

Whereas, if the system is to operate normally, the entry price 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⁽⁶⁾,
- 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, in accordance with Article 1 (5) of Protocol 2 to the Act of Accession of Spain and Portugal⁽⁷⁾, the Community must apply in its trade with the Canary Islands, for products covered by Annex II to the EEC Treaty, the general arrangements which it applies in its foreign trade;

Whereas, in accordance with Article 4 of the said Protocol, the products, including tomatoes, specified in Annex A to the Protocol, qualify for preferential arrangements, subject to the tariff quota opened by way of Community Regulation (EEC) No 4044/86⁽⁸⁾;

HAS ADOPTED THIS REGULATION:

Article 1

When tomatoes falling within subheading 07.01 M of the Common Customs Tariff and originating in the Canary Islands are imported, a countervailing charge shall be levied, the amount of which shall be fixed at:

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 12.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

⁽⁸⁾ OJ No L 377, 31. 12. 1986, p. 8.

— 19,85 ECU per 100 kilograms net weight for quantities within the tariff quota laid down by Regulation (EEC) No 4044/86,

However this charge shall not be levied on quantities imported into Spain within the tariff quotas laid down by Regulation (EEC) No 4044/86.

Article 2

— 20,68 ECU per 100 kilograms, for other amounts.

This Regulation shall enter into force on 1 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1187/87**of 29 April 1987****introducing a countervailing charge on fresh lemons originating in Cyprus**

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1060/87⁽³⁾ introduced a countervailing charge on fresh lemons originating in Cyprus;

Whereas for fresh lemons originating in Cyprus there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh lemons originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1060/87 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 103, 15. 4. 1987, p. 36.

COMMISSION REGULATION (EEC) No 1188/87**of 29 April 1987****amending for the second time Regulation (EEC) No 1082/87 introducing a countervailing charge on aubergines originating in Spain (except the Canary Islands)**

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1082/87⁽³⁾, as amended by Regulation (EEC) No 1123/87⁽⁴⁾, introduced a countervailing charge on aubergines originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of aubergines originating in Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁵⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985 must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 4 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the second year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1082/87, '20,22 ECU' is hereby replaced by '48,43 ECU'.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 104, 16. 4. 1987, p. 40.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 18.

⁽⁵⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 1189/87

of 29 April 1987

amending Regulation (EEC) No 1099/87 introducing a countervailing charge on tomatoes originating in Spain (except the Canary Islands)

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1099/87⁽³⁾, introduced a countervailing charge on tomatoes originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of tomatoes originating in Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁴⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985 must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 4 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the second year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1099/87, '37,74 ECU' is hereby replaced by '35,44 ECU'.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 106, 22. 4. 1987, p. 24.

⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 1190/87
of 29 April 1987
fixing the import levy on molasses

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
market in sugar ⁽¹⁾, as last amended by Regulation (EEC)
No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Regu-
lation (EEC) No 1113/87 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 1113/87 to

the information at present available to the Commission
that the levy at present in force should be altered as
shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation
(EEC) No 1785/81 shall be, in respect of molasses, as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.
⁽³⁾ OJ No L 108, 23. 4. 1987, p. 12.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the import levy on molasses

(ECU/100 kg)		
CCT heading No	Description	Levy
17.03	Molasses, whether or not decolorized	0,40

COMMISSION REGULATION (EEC) No 1191/87**of 29 April 1987****fixing the maximum export refund for white sugar for the 46th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86**

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 229/87⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1659/86 of 29 May 1986 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 1002/87⁽⁴⁾; requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1659/86, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 46th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 46th partial invitation to tender for white sugar issued under amended Regulation (EEC) No 1659/86 is hereby fixed at 46,835 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.
⁽³⁾ OJ No L 145, 30. 5. 1986, p. 29.
⁽⁴⁾ OJ No L 94, 8. 4. 1987, p. 16.

COMMISSION REGULATION (EEC) No 1192/87
of 29 April 1987
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 229/87 ⁽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 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 1170/87 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2051/86 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 30 April 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.
⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.
⁽⁴⁾ OJ No L 112, 29. 4. 1987, p. 39.

ANNEX

to the Commission Regulation of 29 April 1987 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	52,05
	B. Raw sugar	43,54 ⁽¹⁾

⁽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 Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 1193/87

of 29 April 1987

fixing the monetary coefficient applicable on imports of dried grapes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 1838/86 ⁽²⁾, and in particular Article 9(6) thereof,

Having regard to Commission Regulation (EEC) No 2237/85 of 30 July 1985 laying down detailed rules for the application of the minimum import price system for dried grapes ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 4(1) of Regulation (EEC) No 2237/85 provides that the Commission shall fix a monetary coefficient equal to the real monetary gap between the agricultural conversion rate for the currency of a Member State and the central rate, or, where applicable, the market rate when that gap is equal to or more than 2,5 percentage points;

Whereas Article 4(2) of Regulation (EEC) No 2237/85 provides that the monetary coefficient shall be fixed before the commencement of the marketing year and, subsequently, on the first Monday of the months of November, January, March, May and July;

Whereas Commission Regulation (EEC) No 2382/86 ⁽⁴⁾, as last amended by Regulation (EEC) No 574/87 ⁽⁵⁾, fixes the minimum import price applicable to dried grapes during the marketing year 1986/87 as well as the counter-

vailing charges to be imposed where that price is not observed; whereas the import prices as set out in Annex II of that Regulation are calculated as specific percentages of the minimum import price; whereas as a result the monetary coefficient should apply both to the minimum import prices and the import prices,

HAS ADOPTED THIS REGULATION:

Article 1

After having converted the minimum import prices and the import prices as set out in Annexes I and II of amended Regulation (EEC) No 2382/86 into one of the following national currencies by applying the agricultural conversion rate, the resulting amount shall be multiplied by the following coefficient:

— for the German mark:	0,972
— for the Dutch guilder:	0,972
— for the Greek drachma:	1,468
— for the pound sterling:	1,249
— for the Portuguese escudo:	1,163
— for the Spanish peseta:	1,118
— for the French franc:	1,095
— for the Irish pound:	1,105
— for the Danish krone:	1,035
— for the Italian lire:	1,059

Article 2

This Regulation shall enter into force on 4 May 1987.

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

Done at Brussels, 29 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.

⁽³⁾ OJ No L 209, 6. 8. 1985, p. 24.

⁽⁴⁾ OJ No L 206, 30. 7. 1986, p. 18.

⁽⁵⁾ OJ No L 57, 27. 2. 1987, p. 34.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 April 1987

**fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 697/87 on the supply of one lot of skimmed-
milk powder as food aid**

(87/246/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas under Commission Regulation (EEC) No 697/87 of 11 March 1987 on the supply of various lots of skimmed-milk powder as food aid ⁽³⁾ tenders have been invited for the supply of 350 tonnes of skimmed-milk powder to certain third countries and beneficiary organizations;

Whereas Article 13 (1) of Commission Regulation (EEC) No 1354/83 of 17 May 1983 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food aid ⁽⁴⁾, as last amended by Regulation (EEC) No 3826/85 ⁽⁵⁾, specifies that in the light of the tenders received a maximum amount shall be fixed for each lot, or part thereof if the third subparagraph of Article 11 (3) is used, or a decision shall be taken to make no award;

Whereas on the basis of the tenders received the maximum amounts should be those specified below;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards are made under the tendering procedure opened by Regulation (EEC) No 697/87 shall be:

— Lot A: 593 070 ECU (D).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 68, 12. 3. 1987, p. 12.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

COMMISSION DECISION

of 10 April 1987

fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 840/87 on the supply of various lots of skim-
med-milk powder as food aid

(87/247/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 773/87 ⁽²⁾, and in particular Article 7 (5)
thereof,

Whereas under Commission Regulation (EEC) No 840/87
of 23 March 1987 on the supply of various lots of skim-
med-milk powder as food aid ⁽³⁾, tenders have been
invited for the supply of 6 935 tonnes of skimmed milk
powder to certain third countries and beneficiary organi-
zations ;

Whereas Article 13 (1) of Commission Regulation (EEC)
No 1354/83 of 17 May 1983 laying down general rules for
the mobilization and supply of skimmed-milk powder,
butter and butteroil as food aid ⁽⁴⁾, as last amended by
Regulation (EEC) No 3826/85 ⁽⁵⁾, specifies that in the
light of the tenders received a maximum amount shall be
fixed for each lot, or part thereof if the third subparagraph
of Article 11 (3) is used, or a decision shall be taken to
make no award ;

Whereas on the basis of the tenders received the
maximum amounts should be those specified below ;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Management
Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION :

Article 1

The maximum amounts to be adhered to when awards are
made under the tendering procedure opened by Regula-
tion (EEC) No 840/87 shall be :

- Lot B : 1 315 454 ECU (D),
- Lot C : 21 345 ECU (D),
- Lot K : 91 187 ECU (UK),
- Lot N : 612 064 ECU (UK),
- Lot Q : 25 530 ECU (D),
- Lot R : 1 409 186 ECU (D),
- Lot S : 2 101 309 ECU (D).

In the case of Lot O no award shall be made.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 81, 25. 3. 1987, p. 12.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

COMMISSION DECISION**of 10 April 1987****fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 839/87 on the supply of various lots of butteroil
as food aid****(87/248/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas under Commission Regulation (EEC) No 839/87 of 23 March 1987 on the supply of various lots of butteroil as food aid ⁽³⁾ tenders have been invited for the supply of 1 214 tonnes of butteroil to certain third countries and beneficiary organizations;

Whereas Article 13 (1) of Commission Regulation (EEC) No 1354/83 of 17 May 1983 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food aid ⁽⁴⁾, as last amended by Regulation (EEC) No 3826/85 ⁽⁵⁾, specified that in the light of the tenders received a maximum amount shall be fixed for each lot, or part thereof if the third subparagraph of Article 11 (3) is used, or a decision shall be taken to make no award;

Whereas on the basis of the tenders received the maximum amounts should be those specified below;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards are made under the tendering procedure opened by Regulation (EEC) No 839/87 shall be:

- Lot C: 65 945 ECU (B),
- Lot D: 167 912 ECU (B),
- Lot E: 33 826 ECU (NL).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 81, 25. 3. 1987, p. 5.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

COMMISSION DECISION

of 14 April 1987

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland and Zimbabwe

(87/249/EEC)

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 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 73/87 ⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 520/87 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 April 1987, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 May 1987, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine

and fresh meat from third countries ⁽⁵⁾, as last amended by Directive 86/469/EEC ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 April 1987 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. *Federal Republic of Germany:*

- 550,0 tonnes originating in Zimbabwe,
- 120,0 tonnes originating in Swaziland,
- 1 280,0 tonnes originating in Botswana;

2. *United Kingdom:*

- 260,0 tonnes originating in Zimbabwe,
- 335,0 tonnes originating in Botswana;

3. *Netherlands:*

- 113,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of May 1987, in respect of the following quantities of boned beef and veal:

— Botswana:	15 966,0 tonnes,
— Kenya:	142,0 tonnes,
— Madagascar:	7 579,0 tonnes,
— Swaziland:	2 703,0 tonnes,
— Zimbabwe:	6 193,0 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 14 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 11, 13. 1. 1987, p. 23.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 52, 21. 2. 1987, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 275, 26. 9. 1986, p. 36.

COMMISSION DIRECTIVE

of 15 April 1987

on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer

(87/250/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer⁽¹⁾, as last amended by Directive 86/197/EEC⁽²⁾, and in particular the second paragraph of Article 10a thereof,

This Directive concerns the indication of the actual alcoholic strength by volume in the labelling of beverages containing more than 1,2 % by volume of alcohol other than those classified under headings No 22.04 and 22.05 of the Common Customs Tariff.

Whereas Article 3 of Directive 79/112/EEC made it mandatory, in the labelling of beverages containing more than 1,2 % by volume of alcohol, to indicate the actual alcoholic strength by volume;

Article 2

Whereas rules concerning the manner of such indication must be laid down;

1. Alcoholic strength shall be determined at 20 °C.

Whereas, in the case of products classified under headings No 22.04 and 22.05 of the Common Customs Tariffs, such rules are laid down in the specific Community provisions applicable to them;

2. The figure for alcoholic strength shall be given to not more than one decimal place. It shall be followed by the symbol '% vol.' and may be preceded by the word 'alcohol' or the abbreviation 'alc.'.

Whereas this Directive applies to all other beverages containing more than 1,2 % by volume of alcohol;

Article 3

Whereas the Annex to Council Directive 76/766/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables⁽³⁾ lays down Community rules on the definition and on the method of determining and expressing alcoholic strength by volume;

1. The positive and negative tolerances allowed in respect of the indication of the alcoholic strength by volume shall be as follows, expressed in absolute values:

Whereas this Directive may therefore be confined to introducing the provisions that must supplement such rules;

(a) Beverages not specified below:

0,3 % vol.;

Whereas for the purpose of establishing tolerances, due regard should be given to the nature of the different beverages concerned, the degree of variability observed and the technical difficulties involved in ensuring that the declared value is consistent with the actual value;

(b) Beers having an alcoholic strength not exceeding 5,5 % vol.; beverages classified under subheading 22.07 B II of the Common Customs Tariff and made from grapes:

0,5 % vol.;

Whereas one or more Community methods of analysis for determining alcoholic strength by volume will have to be adopted in good time in order to allow Directive 79/112/EEC and this Directive to be applied correctly;

(c) Beers having an alcoholic strength exceeding 5,5 % vol.; beverages classified under subheading 22.07 B I of the Common Customs Tariff and made from grapes; ciders, perries, fruit wines and the like, obtained from fruits other than grapes, whether or not semi-sparkling or sparkling; beverages based on fermented honey:

1 % vol.;

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

(d) Beverages containing macerated fruit or parts of plants:

1,5 % vol.

2. The tolerances set out in paragraph 1 shall apply without prejudice to the tolerances deriving from the method of analysis used for determining the alcoholic strength.

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽²⁾ OJ No L 144, 29. 5. 1986, p. 38.

⁽³⁾ OJ No L 262, 27. 9. 1976, p. 149.

Article 4

1. Member States shall, where necessary, amend their legislation to comply with this Directive and shall forthwith inform the Commission thereof; legislation thus amended shall be applied in such a manner as to:

- permit trade in products which comply with this Directive by 1 May 1988 at the latest,
- prohibit trade in products which do not comply with this Directive as from 1 May 1989.

2. However, trade in beverages which do not comply with this Directive, labelled before the date in the second

indent of paragraph 1, shall be permitted until stocks are exhausted.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 15 April 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION OF THE EUROPEAN COMMUNITIES

REGIONS

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