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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 574/86

of 28 February 1986

laying down detailed rules for the application of the supplementary trade mechanism (STM)

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 569/86 of 25 February 1986 laying down general rules of application of the supplementary trade mechanism⁽¹⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1986 laying down arrangements applying to trade in agricultural products between Spain and Portugal⁽²⁾, and in particular Article 13 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽³⁾, as last amended by Regulation (EEC) No 3793/85⁽⁴⁾, and in particular Articles 12 (2), 15 (5), 16 (6) and Article 24 thereof, and the corresponding provisions in the other regulations on the common organization of the markets in agricultural products,

Whereas Regulation (EEC) No 569/86 provides for the use of STM licences and STM import licences for the purposes of the management of the supplementary trade mechanism; whereas, when detailed rules of application of the STM are being established, reference should be made, as far as possible, to the rules laid down by Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EEC) No 1994/84⁽⁶⁾;

Whereas, however, in particular with regard to the issue of licences, exceptions should be made to these rules to enable the quantities fixed under the STM to be properly administered;

Whereas the supplementary trade mechanism provides that certain agricultural products will be subject to a guide quantity and that others will be subject only to an indicative ceiling; whereas the guide quantities and the relevant control measures will apply only until 31 December 1989;

Whereas an indication should be given as to the customs statuses of the products to which the STM applies;

Whereas all imports into the Community of Ten of certain products covered by Regulation (EEC) No 337/79 of 5 February 1979 concerning the common organization of the market in wine⁽⁷⁾, as last amended by Regulation (EEC) No 3805/85⁽⁸⁾, are subject to the presentation of an import certificate; whereas imports of wine sector products into the Community of Ten which take place after 1 March 1986 from third countries must be carried out under cover of an STM import licence; whereas in the hope of both avoiding trade being hindered and an increase in the related administrative formalities, it seems appropriate to foresee that import certificates delivered before 1 March 1986 shall be substituted, for the period of their validity, for STM import licences.

Whereas the relevant management committees have not delivered opinions within the time limits set by their chairmen,

HAS ADOPTED THIS REGULATION:

TITLE I

Field of application

Article 1

1. This Regulation lays down, without prejudice to provisions derogating therefrom in Community instruments specific to certain products, common detailed rules for the application of the supplementary trade mechanism (hereinafter called 'the STM') provided for in Regulation (EEC) No 569/86.

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽⁵⁾ OJ No L 338, 12. 12. 1980, p. 1.

⁽⁶⁾ OJ No L 186, 13. 7. 1984, p. 17.

⁽⁷⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 39.

2. For the purposes of the application of this Regulation, the Community as constituted on 31 December 1985 is hereinafter referred to as the 'Community of Ten'.

TITLE II

STM licences in intra-Community trade

Article 2

1. The STM licence shall authorize and require the entry for home use under the STM licence of the net quantity of the designated product, during its period of validity.

Where the quantity entered for home use is not more than 5 % less than the quantity shown on the STM licence, the obligation referred to above shall be considered as fulfilled.

With regard to products not subject to a guide quantity, where the quantity entered for home use exceeds by not more than 5 % the quantity entered in the STM licence, it shall be considered as entered for home use under the licence.

With regard to products subject to a guide quantity, exceeding the quantity shown in the licence shall be permitted where this is attributable to the weighing instruments; in no circumstances may the quantity shown in the STM licence be exceeded by more than 1 %.

In applying the previous subparagraph, the number 1, followed by an asterisk, shall be entered in box 22 of the MCE certificate; this asterisk shall be linked to another, in the margin, attached to the following entry: 'Article 2 (1), fourth subparagraph, of Regulation (EEC) No 574/86 applied.'

- Anvendelse af artikel 2, stk. 1, fjerde afsnit, i forordning (EØF) nr. 574/86,
- Anwendung von Artikel 2 Absatz 1 vierter Unterabsatz der Verordnung (EWG) Nr. 574/86,
- Εφαρμογή του άρθρου 2 παράγραφος 1 τέταρτο εδάφιο του κανονισμού (ΕΟΚ) αριθ. 574/86,
- Article 2 (1) fourth subparagraph of Regulation (EEC) No 574/86 applied,
- Aplicación del párrafo 4, apartado 1 del artículo 2 del Reglamento (CEE) nº 574/86,
- Application de l'article 2 paragraphe 1 quatrième alinéa du règlement (CEE) nº 574/86,
- Applicazione dell'articolo 2, paragrafo 1, quarto comma, del regolamento (CEE) n. 574/86,
- Toepassings van artikel 2, lid 1, vierde alinea, van Verordening (EEG) nr. 574/86,
- Aplicação do nº 1, quarto parágrafo, do artigo 2º do Regulamento (CEE) nº 574/86.

2. The application for the STM licence, the STM licence itself, and the extract, shall give the name of the

applicant in box 12 and the name of the holder in box 4a of the form established in accordance with the specimens given in Annex I to Regulation (EEC) No 3183/80. The name of the holder may differ from that of the applicant. The obligations arising from the STM licence shall be incumbent upon the applicant and shall not be transferable. The rights deriving from the STM licence shall belong to the holder and shall be transferable throughout the period of its validity. Any such transfer may be made to only one transferee per STM licence and per extract. It shall concern quantities not yet charged against the STM licence or extract.

3. Where a transfer is requested, the issuing agency or the agency or agencies appointed by each Member State shall enter on the STM licence, or, where appropriate, on the extract:

- the name and address of the transferee,
- the date of this entry, certified by a stamp.

4. The transfer shall take effect from the date of this entry.

5. The transferee may neither transfer his right nor return it to the holder.

Article 3

1. Articles 6, 10, 11, 12, 13 (1) and (2), 14, 15, 16, 19 (2), 20 and 21 of Regulation (EEC) No 3183/80 shall apply *mutatis mutandis*.

2. STM licence applications, STM licences, and extracts from them, shall bear in the upper left-hand box one of the following sets of initials, either printed or stamped:

- SMS
- EHM
- ΣΜΣ
- STM
- MCI
- MCE
- MCS
- ARH
- MCT.

in red letters about 2 cm high. Unless otherwise provided, boxes 13, 14, 15, 17, 18, 19 and 20b shall be deleted in their entirety.

The above initials correspond, respectively, to the initials of 'special trade mechanism' in the following languages:

- STM (English),
- MCE (French),
- EHM (German),
- ARH (Dutch),
- MCS (Italian),
- MCI (Spanish),
- MCT (Portuguese),
- SMS (Danish),
- ΣΜΣ (Greek).

Article 4

For the purposes of this Regulation, the following shall be deemed to have been imported from :

1. the Community of Ten :

- (a) products originating in that Community ;
- (b) products in free circulation in a Member State of that Community ;
- (c) products obtained there under inward processing arrangements in respect of which the compensating levy has been charged there ;

2. Spain :

- (a) products originating in that Member State ;
- (b) products in free circulation in Spain ;
- (c) products obtained there under inward processing arrangements in respect of which the compensating levy has been charged there ;

3. Portugal :

- (a) products originating in that Member State ;
- (b) products in free circulation in Portugal ;
- (c) products obtained there under inward processing arrangements in respect of which the compensating levy has been charged there.

Article 5

1. For products for which Spain applies the STM, solely where they are exported from the Community of Ten, one of the following entries shall be made in box 20a of the STM licence :

- SMS-licens — gyldig i Spanien for produkter fra De Ti — artikel 5 i forordning (EØF) nr. 574/86,
- Lizenz EHM — gültig in Spanien für Erzeugnisse mit Herkunft aus der Zehnergemeinschaft — Artikel 5 der Verordnung (EWG) Nr. 574/86,
- Πιστοποιητικό ΣΜΣ — Ισχύει στην Ισπανία για τα προϊόντα προελεύσεως Κοινότητας των Δέκα — Άρθρο 5 του κανονισμού (ΕΟΚ) αριθ. 574/86,
- STM licence — valid in Spain for products from the Community of Ten — Article 5, Regulation (EEC) No 574/86,
- Certificado MCI — válido en España para los productos procedentes de la Comunidad de los Diez — artículo 5 del Reglamento (CEE) nº 574/86,
- Certificat «MCE» — valable en Espagne pour les produits en provenance de la Communauté à Dix — article 5 du règlement (CEE) nº 574/86,
- Titolo MCS — valido in Spagna per i prodotti provenienti dalla Comunità dei Dieci — articolo 5 del regolamento (CEE) n. 574/86,
- ARH-certificaat geldig in Spanje voor produkten van herkomst uit de Gemeenschap van de Tien — artikel 5 van Verordening (EEG) nr. 574/86,

— Certificado MCT — válido em Espanha para os produtos provenientes da Comunidade dos Dez — artigo 5º do Regulamento (CEE) nº 574/86.

The STM licence shall require the entry for home use in Spain of products having the status :

— T 2

— T 2 ES or T 2 PT, where the document proving the Community character bears one of the entries in Article 5 of Commission Regulation (EEC) No 409/86⁽¹⁾ followed by the name a processing Member State in the Community of Ten.

2. For products for which Spain applies the STM, where they are imported either from the Community of Ten, or from Portugal, one of the following entries shall be made in box 20a of the STM licence :

— SMS-licens — gyldig i Spanien for produkter fra De Ti eller fra Portugal — artikel 5 i forordning (EØF) nr. 574/86,

— Lizenz EHM — gültig in Spanien für Erzeugnisse mit Herkunft aus der Zehnergemeinschaft oder aus Portugal — Artikel 5 der Verordnung (EWG) Nr. 574/86,

— Πιστοποιητικό ΣΜΣ — Ισχύει στην Ισπανία για τα προϊόντα προελεύσεως της Κοινότητας των Δέκα ή της Πορτογαλίας — Άρθρο 5 του κανονισμού (ΕΟΚ) αριθ. 574/86,

— STM licence — valid in Spain for products from the Community of Ten or from Portugal — Article 5, Regulation (EEC) No 574/86,

— Certificado MCI — válido en España para los productos procedentes de la Comunidad de los Diez o de Portugal — artículo 5 del Reglamento, (CEE) nº 574/86,

— Certificat «MCE» — valable en Espagne pour les produits en provenance de la Communauté à dix ou du Portugal — article 5 du règlement (CEE) nº 574/86,

— Titolo MCS — valido in Spagna per i prodotti provenienti dalla Comunità dei Dieci o dal Portogallo — articolo 5 del regolamento (CEE) n. 574/86,

— ARH-certificaat geldig in Spanje voor produkten van herkomst uit de Gemeenschap van de Tien of uit Portugal — artikel 5 van Verordening (EEG) nr. 574/86,

— Certificado MCT — válido em Espanha para os produtos provenientes da Comunidade dos Dez ou de Portugal — artigo 5º do Regulamento (CEE) nº 574/86.

The STM licence shall require entry for home use in Spain of products having the status :

— T 2,

— T 2 PT,

— T 2 ES, where the document proving Community character bears one of the entries in Article 5 of Regulation (EEC) No 409/86 followed by the name of a processing Member State in the Community of Ten.

⁽¹⁾ OJ No L 46, 25. 2. 1986, p. 5.

3. For products from Spain for which the Community of Ten applies the STM, the STM licence shall bear in box 20a one of the following entries :

- SMS-licens — gyldig i De Ti for produkter fra Spanien — artikel 5 i forordning (EØF) nr. 574/86,
- Lizenz EHM — gültig in der Zehnergemeinschaft für Erzeugnisse mit Herkunft aus Spanien — Artikel 5 der Verordnung (EWG) Nr. 574/86,
- Πιστοποιητικό ΣΜΣ — Ισχύει στην Κοινότητα των Δέκα για τα προϊόντα προελεύσεως Ισπανίας — Άρθρο 5 του κανονισμού (ΕΟΚ) αριθ. 574/86,
- STM licence — valid in the Community of Ten for products from Spain — Article 5, Regulation (EEC) No 574/86,
- Certificado MCI — válido en la Comunidad de los Diez para los productos procedentes de España artículo 5, Reglamento nº 574/86,
- Certificat «MCE» — valable dans la Communauté à Dix pour les produit en provenance de l'Espagne — article 5 du règlement (CEE) nº 574/86,
- Titolo MCS — valido nella Comunità dei Dieci per i prodotti provenienti dalla Spagna — articolo 5 del regolamento (CEE) n. 574/86,
- ARH-certificaat geldig in de Gemeenschap van de Tien voor produkten van herkomst uit Spanje — artikel 5 van Verordening (EEG) nr. 574/86,
- Certificados MCT — válido na Comunidade dos Dez para os produtos provenientes de Espanha — artigo 5º do Regulamento (CEE) nº 574/86.

The STM licence shall require entry for home use in the Community of Ten of the products having the status :

- T 2 ES, where the document proving Community character does not bear one of the entries in Article 5 of Regulation (EEC) No 409/86 followed by the name of a processing Member State in the Community of Ten.

4. For products imported from the Community of Ten or from Spain to which Portugal applies the STM, one of the following entries shall be made in box 20a of the STM licence :

- SMS-licens — gyldig i Portugal for produkter fra De Ti eller fra Spanien — artikel 5 i forordning (EØF) nr. 574/86,
- Lizenz EHM — gültig in Portugal für Erzeugnisse mit Herkunft aus der Zehnergemeinschaft oder aus Spanien — Artikel 5 der Verordnung (EWG) Nr. 574/86,
- Πιστοποιητικό ΣΜΣ — Ισχύει στην Πορτογαλία για τα προϊόντα προελεύσεως της Κοινότητας των Δέκα ή της Ισπανίας — Άρθρο 5 του κανονισμού (ΕΟΚ) αριθ. 574/86,

- STM licence — valid in Portugal for products imported from the Community of Ten or from Spain — Article 5, Regulation (EEC) No 574/86,
- Certificado MCI — válido en Portugal para los productos procedentes de la Comunidad de los Diez o de España — artículo 5 del Reglamento (CEE) nº 574/86,
- Certificat «MCE» — valable au Portugal pour les produits en provenance de la Communauté à Dix ou de l'Espagne — article 5 du règlement (CEE) nº 574/86,
- Titolo MCS — valido in Portogallo per i prodotti provenienti dalla Comunità dei Dieci o dalla Spagna — articolo 5 del regolamento (CEE) n. 574/86,
- ARH-certificaat geldig in Portugal voor de produkten van herkomst uit de Gemeenschap van de Tien of uit Spanje — artikel 5 van Verordening (EEG) nr. 574/86,
- Certificado MCT — válido em Portugal, para os produtos provenientes da Comunidade dos Dez ou de Espanha — artigo 5º do Regulamento (CEE) nº 574/86.

The licence shall require entry for home use in Portugal of products having the status :

- T 2
- T 2 ES
- T 2 PT, where the document proving Community character bears one of the entries in Article 5 of Regulation (EEC) No 409/86 followed by the name of a processing Member State in the Community of Ten.

Article 6

1. There shall be at least two copies of the STM licences ; the first marked 'copy for the holder', numbered '1', shall be issued at the applicant's choice either to himself or to the holder, and the second, marked 'copy for the issuing agency', numbered '2', shall be retained by the issuing agency.

2. For products not subject to a guide quantity, the STM licence shall be issued on the fifth working day following the day the application is submitted, unless special measures have been taken during this period.

The Member States shall notify the Commission every Monday and Thursday of the quantity for which licence applications, submitted up to the day of notification, have been made, broken down by product concerned.

3. For products subject to a guide quantity, STM licence applications may be made only during the first 10 days of each month. However, if the 10th day is a public holiday, a Saturday or a Sunday, the STM licence applications may be lodged on the next working day.

On the second working day following that of the end of the period allowed for making application, the Member States shall notify the Commission of the quantity applied for, broken down by product concerned.

4. With regard to products subject to a guide quantity, when the Commission has accepted the applications as notified by telex, STM licences shall be issued on the 21st day of each month, or, if this day is a public holiday, a Saturday or a Sunday, the first working day thereafter. Where the quantities for which applications for STM licences have been made exceed the quantity available, the Commission shall set a single coefficient for reducing the quantities applied for.

Where the guide quantity deriving from the Act of Accession is split up during the calendar year or the marketing year applicable to the relevant product, then for the purposes of the application of the first subparagraph, each part of the guide quantity shall be treated as the quantity available.

When an STM certificate is issued for a quantity reduced by applying the single reducing coefficient, the part of the security corresponding to the difference between the quantity applied for and the quantity for which the STM licence is issued, shall be released.

When an STM certificate is, as a result of applying the single reducing coefficient, valid for a quantity less than that applied for, then at the request of the party concerned the STM certificate is not issued and the security related to it is released immediately.

Article 7

1. Copy 1 of the STM licence shall be presented to the office at which the declaration of entry for home use has been lodged.

Articles 22 (2) and (3), 24, 25, 26, 27 and 28 of Regulation (EEC) No 3183/80 shall apply *mutatis mutandis*.

2. For the purposes of this Regulation, the day of completing the customs formalities for entering into home use shall be considered to be :

- (a) the day on which the customs office concerned accepts the declaration of entry for home use for the product in question ;
- or
- (b) the day on which any other act occurs which has the same legal effects as the acceptance referred to in (a).

3. On the declaration of entry for home use cited in paragraph 1 above, must appear the number, preceded by the letter or letters indicating the issuing Member State, as well as the date the STM certificate or an extract of it was issued.

Article 8

1. Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the

application of the system of securities for agricultural products ⁽¹⁾, applies to all securities concerning products covered by the STM, apart from Article 5 (1) and Article 23 (1) and (2) of Regulation 2220/85.

2. For the purposes of Article 20 of Regulation (EEC) No 2220/85, entry for home use during the period of validity of the licence in the Member State or one of the Member States entered on the STM licence shall rank as a primary requirement. Proof of entry for home use shall be given by producing copy No 1 of the STM licence endorsed in accordance with Article 22 (3) of Regulation (EEC) No 3183/80.

Proof of entry for home use may also take the form of producing the customs document of entry for home use, or of a copy or photocopy of it certified as being authentic either by the customs office concerned or by the official departments of the Member State in which the product is entered for home use.

3. At the request of the party entered in box 12 of the STM licence, the Member States may release the security in parts proportionate to the quantities of products for which the proof referred to in paragraph 1 has been given, on condition that proof has been given that at least 5 % of the net quantity entered on the licences has been entered for home use.

4. Subject to Articles 36 and 37 of Regulation (EEC) No 3183/80, where the primary requirement has not been complied with, the security shall be forfeit by an amount equal to the difference between :

- (a) 95 % of the net quantity entered on the licence ;
- and
- (b) the net quantity actually entered for home use.

However, if the net quantity entered for home use is less than 5 % of the net quantity entered on the licence, the whole security shall be forfeit.

If the total amount of the security which would otherwise be forfeit is no more than 5 ECU for one licence, the Member State may release the whole security.

5. Except in cases of *force majeure*, the proof referred to in paragraph 1 must be given within six months from the last day of the validity of the licence.

6. Articles 35, 36 and 37 of Regulation (EEC) No 3183/80 shall apply *mutatis mutandis*.

Article 9

1. With regard to products not subject to a guide quantity, the second and third indents of the first subparagraph of Article 5 (1), Article 5 (2) and Article 13 (4) of Regulation (EEC) No 3183/80 shall apply.

2. With regard to products subject to a guide quantity, the second indent of the first subparagraph of Article 5 (1) and Article 5 (2) and Article 13 (4) of Regulation (EEC) No 3183/80 shall apply.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

TITLE III

STM import licences for products imported from third countries*Article 10*

1. This Title shall not apply to:

- products subject to a guide quantity,
- products subject, in the importing Member State, to quantitative restrictions laid down at national or Community level.

Release into free circulation of the products covered by the previous indent shall be effected according to procedures laid down at national levels.

2. With regard to the STM import licences referred to in Article 3 of Regulation (EEC) No 569/86, the provisions of Regulation (EEC) No 3183/80 concerning import licences shall apply.

3. With regard to products for which Spain applies the STM, one of the following entries shall be made in box 20a of the STM import licence:

- SMS-importlicens — licensen gyldig i Spanien,
- Einfuhrlizenz EHM — Lizenz gilt in Spanien,
- Πιστοποιητικό εισαγωγής ΣΜΣ — Πιστοποιητικό που ισχύει στην Ισπανία,
- STM import licence — licence valid in Spain,
- Certificado de importación MCI — Certificado válido en España,
- Certificat d'importation «MCE» — Certificat valable en Espagne,
- Titolo d'importazione MCS — Titolo valido in Spagna,
- ARH-invoercertificaat geldig in Spanje,
- Certificado de importação MCT — Certificado válido em Espanha.

4. With regard to products for which the Community of Ten applies the STM, one of the following entries shall be made in box 20a of the STM import licence:

- SMS-importlicens — licensen ikke gyldig i Spanien og Portugal,
- Einfuhrlizenz EHM — Lizenz gilt nicht in Spanien und Portugal,
- Πιστοποιητικό εισαγωγής ΣΜΣ — Πιστοποιητικό που δεν ισχύει στην Ισπανία και στην Πορτογαλία,
- STM import licence — licence not valid in either Portugal or Spain,
- Certificado de importación MCI — Certificado no válido en España y en Portugal,
- Certificat d'importation «MCE» — Certificat non valable en Espagne et au Portugal,
- Titolo d'importazione MCS — Titolo non valido in Spagna e in Portogallo,

- ARH-invoercertificaat niet geldig in Spanje en Portugal,
- Certificado de importação MCT — Certificado não válido em Espanha e em Portugal.

With regard to STM import licences issued for new potatoes covered by subheading 07.01 A II of the Common Customs Tariff, the entry in the previous indent is replaced by one of the following entries:

- SMS-importlicens — licensen ikke gyldig i Spanien og Portugal — med forbehold af nationale kvantitative restriktioner,
- Einfuhrlizenz EHM — Lizenz gilt nicht in Spanien und Portugal — vorbehaltlich einzelstaatlicher Mengenbeschränkungen,
- Πιστοποιητικό εισαγωγής ΣΜΣ — Πιστοποιητικό που δεν ισχύει στην Ισπανία και στην Πορτογαλία — Υπό την επιφύλαξη των εθνικών ποσοτικών περιορισμών,
- STM import licence — licence not valid in either Spain or Portugal — without prejudice to national quantity restrictions,
- Certificado de importación MCI — Certificado no válido en España y en Portugal — sin perjuicio de las restricciones cuantitativas nacionales,
- Certificat d'importation MCE — Certificat non valable en Espagne et au Portugal — Sous réserve des restrictions quantitatives nationales,
- Titolo d'importazione MCS — Titolo non valido in Spagna e in Portogallo — eventuale applicazione di restrizioni quantitative nazionali,
- ARH-invoercertificaat niet geldig in Spanje en Portugal — onder voorbehoud van nationale kwantitatieve beperkingen,
- Certificado de importação MCT — Certificado não válido em Espanha e em Portugal — sem prejuízo das restrições quantitativas nacionais.

5. With regard to products for which Portugal applies the STM, one of the following entries shall be made in box 20a of the STM import licence:

- SMS-importlicens — licensen gyldig i Portugal,
- Einfuhrlizenz EHM — Lizenz gilt in Portugal,
- Πιστοποιητικό εισαγωγής ΣΜΣ — Πιστοποιητικό που ισχύει στην Πορτογαλία,
- STM import licence — licence valid in Portugal,
- Certificado de importación MCI — Certificado válido en Portugal,
- Certificat d'importation «MCE» — Certificat valable au Portugal,
- Titolo d'importazione MCS — Titolo valido in Portogallo,
- ARH-invoercertificaat geldig in Portugal,
- Certificado de importação MCT — Certificado válido em Portugal.

6. The STM import licence shall be issued on the fifth working day following the day application is made, unless special measures are adopted during that time.

7. The STM import licence applications and all copies of the STM import licence and extracts therefrom shall bear in the upper left-hand box one of the following references, printed or stamped on :

- SMS — tredjelände,
- EHM — Drittländer,
- ΣΜΣ — Τρίτες χώρες,
- STM — non-member States,
- MCI — país tercero,
- MCE — pays tiers,
- MCS — paesi terzi,
- ARH — derde landen,
- MCT — países terceiros.

in red letters about 2 cm high.

8. Every Monday and Thursday, the Member States shall inform the Commission of the quantity applied for, broken down by product concerned.

TITLE IV

Transitional provisions

Article 11

1. The import certificates mentioned in Article 16 (1) of Regulation (EEC) No 337/79 applied for before 1 March 1986 shall replace, for the corresponding products and during their period of validity, the STM import licences required on import from third countries for products of the same kind into the Community of Ten.

2. The Member States of the Community of Ten shall communicate to the Commission the quantities of products imported under cover of these documents from 1 March 1986.

Article 12

1. Article 6 (3) shall apply only from 1 April 1986 onwards.

In March 1986, STM licence applications concerning products subject to a guide quantity may be lodged only from 3 to 7 March 1986.

The Member States shall notify the Commission daily by telex of the applications lodged that day, within the meaning of Article 14 of Regulation (EEC) No 3183/80, and in addition, as the case may be, of the absence of any applications.

The licences shall be issued immediately after the applications have been accepted by the Commission, as notified by telex. Where the quantities for which STM licences have been applied for exceed available quantities, the Commission shall set a single reducing coefficient for the quantities applied for.

2. Article 6 (2) applies only from 10 March 1986.

For products not subject to guide quantities, applications made from 3 to 7 March 1986 will result in STM licences

being issued immediately these applications have been accepted by telex by the Commission.

The Member States shall inform the Commission by telex every day of applications made that day pursuant to Article 14 of Regulation (EEC) No 3183/80, and in addition, as the case may be, of the absence of any applications.

3. Article 10 (6) and (8) applies only from 10 March 1986.

For products covered by Title III, applications for STM import licences made from 3 to 7 March will result in STM import licences being issued immediately these applications have been accepted by telex by the Commission.

The Member States shall inform the Commission by telex every day of applications made that day pursuant to Article 14 of Regulation (EEC) No 3183/80, and in addition, as the case may be, of the absence of any applications.

TITLE V

General provisions

Article 13

1. Where a guide quantity or an indicative ceiling has been fixed for part of a Common Customs Tariff subheading, box 7 of the STM licence application, the STM import licence application, the STM licence and the STM import licence shall list the product described in accordance with the Regulation fixing the guide quantity or the indicative ceiling, and box 8 shall list the Common Customs Tariff subheading, preceded by 'ex'.

2. The licences shall be valid only for products thus described.

Article 14

1. Where the competent authority ascertains that all or part of a licence has not been used, it shall inform the Commission monthly of the quantities not used.

2. When any applicant, in circumstances where the single reducing coefficient has been applied, refuses delivery of a licence pursuant to the fourth indent of Article 6 (4), the competent authority shall inform the Commission monthly of the quantities covered by refusal.

3. These quantities shall be counted by the Commission as deductible from the quantities for which STM licences or STM import licences have been applied for.

Article 15

Box 20a of the STM licences referred to in Article 5 (3) and the STM import licences referred to in Article 10 (4) shall bear one of the following entries :

- Rettighederne ifølge denne licens kan inddrages i en eller flere medlemsstater. Artikel 5, stk. 2, i forordning (EØF) nr. 569/86,
- Das aufgrund dieser Lizenz bestehende Recht kann in einem oder in mehreren Mitgliedstaaten widerrufen werden — Artikel 5 Absatz 2 der Verordnung (EWG) Nr. 569/86,
- Το δικαίωμα που παρέχεται από το πιστοποιητικό αυτό είναι δυνατόν να ανακληθεί σε ένα ή περισσότερα κράτη μέλη — Άρθρο 5 παράγραφος 2 του κανονισμού (ΕΟΚ) αριθ. 569/86,
- Rights conferred by this licence may be cancelled in one or more Member States (Article 5 (2) of Regulation (EEC) No 569/86),
- Los derechos conferidos por esta licencia pueden ser cancelados en uno o más Estados miembros (artículo 5 (2) del Reglamento (CEE) n° 569/86),
- Le droit conféré par ce certificat peut être retiré dans un ou plusieurs États membres — Article 5 paragraphe 2 du règlement (CEE) n° 569/86,
- Il diritto concesso da questo certificato può essere ritirato in uno o più stati membri — Articolo 5, paragrafo 2 del regolamento (CEE) n. 569/86,
- Het door dit certificaat verleende recht kan in een of meer Lid-Staten worden herroepen — artikel 5, lid 2, van Verordening (EEG) nr. 569/86,
- O direito conferido por este certificado pode ser retirado num ou em vários Estados-membros — n° 2 do artigo 5º do Regulamento (CEE) n° 569/86.

Article 16

1. Box 14 of the STM licence applications and the STM import licences and the related licences referred to in Article 15 may give the indication of a Member State of entry for home use ; in this case, the word 'origin' in box 14 shall be deleted.

An STM licence or STM import licence listing a Member State in box 14 does not make it obligatory to import into this Member State.

An indication of the Member State of entry for home use may also be given in writing to the agency to which application for an MCE licence or MCE import licence was made ; in this case, this indication must have reached the competent agency at least two days before the activation of the measures prohibiting the use of the licence in the Member State of entry for home use.

2. Where, following the application of a prohibition measure, the licence can no longer be used in the Member State indicated, the security corresponding to the quantities not used shall be released at the request of the parties concerned.

Article 17

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 575/86

of 28 February 1986

laying down special arrangements for the supplementary mechanism applicable to trade in common feed wheat

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 569/86 of 25 February 1986 laying down general rules for the application of the supplementary trade mechanism (STM) ⁽¹⁾, and in particular Article 7 thereof,

Whereas it was agreed at the Conference in a Joint Declaration, annexed to the Act of Accession, that common feed wheat dispatched to Spain from the Community, as constituted at 31 December 1985, is not to be subject to the STM if it has been treated by a denaturing method; whereas the methods by which the product is treated must be determined on a Community basis, to ensure that it will not be used for breadmaking; whereas such methods should therefore be defined;

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

HAS ADOPTED THIS REGULATION:

Article 1

Where common wheat has been treated by one of the methods defined in the Annex, it shall not be subject to the system of the supplementary trade mechanism provided for in Regulation (EEC) No 569/86 for trade between the Community, as constituted at 31 December 1985, and Spain.

Article 2

1. The treating operations shall be carried out in the Member State of dispatch under the supervision of the competent body, designated by that Member State.

2. The competent body shall, by means of on-the-spot inspections, monitor the treating operations and shall take the necessary samples.

Upon completion of the treating operations, a document certifying that the common wheat has been treated in accordance with the provisions of this Regulation shall be drawn up in at least two copies.

The said certificate shall contain at least the following information:

- an identification number,
- the name of the consignor,
- the quantity treated,
- the method of treatment used,
- the date of issue.

The first copy of the certificate shall be remitted to the consignor and presented by him for each consignment to the customs office issuing the document attesting the Community nature of the products. This document shall bear in the box reserved for the description of goods one of the following entries authenticated by the seal of the said customs office:

- Foderhvede behandlet i henhold til forordning (EØF) nr. 575/86, ikke undergivet SMS — Attest nr. ...
- Gemäß der Verordnung (EWG) Nr. 575/86 behandelt Futterweizen, unterliegt nicht dem ergänzenden Handelsmechanismus — Bescheinigung Nr. ...
- Κτηνοτροφικός σίτος που έχει επεξεργαστεί σύμφωνα με τον κανονισμό (ΕΟΚ) αριθ. 575/86 μη υπαγόμενος στα ΣΜΣ — Βεβαίωση αριθ. ...
- Feed wheat treated in accordance with Regulation (EEC) No 575/86 not subject to the STM — Certificate No ...
- Trigo forrajero tratado con arreglo al Reglamento (CEE) nº 575/86 no sometido al MCI — Certificado nº ...
- Blé fourrager traité selon le règlement (CEE) nº 575/86 non soumis au MCE — Attestation nº ...
- Frumento foraggero trattato a norma del regolamento (CEE) n. 575/86 non soggetto al MCS — Attestato n. ...
- Overeenkomstig Verordening (EEG) nr. 575/86 behandelde voedertarwe waarvoor de ARH niet geldt — Verklaring nr. ...
- Trigo forrageiro tratado de acordo com o Regulamento (CEE) nº 575/86 não submetido ao MCT — Certificado nº ...

The second copy of the certificate shall be kept by the competent body.

Article 3

The customs office concerned shall indicate on the first copy of the certificate the quantities involved for each consignment.

The first copies of the certificates that have been completely used up shall be sent back by the consignor to the competent body.

Article 4

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Reference methods for treating common wheat

Method No 1 — Colouring with Patented Blue V

1. Dissolve either 30 grams of colouring matter of 80 % concentration or 51 grams of colouring matter of 50 % concentration of Patented Blue V (Schultz No 826, EEC No E 131)⁽¹⁾ in at least 2,5 litres and at most 3 litres of pure water.
2. Colour 100 kilograms of wheat from the quantity to be treated with the amount of solution prepared in accordance with paragraph 1.
3. Mix 90 kilograms of wheat to be treated with at least 10 kilograms of grains coloured as indicated in point 2, so that they are uniformly dispersed in the total mass.

Method No 2 — Colouring with (brilliant) green

The wheat must be treated with the colouring matter listed below in such a manner that the said wheat shall contain a quantity of colouring matter at least equal to that shown in column 4 and evenly distributed, so that at least 5 % of the grains shall be coloured and distributed throughout the whole quantity.

TABLE OF COLOURING MATTER

Common name of dye	Scientific name	Colour index (1956) No	Minimum quantity in parts per million by weight
1	2	3	4
Green S	Sodium salt of di-(<i>p</i> -dimethylaminophenyl)-2-hydroxy-3; 6-disulphonaphthymethanol anhydride	44 090	20

Method No 3 — Addition of fish oil or fish liver oil

- (a) Fish oil or fish liver oil, filtered, not deodorized, not decolourized, with no additives.
- (b) Characteristics :
 - minimum iodine content : 120,
 - colour content : 7-14 (Gärtner)
or 5-19 (FAC),
 - acidity between : 3 and 4 %,
 - maximum point of solidification : 10 °C.
- (c) Minimum quantity to be used per tonne of wheat to be treated : four kilograms.
- (d) The treating apparatus must be such that at all times the oil is evenly distributed throughout the wheat.
- (e) The temperature of the oil used must be kept at a level sufficient to ensure such even distribution.

⁽¹⁾ The definition of Patented Blue V is given in the Council Directive on the approximation of rules of Member States on colouring matters for use in foodstuffs intended for human consumption (OJ No 115, 11. 11. 1962, p. 2645/62).
Patented Blue V of 50 % concentration is marketed in the Federal Republic of Germany as 'Lebensmittelblau Nr. 3'.

COMMISSION REGULATION (EEC) No 576/86**of 28 February 1986****fixing, until the end of the 1985/86 marketing year, the accession compensatory amounts applicable to cereals and rice and the coefficients to be used for the calculation of the amounts applicable to certain processed products**

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 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals as a result of the accession of Spain⁽¹⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 468/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for rice as a result of the accession of Spain⁽²⁾, and in particular Article 8 thereof,

Whereas Article 72 (1) of the Act stipulates that the accession compensatory amounts are to be equal to the difference between the prices fixed for Spain and the intervention prices applicable for the Community as constituted at 31 December 1985; whereas, in accordance with Regulation (EEC) No 468/86, that difference may be adjusted to make the products concerned comparable;

Whereas, under Articles 111 (3) and 117 (5) of the Act, the accession compensatory amounts for processed products are to be derived from those applicable to the product to which they are related, with the help of coefficients to be determined; whereas these coefficients are to be fixed having regard to technical factors in processing and also to the fact that the compensatory amounts will apply to imports, to exports and to trade between the Community as constituted at 31 December 1985 and Spain;

Whereas, under Article 117 (6) of the Act, the compensatory amount for broken rice must be fixed at a level that takes into account the difference between the supply price in Spain and the threshold price; whereas, in accordance with Article 2 of the said Regulation (EEC) No

468/86, the supply price must be that recorded on the Spanish market over a period to be determined; whereas, in the light of the production and marketing situation in Spain and of the fact that, once the supply price has been determined, it may not be changed later; prices recorded on the market of Valencia in the period 1 September 1985 to 5 February 1986 should be used.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 March 1986 until the end of the 1985/86 marketing year, the accession compensatory amounts applicable to the products referred to in Article 1 (a) and (b) of Council Regulation (EEC) No 2727/75⁽³⁾ shall be as shown in Annex A to this Regulation.
2. The following shall be as shown in Annex B hereto:
 - for the period 1 March 1986 until the end of the 1985/86 marketing year, the accession compensatory amounts applicable to the products referred to in Article 1 (c) of Regulation (EEC) No 2727/75,
 - the coefficients referred to in Article 111 (3) of the Act.

Article 2

1. For the period 1 March to 31 August 1986, the accession compensatory amounts applicable to the products referred to in Article 1 (1) (a) and (b) of Council Regulation (EEC) No 1418/76⁽⁴⁾ shall be as shown in Annex C hereto.

The following shall be as shown in the same Annex:

- for the period 1 March to 31 August 1986, the accession compensatory amounts applicable to the products

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 55, 1. 3. 1986, p. 28.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1.

referred to in Article 1 (1) (c) of Regulation (EEC) No 1418/76,
— the coefficients referred to in Article 117 (5) of the Act.

2. As regards broken rice, the supply price in Spain to be referred to for the purpose of calculating the accession

compensatory amount shall correspond to the average of the prices recorded on the market of Valencia in the period 1 September 1985 to 5 February 1986.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX A

CCT heading No	Description	Accession compensatory amount ECU/tonne
10.01 B I	Common wheat and meslin	8,00
10.01 B II	Durum wheat	107,60
10.02	Rye	14,17
10.03	Barley	17,12
10.04	Oats	16,47
10.05 B	Maize, other than hybrid for sowing	8,00
10.07 A	Buckwheat	17,12
10.07 B	Millet	17,12
10.07 C	Sorghum	17,12
10.07 D I	Triticale	14,17
10.07 D II	Other products	17,12

ANNEX B

CCT heading No	Description	Coefficient	Accession compensatory amount ECU/tonne
11.01 A	Common wheat or meslin flour	1,14	9,12
11.01 B	Rye flour	1,25	17,71
11.02 A I a)	Durum wheat groats and meal	1,52	163,55
11.02 A I b)	Common wheat groats and meal	1,23	9,85

ANNEX C

(ECU/tonne)				
CCT heading No	Basic product	Description	Coefficient	Accession compensatory amount
10.06		Rice :		
B		Other :		
I		Paddy rice ; husked rice :		
a)		Paddy rice :		
1	—	Round grain	—	76,19
2	—	Long grain	—	76,19
b)		Husked rice :		
1	—	Round grain	—	95,24
2	—	Long grain	—	95,24
II		Semi-milled or wholly-milled rice :		
a)		Semi-milled rice :		
1	—	Round grain	—	115,39
2	—	Long grain	—	128,76
b)		Wholly-milled rice :		
1	—	Round grain	—	122,89
2	—	Long grain	—	138,03
III		Broken rice	—	29,46
11.01				
F	Broken rice	Rice flour	1,06	31,23
11.02				
A VI	Broken rice	Rice groats and meal	1,06	31,23
E II d) 1	Broken rice	Flaked rice	1,80	53,03
F VI	Broken rice	Rice pellets	1,06	31,23
11.08				
A II	Broken rice	Rice starch	1,52	44,78

COMMISSION REGULATION (EEC) No 577/86

of 28 February 1986

on the application of accession compensatory amounts to certain processed cereals products in view of the accession of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 3793/85⁽²⁾,

Whereas Article 72 of the Act of Accession of Spain and Portugal⁽³⁾ provides for a mechanism to offset price differences in trade between the Community as constituted at 31 December 1985 and Spain, and between Spain and non-member countries; whereas, with regard to cereals, Article 111 (3) sets out a rule according to which the accession compensatory amounts for processed products are to be derived from the compensatory amounts applicable to the cereals to which they relate on the basis of coefficients to be determined; whereas these coefficients are to be fixed having due regard to technical processing factors and also to the fact that the compensatory amounts will apply to imports, exports and in trade between the Community as constituted at 31 December 1985 and Spain;

Whereas because of an obvious clerical error, Article 111 (3) of the Act of Accession mentions, in the reference to processed products covered by the relevant market organization, only products under Article 1 (c) of Regulation (EEC) No 2727/75, and omits the products referred to under Article 1 (d) and listed in Annex A to that same Regulation;

Whereas the system of offsetting prices as between Spain and the Community as constituted at 31 December 1985 starts on 1 March 1986; whereas, pending rectification of the clause in the Act of Accession, appropriate transitional measures must be adopted to implement a mechanism for accession compensatory amounts for the processed products referred to in Article 1 (d) of Regulation (EEC) No 2727/75, failing which there could be disequilibrium harmful to trade between Spain and the rest

of the Community and a serious danger of deflection of trade in trade with third countries;

Whereas, under these transitional measures, for the sake of consistency and clarity, the rules and procedures laid down by Council Regulation (EEC) No 467/86⁽⁴⁾ should be brought into application for trade in the relevant processed products;

Whereas it should be stipulated that, in respect of the processed products affected by the production refunds system provided for in Article 11 of Regulation (EEC) No 2727/75, the accession compensatory amounts must be reduced by the incidence of these refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

In trade between the Community as constituted at 31 December 1985 and Spain, and between Spain and third countries, the products referred to in Article 1 (d) of Regulation (EEC) No 2727/75 shall, from 1 March 1986 onwards, attract accession compensatory amounts as provided in this Regulation.

Article 2

1. The accession compensatory amounts referred to in Article 1, applicable until the end of the 1985/86 marketing year, shall be as shown in Annex I, being derived from the accession compensatory amounts applicable to the cereals to which they are related on the basis of the coefficients listed in the same Annex.

2. The accession compensatory amounts applicable to products, for which the incidence of the production refunds provided for in Article 11 of Regulation (EEC) No 2727/75 must be taken into account, shall be as set out in Annex II on the basis of the coefficients set out in the same Annex.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 302, 15. 11. 1985, p. 23.

⁽⁴⁾ OJ No L 53, 1. 3. 1986, p. 25.

Article 3

The accession compensatory amount applicable shall be that in force on the day of acceptance of the declaration of import or export.

Article 4

In intra-Community trade, the accession compensatory amounts shall be charged or paid by the Member States of the Community as constituted at 31 December 1985.

Article 5

Where, pursuant to Article 5 (1) of Council Regulation (EEC) No 467/86, the accession compensatory amount for one of the cereals referred to in Article 1 (a) and (b) of Regulation (EEC) No 2727/75 is determined on the basis of the table in the Annex to the first Regulation referred to, the amount applicable to the processed product as an accession compensatory amount shall be determined on the basis of the changes in the amount fixed for the basic cereal pursuant to Article 5 (1) referred to above.

Article 6

Where, for a given product, an accession compensatory amount is fixed which must be deducted from the refund on exports to third countries and where the refund is less than this accession compensatory amount or has not been fixed, it may be, provided that an amount not exceeding the difference between the accession compensatory amount and the refund and, or, according to case, the accession compensatory amount may be charged on exports from Spain to a third country of the relevant product.

Where refunds are differentiated according to destination, if the refund applicable to exports to one or more third countries is less than the accession compensatory amount or has not been fixed, measures to ensure the charging, where appropriate, of the amount referred to in the previous subparagraph may be provided for.

Article 7

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

CCT heading No	Coefficient	Accession compensatory amount ECU/tonne	CCT heading No	Coefficient	Accession compensatory amount ECU/tonne
11.01 C	1,02	17,46	ex 11.02 D VI ⁽¹⁾	1,02	17,46
11.01 D	1,02	16,80	ex 11.02 D VI ⁽²⁾	1,02	17,46
11.01 E I	1,40	11,20	11.02 E I a) 1	1,02	17,46
11.01 E II	0,45	3,60	11.02 E I a) 2	1,02	16,80
ex 11.01 G ⁽¹⁾	1,02	17,46	11.02 E I b) 1	1,40	23,97
ex 11.01 G ⁽²⁾	1,02	17,46	11.02 E I b) 2	1,80	29,64
11.02 A II	1,02	14,45	11.02 E II a)	1,02	8,16
11.02 A III	1,40	23,97	11.02 E II b)	1,02	14,45
11.02 A IV	1,40	23,06	11.02 E II c)	1,10	8,80
11.02 A V a) 1 ⁽³⁾	1,45	11,60	ex 11.02 E II d) 2 ⁽¹⁾	1,02	17,46
11.02 A V a) 2	1,45	11,60	ex 11.02 E II d) 2 ⁽²⁾	1,02	17,46
11.02 A V b)	1,02	8,16	11.02 F I	1,02	8,16
ex 11.02 A VII ⁽¹⁾	1,02	17,46	11.02 F II	1,02	14,45
ex 11.02 A VII ⁽²⁾	1,02	17,46	11.02 F III	1,02	17,46
11.02 B I a) 1	1,02	17,46	11.02 F IV	1,02	16,80
11.02 B I a) 2 aa)	1,02	16,80	11.02 F V	1,02	8,16
11.02 B I a) 2 bb)	1,02	16,80	ex 11.02 F VII ⁽¹⁾	1,02	17,46
11.02 B I b) 1	1,40	23,97	ex 11.02 F VII ⁽²⁾	1,02	17,46
11.02 B I b) 2	1,40	23,06	11.02 G I	0,75	6,00
11.02 B II a)	1,02	8,16	11.02 G II	0,30	2,40
11.02 B II b)	1,02	14,45	11.07 A I a)	1,78	14,24
11.02 B II c)	1,02	8,16	11.07 A I b)	1,33	10,64
ex 11.02 B II d) ⁽¹⁾	1,02	17,46	11.07 A II a)	1,78	30,47
ex 11.02 B II d) ⁽²⁾	1,02	17,46	11.07 A II b)	1,33	22,77
11.02 C I	1,02	8,16	11.07 B	1,55	26,54
11.02 C II	1,02	14,45	23.02 A I a)	0,14	4,64
11.02 C III	1,60	27,39	23.02 A I b)	0,29	9,60
11.02 C IV	1,02	16,80	23.02 A II a)	0,14	4,64
11.02 C V	1,02	8,16	23.02 A II b)	0,30	9,94
ex 11.02 C VI ⁽¹⁾	1,02	17,46	23.07 B I a) 1 ⁽⁸⁾	0,12	0,96
ex 11.02 C VI ⁽²⁾	1,02	17,46	23.07 B I a) 2 ⁽⁸⁾	0,12	0,96
11.02 D I	1,02	8,16	23.07 B I b) 1 ⁽⁸⁾	0,38	3,04
11.02 D II	1,02	14,45	23.07 B I b) 2 ⁽⁸⁾	0,38	3,04
11.02 D III	1,02	17,46	23.07 B I c) 1 ⁽⁸⁾	0,75	6,00
11.02 D IV	1,02	16,80	23.07 B I c) 2 ⁽⁸⁾	0,75	6,00
11.02 D V	1,02	8,16			

ANNEX II

CCT heading No	Coefficient	Accession compensatory amount ECU/tonne
11.02 A V a) 2 ⁽⁴⁾	1,45	0
11.08 A I ⁽⁵⁾	1,51	0
11.08 A III ⁽⁵⁾	1,69	0
11.08 A IV ⁽⁶⁾	1,51	0
11.08 A V ⁽⁵⁾	1,51	0
11.09	2,30	0
17.02 B II a) ⁽⁷⁾	1,97	0
17.02 B II b) ⁽⁷⁾	1,51	0
17.02 F II a)	2,06	0
17.02 F II b)	1,44	0
21.07 F II	1,51	0
23.03 A I	2,00	0

Notes

- (¹) Millet.
- (²) Grain sorghum.
- (³) Applicable to groats and meal of maize imported from non-member countries.
- (⁴) Applicable to intra-Community trade in groats and meal of maize intended for the brewing industry (cf. Regulation (EEC) No 1570/78 (OJ No L 185, 7. 7. 1978, p. 22)).
- (⁵) The compensatory amount shall apply to products whose starch content is not less than 85 % by weight. For products with a starch content lower than 85 % by weight, this compensatory amount shall be multiplied by a coefficient calculated by means of the following formula :

$$C = \frac{a}{1\,000} \times 1,176$$

(C = coefficient; a = content by weight of starch, expressed as dry matter, per 1 000 kg of the product).

When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

- (⁶) The compensatory amount shall apply to the product whose starch content is not less than 78 % by weight. For the product with a starch content lower than 78 % by weight, this compensatory amount shall be multiplied by a coefficient calculated by means of the following formula :

$$C = \frac{a}{1\,000} \times 1,282$$

(C = coefficient; a = content by weight of starch, expressed as dry matter, per 1 000 kg of the product).

When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

- (⁷) Pursuant to Regulation (EEC) No 2730/75, the product falling within subheading 17.02 B I is subject to the same compensatory amount as products falling within subheading 17.02 B II.
- (⁸) In the case of products containing products falling within heading No 07.06 or subheading 11.04 C of the Common Customs Tariff, monetary compensatory amount shall be granted on the cereal constituent. However, the amounts indicated shall apply if compensatory amounts are due to be levied.

When completing :

— customs export formalities carried out in Spain for exports to third countries,

— customs formalities carried out in the Community as constituted on 31 December 1985 for imports from Spain,

the applicant must state in the declaration provided for this purpose the complete composition of the product and the exact content by weight of non-milk constituents broken down by tariff heading.

COMMISSION REGULATION (EEC) No 578/86
of 28 February 1986
introducing a charge on maize exported from Spain

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

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

Whereas Spain consumes more maize than it grows; whereas this deficit must be covered from imports;

Whereas the national arrangements applicable in Spain until 28 February 1986 involve a price for imported maize lower than that resulting from the Community rules applicable from 1 March 1986 onwards; whereas this situation has in recent months led to an increase in imports designed to take advantage of Spanish arrangements which are still more favourable than the Community arrangements;

Whereas there is a danger that maize imported into Spain before 1 March 1986 may be re-exported to the Community as constituted at 31 December 1985, to Portugal or to third countries; whereas, in view of the supply situation, such operations must rank as deflection of trade and may interfere with competition;

Whereas the market prices for maize in Spain exceed the price to be paid for maize imported into that country; whereas a charge on maize exported from Spain should therefore be levied at this stage until the end of the 1985/86 marketing year; whereas the amount of the charge should be calculated on the basis of the difference between the Community threshold price in February 1986 minus the accession compensatory amount and the price on entry into Spain of imported maize valid for the same month;

Whereas, however, such a charge is not justified where no export refund is fixed for maize; whereas, in these circumstances, the constitution of the security of the same

amount as that of the charge will suffice to achieve the objective sought;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. On acceptance of the declaration of export from Spain to a third country, Portugal or a Member State of the Community as constituted at 31 December 1985 of maize, falling within subheading 10.05 B of the Common Customs Tariff, a charge shall be made for any operation carried out between 1 March 1986 and the end of the 1985/86 marketing year.

2. The amount of the charge per tonne shall be the difference between the threshold price for maize in February 1986 minus the accession compensatory amount applicable on 1 March and the entry price in Spain for this type of cereal in February 1986. The threshold price and the accession compensatory amount shall be converted into pesetas on the basis of the representative rate applicable on 1 March 1986.

3. Notwithstanding paragraphs 1 and 2, where no export refund is set for maize, the exporter shall lodge, on acceptance of the declaration of export, a security of an amount equal to that of the charge provided for in paragraph 2. This security shall be released when the operator provides proper evidence that the merchandise exported has been released for consumption in a third country.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 579/86

of 28 February 1986

laying down detailed rules relating to stocks of products in the sugar sector in
Spain and Portugal on 1 March 1986

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 Regulations (EEC) No 3770/85⁽¹⁾ and (EEC) No 3771/85⁽²⁾ of 20 December 1985 on stocks of agricultural products in Spain and Portugal respectively, and in particular Article 8 thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽³⁾, as last amended by Regulation (EEC) No 3768/85⁽⁴⁾, and in particular Article 8 (5) thereof,

Whereas Articles 86 and 254 of the Act of Accession of Spain and Portugal provide that any stock of products in free circulation in those two Member States on 1 March 1986 which in quantity exceeds what may be considered representative of a normal carry-over stock must be eliminated by and at the expense of those two Member States ;

Whereas Regulations (EEC) No 3770/85 and (EEC) No 3771/85 lay down general rules for the application of the said Articles 86 and 254 of the Act of Accession ; whereas, pursuant to Article 8 of those Regulations, detailed rules of application should entail, in particular, the determination of the details for the disposal of the surplus products and the conditions under which this disposal should take place ; whereas, in view of the likelihood of speculation in the new Member States in respect of sugar and isoglucose, which may be stored and for which export refunds are fixed, arrangements, should be made concerning stocks in Spain and Portugal on 1 March 1986 ;

Whereas provision should accordingly be made for Spain and Portugal to undertake a survey ; whereas, to this end, the rules laid down in 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⁾ and Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector⁽⁶⁾, as last amended by Regula-

tion (EEC) No 3819/85⁽⁷⁾, should be applied for the conversion of the various types of sugar into white sugar ;

Whereas, to determine the quantities of sugar and isoglucose to be eliminated from the market, the normal carry-over stock considered necessary, should be defined for each of these products allowing for consumption, production, traditional exports and operating stocks for refineries ; whereas the reimbursement of storage costs for quantities of sugar in normal carry-over stocks may normally be justified only on condition that the storage levy is incurred from 1 March 1986 in accordance with Article 12 of Commission Regulation (EEC) No 1998/78 of 18 August 1978 laying down detailed rules for the offsetting of storage costs for sugar⁽⁸⁾, as last amended by Regulation (EEC) No 645/85⁽⁹⁾ ;

Whereas, in view of the features of the markets for sugar and isoglucose, the disposal of quantities in excess of normal carry-over stocks must be carried out under certain conditions by export outside the Community either in the natural state or in the form of processed products in accordance with Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽¹⁰⁾, as last amended by Regulation (EEC) No 1982/85⁽¹¹⁾ ; whereas, to that end, certain provisions of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advanced fixing certificates for agricultural products⁽¹²⁾, as last amended by Regulation (EEC) No 3826/85⁽¹³⁾, should be referred to as regards evidence of export ;

Whereas quantities in excess of the carry-over stock in question which have not been exported before the date laid down and therefore have not been eliminated from the market must be considered as being disposed of on the Community internal market and being imported from third countries ; whereas, under these conditions, provision should rightly be made for levying an amount equal to the import levy for the product in question in force on the final day of the time limit laid down for export ; whereas the agricultural rate applicable on the date should be used to convert that amount into national currency ;

⁽¹⁾ OJ No L 362, 31. 12. 1985, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 21.

⁽³⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 158, 9. 6. 1982, p. 17.

⁽⁷⁾ OJ No L 368, 31. 12. 1985, p. 25.

⁽⁸⁾ OJ No L 231, 23. 8. 1978, p. 5.

⁽⁹⁾ OJ No L 73, 14. 3. 1985, p. 18.

⁽¹⁰⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽¹¹⁾ OJ No L 186, 19. 7. 1985, p. 5.

⁽¹²⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹³⁾ OJ No L 371, 31. 12. 1985, p. 1.

Whereas Spain and Portugal are each responsible for eliminating their respective quantities in excess of the normal carry-over stock under Articles 86 and 254 of the Act of Accession; whereas it is thus for those Member States to ensure that the quantities in question are indeed exported outside the Community and it is their responsibility therefore to take all necessary measures for that end;

Whereas, for good management of the markets for sugar, provision must be made for the new Member States to provide notification of the level of their recorded stocks and of quantities considered as being disposed of on the internal market;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

(a) 'sugar' shall mean:

- beet sugar and cane sugar, in solid form, falling within Common Customs Tariff heading No 17.01,
- sugar syrup falling within Common Customs Tariff subheadings ex 17.02 D II and ex 21.07 F IV;

(b) 'isoglucose' shall mean the product obtained from glucose or its polymers with a content by weight in the dry state of at least 10 % fructose, irrespective of its fructose content in excess of the limit, falling within Common Customs Tariff subheadings 17.02 D I and 21.07 F III;

(c) 'new Member States' shall mean Spain and Portugal.

Article 2

1. At 00.00 hours on 1 March 1986 the normal carry-over stock is fixed in respect of:

(a) Spain:

- for sugar, at 587 875 tonnes, expressed as white sugar,
- for isoglucose, at 10 375 tonnes, expressed as dry matter;

(b) Portugal:

- for sugar, expressed as white sugar:
 - at 85 676 tonnes for Portugal, not including the autonomous regions of the Azores and Madeira,
 - at 7 083 tonnes for the autonomous regions of the Azores and Madeira,

— for isoglucose, at 1 250 tonnes, expressed as dry matter.

2. The reimbursement of storage costs provided for in Article 8 of Regulation (EEC) No 1785/81 shall apply to quantities of sugar fixed in paragraph 1 only where the storage levy referred to in that Article is incurred from 1 March 1986 in accordance with Article 12 of Regulation (EEC) No 1998/78.

Article 3

1. The new Member States shall each undertake a survey of sugar and isoglucose stocks in free circulation in their respective territories at 00.00 hours on 1 March 1986.

2. For the application of paragraph 1, any person holding, in whatever capacity, a quantity of sugar or isoglucose of at least 3 000 kilograms, expressed, as the case may be, as white sugar or dry matter, in free circulation at 00.00 hours on 1 March 1986 must declare it to the competent authorities before 13 March 1986.

3. Quantities of raw sugar shall be expressed in terms of white sugar on the basis of yield determined in accordance with Article 1 of Regulation (EEC) No 431/68.

Quantities of sugar syrups shall be expressed in terms of white sugar on the basis of:

- the sucrose content of the syrup in question, where its purity is equal to or greater than 98 %, or
- the extractable sugar content of the syrup in question determined in accordance with the second subparagraph of Article 1 (5) of Regulation (EEC) No 1443/82, when its purity is less than 98 %.

Article 4

1. Where the quantity of the sugar or isoglucose stocks recorded by the survey provided for in Article 3 exceeds, for a new Member State, the quantity laid down for the latter in Article 2 (1), that Member State shall ensure that a quantity equal to the difference between the quantity recorded and the quantity laid down is exported from the Community before 1 January 1987, either in the form of the products referred to in Article 1 of this Regulation or in the form of processed products within the meaning of Article 1 of Regulation (EEC) No 3035/80. For the determination of the quantity to be exported, quantities of sugar and isoglucose may not be added together and the substitution of one for the other for export shall not be permitted.

As regards Portugal, the recording of stocks and the determination of quantities of sugar to be exported in compliance with the first subparagraph shall be carried out separately for the autonomous regions of the Azores and Madeira on the one hand and for the other regions of Portugal on the other hand.

2. In respect of the quantities to be exported pursuant to paragraph 1 :

- (a) export refunds, export levies, monetary compensatory amounts and accession compensatory amounts shall not apply ;
- (b) Articles 8 and 9 of Regulation (EEC) No 1785/81 shall not apply ;
- (c) the product in question must be exported before 1 January 1987, from the territory of the new Member State where stocks have been recorded as provided for in paragraph 1 and the product must have left the geographical territory of the Community before that date.

Article 5

1. The evidence of export as referred to in Article 4 (1) must be provided, except in cases of *force majeure*, before 1 March 1987 by the presentation of :

- (a) export licences and certificates issued in accordance with Article 6 by the competent body in the new Member State concerned ;
- (b) the relevant documents laid down in Articles 30 and 31 of Regulation (EEC) No 3183/80 for the release of the security.

2. If the evidence referred to in paragraph 1 is not provided before 1 March 1987, the quantity in question shall be considered as being disposed of on the Community internal market.

3. In cases of *force majeure*, the competent body in the new Member State in question shall adopt the measures which it considers necessary in the light of the circumstances.

Article 6

1. Applications for licences and certificates and the licences and certificates themselves shall bear :

- (a) in box 12, one of the following endorsements :

‘para exportación conforme al artículo 4 del Reglamento n° 579/86,

‘para exportação nos termos do artigo 4° do Regulamento (CEE) n° 579/86’ ;

- (b) and in the case of sugar or isoglucose exported in the form of a processed product :

— in box 6, one of the following endorsements :

‘azúcar’ or ‘isoglucosa’,

‘açúcar’ or ‘isoglicose’,

- in boxes 10 and 11, the quantity expressed in net weight of white sugar or isoglucose used for the manufacture of the processed product ; the exporter shall declare that quantity at the time of export and shall provide the competent body with all necessary documents and information in support of his declaration,

— in box 12, a description of the goods to be exported and the tariff headings or subheadings within which they fall.

2. Licences and certificates shall bear one of the following endorsements in box 18a :

— til eksport uden restitution, eksportafgift, monetært udligningsbeløb eller tiltrædelsesudligningsbeløb ... kg (den mængde, for hvilken licensen er udstedt) ; licens gyldig udelukkende i ... (den nye medlemsstat, der har udstedt licensen),

— Ohne Erstattung oder Abschöpfung oder Währungsausgleichsbetrag oder Beitrittsausgleichsbetrag auszuführen ... (Menge, für die diese Lizenz erteilt wurde) kg ; nur in ... (neuer Erteilungsmitgliedstaat) geltende Lizenz,

— προς εξαγωγή άνευ επιστροφής, εισφοράς, νομισματικού εξισωτικού ποσού προσχώρησης ... (ποσότητα για την οποία εκδόθηκε το πιστοποιητικό) χιλιόγραμμα πιστοποιητικό που ισχύει μόνο στην ... (νέο κράτος μέλος έκδοσης),

— (quantity for which the licence or certificate is issued) kg, to be exported without any refund, levy, monetary compensatory amount or accession compensatory amount ... licence or certificate valid in ... (new Member State of issue) only,

— para exportar sin restitución, ni exacción reguladora, ni montante compensatorio monetario, ni montante compensatorio de adhesión ... (cantidad por la que se haya expedido el certificado) kg ; certificado válido únicamente en ... (nuevo Estado miembro que lo haya expedido),

— à exporter sans restitution, ni prélèvement, ni montant compensatoire monétaire, ni montant compensatoire « adhésion » ... (quantité pour laquelle ce certificat a été délivré) kg ; certificat valable uniquement en ... (nouvel État membre de délivrance),

— da esportare senza restituzione, senza prelievo, senza importo compensativo monetario, senza importo compensativo adesione ... (quantitativo per cui viene rilasciato il titolo) kg ; titolo valido unicamente in ... (nuovo stato membro che rilascia il titolo),

— voor uitvoer zonder restitutie, noch heffing, noch monetair compenserend bedrag, noch compenserend bedrag toetreding ... (hoeveelheid waarvoor dit certificaat is afgegeven) kilogram ; certificaat uitsluitend geldig in ... (nieuwe Lid-Staat van afgifte),

— a exportar sem restituição, nem direito nivelador, nem montante compensatório, nem montante compensatório de adesão ... (quantidade para a qual este certificado foi emitido) kg ; certificado válido unicamente em ... (novo Estado-membro de emissão).

3. The licence or certificate shall be valid from the date of issue until 31 December 1986.

4. The rate of the security for licences and certificates for sugar and isoglucose is fixed at 0,25 ECU per 100 kilograms net of sugar or per 100 kilograms net of isoglucose expressed as dry matter.

Article 7

1. For the quantities which are considered as being disposed of on the internal market in accordance with Article 5 (2), an amount shall be levied which is equal :

- (a) in the case of sugar, per 100 kilograms, to the import levy in force on 31 December 1986 for which sugar, increased or reduced, as the case may be, by the accession compensatory amount in force on that date for white sugar for the new Member State in question ;
- (b) in the case of isoglucose, per 100 kilograms of dry matter, to one hundred times the basic amount of the import levy in force on 31 December 1986 for sucrose syrups.

2. To convert the amounts referred to in paragraph 1 into national currencies, the agricultural conversion rate applicable shall be that in force on 31 December 1986 in the sugar sector for the new Member State concerned.

Article 8

1. The new Member States shall take all measures necessary for the application of this Regulation and shall lay down, in particular, all the control which prove necessary to conduct the survey provided for in Article 4 (1).

2. The new Member States shall notify the Commission, separately in respect of sugar and for isoglucose :

- (a) before 22 March 1986 of their stocks recorded in accordance with Article 3 (1) ;
- (b) before 1 April 1987, of the quantities which are considered in accordance with Article 5 (2), as being disposed of on the internal market and of the cases where Article 5 (3) is applied.

Article 9

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 580/86

of 28 February 1986

on certain transitional measures in the sugar sector following the accession of Spain and Portugal

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, hereinafter referred to as 'the Act', and in particular Articles 90 (1) and 257 (1) thereof,

Whereas, under Article 394 of the Act, the application to Spain and Portugal of the Community rules introduced for the production and trade in agricultural products is postponed until 1 March 1986; whereas, accordingly, the production arrangements laid down in particular in 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 3768/85⁽²⁾, will not be applicable until that date; whereas transitional measures within the meaning of Articles 90 (1) and 257 (1) of the Act are required in order to enable Spain and Portugal to change over, from 1 March 1986, from the production arrangements in force in those countries to those laid down in Regulation (EEC) No 1785/81;

Whereas, for the 1985/86 marketing year, the entire sugar output of Spain and Portugal was produced under national arrangements and whereas much of the sugar they produced was disposed of before 1 March 1986; whereas, accordingly, retroactive action on delivery contracts concluded in respect of that production between sugar beet or cane producers and sugar manufacturers must be ruled out; whereas there are grounds therefore, for not applying the provisions on self-financing laid down in Article 28 of Regulation (EEC) No 1785/81 to sugar produced before 1 March 1986; whereas, in the case of the production of isoglucose, the normal carry-over stocks as at 1 March 1986 are not very large, since production tends to be steady and in keeping with demand; whereas, for the purposes of ensuring the same treatment for isoglucose and sugar, the said Article 28 should not apply to isoglucose produced before 1 July 1986, the date on which the 1986/87 marketing year begins;

Whereas, for the period 1 March to 30 June 1986, Spain and Portugal have already produced their sugar in respect of the 1985/86 quotas and whereas demand during that period must be met from normal carry-over stocks;

whereas, in the case of isoglucose production, taking into account the characteristics described above and in order to avoid jeopardizing one of the main objectives of the quota system, namely achieving a certain balance in the Community between production and outlets, provision should be made for satisfying demand in Spain and Portugal during the period 1 March to 30 June 1986 on the basis of the quantities produced during that period; whereas the basic quantities of A and B glucose for Spain and Portugal should be limited to the quantities corresponding to the share of the Community's average recorded production before accession in March, April, May and June, reference being made to the basic annual quantities for Spain and Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of Article 28 of Regulation (EEC) No 1785/81 shall not apply to the quantities of:

- (a) sugar produced from beet or cane harvested in Spain and Portugal before 1 March 1986;
- (b) isoglucose produced in Spain and Portugal before 1 July 1986.

Article 2

The basic quantities of A and B isoglucose, expressed in tonnes of dry matter, for the period from the entry into force of this Regulation until 30 June 1986 shall be as follows:

- (a) for Spain:
 - basic quantity A: 26 550,0,
 - basic quantity B: 2 832,0;
- (b) for Portugal:
 - basic quantity A: 2 865,2,
 - basic quantity B: 674,8.

Article 3

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 581/86

of 28 February 1986

laying down detailed rules for the application of the system of accession compensatory amounts and fixing accession compensatory amounts in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 469/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts in the sugar sector⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 (1) of Regulation (EEC) No 469/86, accession compensatory amounts must, to the extent required in order to prevent any disruption of trade, be fixed for the products concerned, as specified in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector⁽²⁾, as last amended by Regulation (EEC) No 3768/85⁽³⁾; whereas the said accession compensatory amounts should not be applied in the case of sucrose syrups which are less than 85 % pure, since these are not normally marketed without further processing;

Whereas accession compensatory amounts for syrups are, in principle, fixed on the basis of their sucrose content; whereas, in the case of syrups which are less than 98 % pure, the accession compensatory amounts should be based on the extractable sugar content determined in accordance with the relevant provisions of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector⁽⁴⁾, as last amended by Regulation (EEC) No 3819/85⁽⁵⁾;

Whereas, when applying accession compensatory amounts in the case of raw sugar, it should be specified that when the latter's yield differs from that of the standard quality as laid down in 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⁽⁶⁾, the amount must be adjusted in the light of the recorded difference by means of a coefficient which takes into account the actual yield;

Whereas, in accordance with the general rules laid down in Regulation (EEC) No 469/86 on the accession compensatory amounts for fresh sugar beet, sugar and syrups, the said accession compensatory amounts should be as shown in the Annex to this Regulation; whereas the accession compensatory amounts for sugar beet in the form of dried sugar-beet pulp and sugar-beet pulp powder should be calculated using a flat-rate yield based on their dry matter content;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Accession compensatory amounts shall not be applied in the case of syrups falling within subheadings 17.02 D II, E and F I, and 21.07 F IV of the Common Customs Tariff which are less than 85 % pure, and in the case of maple sugar and maple syrup falling within subheading 17.02 C of the Common Customs Tariff.

2. In the case of syrups falling within subheadings 17.02 D II, E and F I, and 21.07 F IV of the Common Customs Tariff:

- (a) which are not less than 98 % pure, the accession compensatory amount shall be based on the syrup's recorded sucrose content;
- (b) which are less than 98 % pure but not less than 85 % pure, the accession compensatory amount applicable shall be based on the extractable sugar content as recorded in accordance with the second subparagraph of Article 1 (5) of Regulation (EEC) No 1443/82.

3. Where the raw sugar's yield differs from that of the standard quality as laid down in Regulation (EEC) No 431/68, the accession compensatory amount shall be adjusted by means of a coefficient.

This coefficient shall be the raw sugar's yield as calculated in accordance with Article 1 of Regulation (EEC) No 431/68, divided by 92.

Article 2

The accession compensatory amounts applicable in the sugar sector shall be as shown in the Annex to this Regulation.

Article 3

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 32.

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽³⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁴⁾ OJ No L 158, 9. 6. 1982, p. 17.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 25.

⁽⁶⁾ OJ No L 89, 10. 4. 1968, p. 3.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Accession compensatory amounts applicable in trade with Spain and Portugal

CCT heading No	Description of goods	Compensatory amounts applicable in trade between :										
		on the one hand } Community of Ten	Community of Ten	Spain	Spain	Spain	Spain without Azores	Portugal without Azores	Portugal without Azores	Spain	Azores	Third countries
		on the other hand } Community of Ten	Portugal without Azores	Azores	Portugal without Azores	Azores	Third countries	Azores	Third countries	Third countries	Azores	Third countries
12.04	Sugar beet, whole or sliced, fresh, dried or powdered ; sugar cane : A. Sugar beet : I. Fresh II. Dried or powdered (1)	7,09 26,23	1,26 4,66	1,26 4,66	5,83 21,57	5,83 21,57	7,09 26,23	— —	1,26 4,66	1,26 4,66	1,26 4,66	
17.01	Beet sugar and cane sugar, solid : A. White sugars ; flavoured or coloured sugars B. Raw sugars	8,60 7,91	10,40 9,57	6,15 5,66	19,00 17,48	14,75 13,57	8,60 7,91	4,25 3,91	10,40 9,57	6,15 5,66		
17.02 D II	Other sugars and syrups (but not including lactose, glucose, malto-dextrine and isoglucose)	0,0860	0,1040	0,0615	0,1900	0,1475	0,0860	0,0425	0,1040	0,0615		
17.02 E	Artificial honey, whether or not mixed with natural honey											
17.02 F I	Caramel containing in the natural state 50 % or more by weight of sucrose											
21.07 F IV	Flavoured or coloured sugar syrups (other than lactose, glucose, malto-dextrine and isoglucose syrups)											

Of a sucrose content, on a basis of dry matter, of at least 50 % .

⁽¹⁾ Of a sucrose content, on a basis of dry matter, of at least 50 %.

COMMISSION REGULATION (EEC) No 582/86**of 28 February 1986****on transitional measures regarding the control system for prices and the quantities of certain products in the oils and fats sector which are released for consumption in Spain and Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Articles 94 and 292 of the Act of Accession provide that the national control systems must be replaced by a Community system on 1 March 1986;

Whereas the application of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the control system for prices and the quantities of certain products in the oils and fats sector which are released for consumption in Spain ⁽¹⁾, and, for Portugal, Regulation (EEC) No 476/86 ⁽²⁾, calls for detailed rules which cannot be adopted before 1 March 1986; whereas transitional measures should therefore be adopted in respect of a period not exceeding the strict minimum; whereas it is advisable to maintain the national arrangements in March 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The arrangements in respect of imports and exports which are in force in Spain and Portugal on 28 February 1986 shall continue to apply until 31 March 1986.
2. The quantities imported by Portugal and Spain shall be taken into account when drawing up the estimate referred to in Article 4 of Regulation (EEC) No 475/86 and 476/86.
3. The Member States concerned shall notify the Commission of the quantities imported during the period from 1 to 31 March 1986.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 47.⁽²⁾ OJ No L 53, 1. 3. 1986, p. 51.

COMMISSION REGULATION (EEC) No 583/86**of 28 February 1986****laying down detailed rules for the application of accession compensatory amounts to olive oil**

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 473/86 of 28 February 1986 laying down the general rules for the system of accession compensatory amounts for olive oil⁽¹⁾, and in particular Article 8 thereof,

Whereas under Article 2 (2) of Regulation (EEC) No 473/86 the accession compensatory amount is corrected by the difference between the consumption aid applicable in the Community as constituted on 31 December 1985 and that applicable in the new Member State; whereas the consumption aid taken into consideration is that referred to in Article 11 (1) of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats⁽²⁾, to which the percentage referred to in Article 11 (6) of the same Regulation has been applied;

Whereas Article 2 (6) of Regulation (EEC) No 473/86 provides that for refined olive oil it may be decided to apply to the accession compensatory amount a coefficient which takes account of the quantity of unrefined olive oil necessary for its production;

Whereas, in the case of products containing olive oil, the compensatory amount applicable must take their oil content into account;

Whereas Council Regulation (EEC) No 3774/85 of 20 December 1985 concerning certain national aids in the agricultural sector which are incompatible with the common market but which the Portuguese Republic is authorized to maintain on a transitional basis⁽³⁾ provided for the retention of an olive oil consumption aid in Portugal; whereas this must be taken into account for the purposes of determination of the accession compensatory amounts to be granted or levied;

Whereas Article 6 (2) of Regulation (EEC) No 473/86 provides that if, for exports to one or more third countries, the refund is less than the accession compensatory amount, or has not been fixed, measures may be taken to

ensure the proper functioning of the common organization of the market in olive oil; whereas in order to maintain trade patterns pending the definition of a new export policy the accession compensatory amount should not be applied on bulk exports of olive oil from Spain;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 2 (2) of Regulation (EEC) No 473/86, the percentage withheld referred to in Article 11 (6) of Regulation No 136/66/EEC shall be applied to the amount of consumption aid taken into account.

Article 2

For olive oil falling within tariff subheadings 15.07 A II a) and 15.07 A II b) the accession compensatory amounts applicable shall be those determined as provided for in Article 2 of Regulation (EEC) No 473/86, multiplied by the coefficients 1,04 and 1,20 respectively.

Article 3

For products containing olive oil, the accession compensatory amounts applicable shall be fixed on the basis of their content as set out in the Annex to this Regulation.

Article 4

1. If, on export to third countries, the accession compensatory amount to be collected, as referred to in Article 2 (5) of Regulation (EEC) No 473/86, is above the level of the refund, or, in the case where no refund has been fixed, shall be equal to the difference between the accession compensatory amount and the refund the accession compensatory amount shall be collected in full.

2. However, by way of derogation from paragraph 1, during the period 1 March to 30 April 1986, the accession compensatory amount on olive oil produced in the Community exported from Spain in bulk or in immediate containers with a net content greater than five litres, shall be limited to the level of the refund, if one has been fixed, or, if none has been fixed, is not to be collected.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 43.

⁽²⁾ OJ No L 172, 30. 9. 1966, p. 3025.

⁽³⁾ OJ No L 362, 31. 12. 1985, p. 37.

Article 5

The accession compensatory amount applicable on imports into Portugal from third countries or other Member States, as referred to in Article 2 (2) of Regulation (EEC) No 473/86, shall be reduced by the amount of the

consumption aid actually granted that is being temporarily retained on the terms laid down in Regulation (EEC) No 3774/85.

Article 6

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

Products containing olive oil	Oil content	Type of oil incorporated
07.01 N II	22 %	15.07 A I b)
07.03 A II	22 %	15.07 A I b)
15.17 B I a)	50 %	15.07 A I b)
15.17 B I b)	80 %	15.07 A I b)
23.04 A II	8 %	15.07 A I c)

COMMISSION REGULATION (EEC) No 584/86**of 28 February 1986****amending as a transitional measure Regulation (EEC) No 3472/85 on the buying
in and storage of olive oil by intervention agencies**

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

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

Whereas Council Regulation (EEC) No 453/86 of 25
February 1986 fixing, for 1985/86, the intervention prices
for olive oil in Spain and Portugal and the production aid
applicable in Spain ⁽¹⁾, results in an intervention price in
Spain different from the Community price ; whereas, in
these circumstances, the appliation in Spain of the price
reduction for olive-residue oil, as provided for in
Commission Regulation (EEC) No 3472/85 of 10
December 1985 on the buying in and storage of olive oil
by intervention agencies ⁽²⁾, would create market
disturbance ; whereas provision should therefore be made
for a special price reduction, as a transitional measure for
that Member State ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 3472/85 is hereby
replaced from 1 March 1986 to 31 October 1986, by the
Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 5.

⁽²⁾ OJ No L 333, 11. 12. 1985, p. 5.

ANNEX

(ECU/100 kg)		
Description and quality as defined in the Annex to Regulation No 136/66/EEC (the degree of acidity represents the free fatty acid content, expressed as grams of oleic acid per 100 grams of oil)	Price increase	Price reduction
Virgin olive oil, extra	17,29	—
Virgin olive oil, fine	12,09	—
Virgin olive oil, semi-fine	—	—
Virgin olive oil, lampante 1°		8,14
Other virgin olive oils, lampante :		
— more than 1°, up to and including 8° acidity		Reduction increased by 0,32 ECU for each additional tenth of a degree of acidity
— more than 8° acidity		Reduction increased by 0,35 ECU for each additional tenth of a degree of acidity
Olive oil from olive residues, up to and including 5° acidity :		
— bought in in Spain		55,00
— bought in in other Member States		123,00
Other olive oils from olive residues :		
— more than 5°, up to and including 8° acidity		Reduction increased by 0,17 ECU for each additional tenth of a degree of acidity
— more than 8° acidity		Reduction increased by 0,20 ECU for each additional tenth of a degree of acidity

COMMISSION REGULATION (EEC) No 585/86

of 28 February 1986

laying down the level of the accession compensatory amounts for milk and milk products in trade with Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 466/86 of 25 February 1986 determining the general rules for the system of accession compensatory amounts for milk and milk products on account of the accession of Spain⁽¹⁾, and in particular Article 6 thereof,

Whereas Article 2 of Council Regulation (EEC) No 466/86 fixed, on the basis of the first paragraph of Article 72 (1) and of Article 98 (2) of the Act of Accession of Spain and Portugal, the criteria to enable the levels of the accession compensatory amounts for milk and milk products to be determined; whereas these levels should be fixed for the 1985/86 milk year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The accession compensatory amounts applicable until the end of the 1985/86 marketing year in trade between the Community as constituted at 31 December 1985 and Spain, and in trade between Spain and third countries for the milk and milk products listed in the Annex hereto shall be as shown in this Annex.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 23.

CCT heading No	Description	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
ex 04.01	Milk and cream, fresh, not concentrated or sweetened (excluding goat's and sheep's milk and cream): A. Of a fat content, by weight, not exceeding 6 %: I. Yoghurt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk: — Whey — Other, of a fat content, by weight: — not exceeding 0,6 % — exceeding 0,6 % II. Other B. Other	— 1,51 (¹) (¹) (¹)
04.02	Milk and cream, preserved, concentrated or sweetened: A. Not containing added sugar: I. Whey II. Milk and cream, in powder or granules and of a fat content by weight: — not exceeding 1,5 %, intended for human consumption (²) — exceeding 1,5 % but not exceeding 29 % — exceeding 29 % but not exceeding 45 % — exceeding 45 % III. Milk and cream, other than in powder or granules and of a fat content, by weight: — not exceeding 11 % — exceeding 11 % B. Containing added sugar: I. Milk and cream, in powder or granules: a) Special milk for infants, in hermetically sealed containers of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % b) Other, of a fat content by weight: — not exceeding 1,5 %, intended for human consumption (²) — exceeding 1,5 % but not exceeding 29 % — exceeding 29 % but not exceeding 45 % — exceeding 45 % II. Milk and cream, other than in powder or in granules, and of a fat content, by weight: — not exceeding 9,5 % — exceeding 9,5 %	— 69,76 63,63 59,84 50,58 25,71 (¹) 0,6363 per kg (³) 0,6976 per kg (³) 0,6363 per kg (³) 0,5984 per kg (³) 0,5058 per kg (³) 20,25 (⁴) (³)

CCT heading No	Description	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
04.03	Butter : A. Of a fat content, by weight : — of less than 80 % — of 80 % or more but less than 82 % — exceeding 82 % but not exceeding 84 % — exceeding 84 %	 0,4798 (°) 38,38 39,34 0,4798 (°)
04.04	Cheese and Curd : A. Emmentaler, Gruyère, Sbrinz, Berkäse, Appenzell, Vacherin fribourgeois, Vacherin Mont d'Or and Tête de moine, not grated or powdered B. Glaris herb cheese (known as Schabziger), made from skimmed milk and mixed with finely-ground herbs ex C. Blue-veined cheese, not grated or powdered — Roquefort — Other (excluding cheeses made exclusively from sheep's or goat's milk) D. Processed cheese, not grated or powdered E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, by weight, in the non-fat solids : ex a) Not exceeding 47 % : — Parmigiano Reggiano, Pecorino Romano, Pecorino Sardo and Grana Padano — Other (excluding cheeses manufactured exclusively from sheep's or goat's milk) b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar ex 2. Other (excluding cheeses manufactured exclusively from sheep's or goat's milk) c) Exceeding 72 % (excluding cheeses manufactured exclusively from sheep's or goat's milk) II. Other : a) Grated or powdered b) Other (excluding cheeses manufactured exclusively from sheep's or goat's milk)	 44,89 30,00 — 21,85 83,01 — 60,00 83,01 52,75 45,00 60,00 25,00
17.02	A. Lactose and Lactose syrup : II. Other (than those containing in the dry state, 99 % or more by weight of the pure product)	 16,19
21.07	F. Flavoured or coloured sugar syrups : I. Lactose syrup	 16,19

CCT heading No	Description	Compensatory amount in ECU/100 kg net weight (except where otherwise indicated)
23.07	Molasses or sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose, glucose syrup, maltodextrine and/or maltodextrine syrup, falling within subheadings 17.02 B and 21.07 F II, and milk products : I. Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup : a) Containing no starch or containing 10 % or less by weight of starch : 3. Containing not less than 50 % but less than 75 % by weight of milk products 4. Containing not less than 75 % by weight of milk products b) Containing more than 10 % but not more than 30 % by weight of starch : 3. Containing not less than 50 % by weight of milk products c) Containing more than 30 % by weight of starch : 3. Containing not less than 50 % by weight of milk products II. Containing no starch, glucose, glucose syrup, maltodextrine, or maltodextrine syrup, but containing milk products	— — — (7) — (7) —

Notes

- (¹) The compensatory amount per 100 kg net of these products shall be equal to the sum of the following components :
- an amount corresponding to the quantity of milk fat, expressed as a percentage, contained in 100 kg net of the product multiplied by 0,0429 ECU,
 - an amount corresponding to the quantity in kg of the non-fat part contained in 100 kg net of the product multiplied by 0,015108 ECU.
- (²) 'Products intended for human consumption' are products other than those denatured in accordance with the provisions of Regulation (EEC) No 1725/79 or Regulation (EEC) No 3714/84, or those imported into Spain under the arrangements laid down in Regulation (EEC) No 1624/76.
- (³) The compensatory amount per 100 kg net of these products shall be equal to the sum of :
- the amount per kg indicated multiplied by the weight of milk and cream contained in 100 kg of finished product,
 - an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to the compensatory amount applicable to 1 kg of white sugar.
- (⁴) The compensatory amount per 100 kg net of these products shall be equal to the sum of :
- the amount indicated,
 - an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to the compensatory amount applicable to 1 kg of white sugar.
- (⁵) The compensatory amount per 100 kg net of these products shall be equal to the sum of the following components :
- an amount corresponding to the quantity of milk fat expressed as a percentage, contained in 100 kg net of the product, multiplied by 0,0429 ECU, and
 - an amount corresponding to the quantity in kg of the non-fat milk solids contained in 100 kg net of the product multiplied by 0,015108 ECU,
 - an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to the compensatory amount applicable to 1 kg of white sugar.
- (⁶) The compensatory amount for 100 kg net of these products shall be equal to the amount indicated multiplied by the weight of the fat contained in 100 kg of finished product.
- (⁷) The compensatory amount for 100 kg net weight of these products shall be equal :
- in the case of products falling within subheading 23.07 B I b) 3, to the accession compensatory amount for 100 kg of maize multiplied by the coefficient 0,16,
 - in the case of products falling within subheading 23.07 B I c) 3, to the accession compensatory amount for 100 kg of maize multiplied by the coefficient 0,50.

N.B. :

In the case of goat's and sheep's milk and cream and of cheese manufactured exclusively from these products :

- the analysis check shall be carried out by immunochemical and/or electrophoretic methods, supplemented as necessary by HPLC analyses,
- the party concerned shall be obliged, when completing the customs formalities, to state in the declaration provided for this purpose that the milk or cream in question consists solely of the product obtained exclusively from sheep or goats or, as appropriate, that the cheese in question was manufactured exclusively from sheep's or goat's milk.

COMMISSION REGULATION (EEC) No 586/86**of 28 February 1986****fixing the coefficients for the calculation of the accession compensatory amounts and the accession compensatory amounts applicable in the beef and veal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 470/86 of 25 February 1986 laying down general rules regarding accession compensatory amounts in the beef and veal sector⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas the accession compensatory amounts in the beef and veal sector must be fixed in accordance with the rules laid down in Regulation (EEC) No 470/86 and, pursuant to Article 101 of the Act of Accession, using coefficients to be determined;

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

HAS ADOPTED THIS REGULATION:

Article 1

The coefficients for calculating the accession compensatory amounts for the products referred to in Article 101 of the Act of Accession are set out in Annex I to this Regulation.

Article 2

The accession compensatory amounts applicable in the beef and veal sector are set out in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 35.

ANNEX I

Coefficients for calculation of the accession compensatory amounts on products foreseen in Article 101 of the Act of Accession

CCT heading No	Description	Coefficient for calculation of accession compensatory amount
01.02 A II	Live animals, including animals of the buffalo species, of domestic bovine species other than pure-bred breeding animals	0,53
02.01 A II a)	Fresh or chilled meat of bovine animals :	
	1. Carcases, half-carcases or 'compensated' quarters	1,00
	2. Separated or unseparated forequarters	0,80
	3. Separated or unseparated hindquarters	1,20
	4. Other :	
	aa) Unboned (bone-in)	0,80
	bb) Boned or boneless	1,72
02.01 A II b)	Frozen meat of bovine animals :	
	1. Carcases, half-carcases, or 'compensated' quarters	0,90
	2. Separated or unseparated forequarters	0,72
	3. Separated or unseparated hindquarters	1,12
	4. Other :	
	aa) Unboned (bone-in)	0,72
	bb) Boned or boneless :	
	11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	1,12
	22. Crop, chuck and blade and brisket cuts (a)	1,12
	33. Other	1,55
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked :	
	1. Unboned (bone-in)	0,80
	2. Boned or boneless	1,72
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, either uncooked, or a mixture of cooked meat or offal and uncooked meat or offal	1,72

(a) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

ANNEX II

Accession compensatory amounts in the beef and veal sector

CCT heading No	Description	(ECU/100 kg) Accession compensatory amounts applicable to Spanish trade
01.02 A II	Live animals, including animals of the buffalo species, of domestic bovine species other than pure-bred breeding animals	21,84
02.01 A II a)	Fresh or chilled meat of bovine animals 1. Carcases, half-carcases or 'compensated' quarters 2. Separated or unseparated forequarters 3. Separated or unseparated hindquarters 4. Other : aa) Unboned (bone-in) bb) Boned or boneless	41,20 32,96 49,44 32,96 70,86
02.01 A II b)	Frozen meat of bovine animals : 1. Carcases, half-carcases, or 'compensated' quarters 2. Separated or unseparated forequarters 3. Separated or unseparated hindquarters 4. Other : aa) Unboned (bone-in) bb) Boned or boneless : 11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece 22. Crop, chuck and blade and brisket cuts (a) 33. Other	37,08 29,66 46,14 29,66 46,14 46,14 63,86
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked : 1. Unboned (bone-in) 2. Boned or boneless	32,96 70,86
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, either uncooked, or a mixture of cooked meat or offal and uncooked meat or offal	70,86

(a) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 587/86

of 28 February 1986

fixing, on account of the accession of Spain, the accession compensatory amounts applicable to egg products

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 471/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for eggs on account of the accession of Spain⁽¹⁾, and in particular Article 8(1) thereof,

Having regard to Council Regulation (EEC) No 504/86 of 25 February 1986 on transitional arrangements for trade between Spain and the other Member States and between Spain and third countries in glucose and lactose covered by Regulation (EEC) No 2730/75 and in ovalbumin and lactalbumin covered by Regulation (EEC) No 2783/75⁽²⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 471/86, the accession compensatory amounts for eggs in shell shall be equal to the accession compensatory amounts applicable to the quantity of feed grain required for the production in the Community of 1 kilogram of eggs in shell or one egg for hatching; whereas the accession compensatory amounts for other egg products must be derived from the accession compensatory amount applicable to eggs in shell, other than eggs for hatching,

with the help of the coefficients expressing the ratio referred to in Article 5(2) of Regulation (EEC) No 2771/75⁽³⁾;

Whereas, pursuant to Article 1 of Regulation (EEC) No 504/86, the compensatory amounts applicable to eggs in shell other than eggs for hatching, adjusted by the coefficient referred to in Article 2(1) of Council Regulation (EEC) No 2783/75⁽⁴⁾, shall be applied to trade in ovalbumin and lactalbumin;

Whereas the accession compensatory amounts for egg products and for ovalbumin and lactalbumin should be fixed for the period 1 March to 31 July 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

The accession compensatory amounts applicable to trade between Spain and the Community as constituted at 31 December 1985 and between Spain and third countries until 31 July 1986 are as shown in the Annex for egg products, ovalbumin and lactalbumin.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 37.

⁽²⁾ OJ No L 54, 1. 3. 1986, p. 54.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 104.

ANNEX

to the Commission Regulation of 28 February 1986 fixing, on account of the accession of Spain, the accession compensatory amounts applicable to egg products

CCT heading No	Description	Accession compensatory amounts
1	2	3
		ECU/100 units
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : a) Eggs for hatching (a) : 1. Of turkeys or geese 2. Other	0,68 0,28
		ECU/100 kg
	b) Other	2,97
	B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	13,42 3,45 6,06 6,47 13,90
35.02	Albumins, albuminates and other albumin derivates : A. Albumins : II. Other (than unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other	12,06 1,63

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 588/86

of 28 February 1986

on fixing the special levies on trade in beef and veal with respect to Portugal

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 10 (5) and Article 12 (7) thereof,

Whereas, pursuant to Article 272 (1) and (2) of the Act of Accession, the Community as constituted at 31 December 1985 should, during the first stage, apply to the import of products from Portugal the arrangements that it applied before accession, allowing for any price alignment that has taken place during that first stage; whereas these levies should, accordingly, be fixed;

Whereas the necessary arrangements should be made for the application of the said system of special levies to trade in beef and veal between Portugal and the other Member States of the Community;

Whereas the Management Committee for Beef and Veal did not deliver an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. A special basic levy shall be charged on imports of the products referred to in Article 1 (1) of Regulation (EEC) No 805/68 from Portugal into the Community as constituted at 31 December 1985.

2. The levy referred to in paragraph 1 shall be calculated on the basis of the difference between the guide price multiplied by a coefficient of 1,9, on the one hand, and the average market price for R3 quality carcasses in the categories referred to in the first and third indents of Article 3 (1) of Council Regulation (EEC) No 1208/81⁽³⁾ plus customs duties, on the other.

The average shall be determined on the basis of the prices recorded over a period running from the 21st day of the preceding month until the 20th day of the month during which the special basic levy is fixed.

3. For the different presentations of the products referred to in Article 1 (1) of Regulation (EEC) No 805/68, the basic levy shall be the basic levy fixed for R3 carcasses of adult male bovine animals multiplied by the coefficient given in the Annex for each of the products in question.

Article 2

Where the price difference referred to in Article 1 (2) is less than 1 ECU, no levy shall be charged.

Article 3

Where the average price calculated in accordance with the foregoing Articles differs by less than 1 ECU per 100 kg carcase weight from the average previously used to calculate the levy, the latter figure may be maintained.

Article 4

1. The special levies to be charged shall be fixed in accordance with Article 12 of Regulation (EEC) No 805/68 before the 27th day of each month. They shall be charged from the first Monday of the following month. However, when fixed for the first time, the levies shall be charged from 1 March 1986, onwards. The amounts of the special levies on imports from Portugal shall be as shown in Annex II to this Regulation.

2. The levies to be charged shall be altered at other times where the special basic levy is altered or in accordance with changes in the prices recorded on the representative Community markets referred to in Article 12 of Regulation (EEC) No 805/68.

Article 5

In the case of imports from Portugal into Spain, the special levies referred to in this Regulation shall be adjusted by means of the accession compensatory amount.

Article 6

1. Portugal shall inform the Commission no later than Thursday each week of the average price referred to in Article 1 (2) determined in respect of the seven days preceding the date of notification.

2. Similarly, the Commission shall inform Portugal of the average price recorded in the Community as constituted at 31 December 1985 and of the average price recorded in Spain for the same reference qualities.

Article 7

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 123, 7. 5. 1981, p. 3.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Coefficients for calculation of the special levies on trade with Portugal

CCT heading No	Description	Coefficient for calculation of special levies
01.02 A II	Live animals, including animals of the buffalo species, of domestic bovine species other than pure-bred breeding animals	0,53
02.01 A II a)	Fresh or chilled meat of bovine animals	
	1. Carcases, half-carcases or 'compensated' quarters	1,00
	2. Separated or unseparated forequarters	0,80
	3. Separated or unseparated hindquarters	1,20
	4. Other :	
	aa) Unboned (bone-in)	1,50
	bb) Boned or boneless	1,72
02.01 A II b)	Frozen meat of bovine animals :	
	1. Carcases, half-carcases, or 'compensated' quarters	0,90
	2. Separated or unseparated forequarters	1,72
	3. Separated or unseparated hindquarters	1,12
	4. Other :	
	aa) Unboned (bone-in)	1,35
	bb) Boned or boneless :	
	11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	1,12
	22. Crop, chuck and blade and brisket cuts (a)	1,12
	33. Other	1,55
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked :	
	1. Unboned (bone-in)	1,50
	2. Boned or boneless	1,72
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, either uncooked or a mixture of cooked meat or offal and uncooked meat or offal	1,72

(a) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

ANNEX II

Special levies on imports of beef and veal from Portugal

CCT heading No	Description	Amount of the special levies
01.02 A II	Live animals, including animals of the buffalo species, of domestic bovine species other than pure-bred breeding animals	2,37
02.01 A II a)	Fresh or chilled meat of bovine animals	
	1. Carcases, half-carcases or 'compensated' quarters	4,48
	2. Separated or unseparated forequarters	3,58
	3. Separated or unseparated hindquarters	5,38
	4. Other :	
	aa) Unboned (bone-in)	6,72
	bb) Boned or boneless	7,71
02.01 A II b)	Frozen meat of bovine animals :	
	1. Carcases, half-carcases, or 'compensated' quarters	4,03
	2. Separated or unseparated forequarters	3,23
	3. Separated or unseparated hindquarters	5,02
	4. Other :	
	aa) Unboned (bone-in)	6,05
	bb) Boned or boneless :	
	11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	5,02
	22. Crop, chuck and blade and brisket cuts (a)	5,02
	33. Other	6,94
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked :	
	1. Unboned (bone-in)	6,72
	2. Boned or boneless	7,71
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, either uncooked or a mixture of cooked meat or offal and uncooked meat or offal	7,71

(a) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 589/86

of 28 February 1986

fixing the accession compensatory amounts for olive oil for 1985/86

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 473/86 of 25 February 1986 laying down the general rules for the system of accession compensatory amounts for olive oil⁽¹⁾, and in particular Article 7 (3) thereof,

Whereas Council Regulation (EEC) No 453/86⁽²⁾ fixed, for 1985/86, the intervention prices for olive oil applicable in Spain and Portugal;

Whereas the detailed rules for the application of accession compensatory amounts are laid down in Commission Regulation (EEC) No 583/86 laying down the detailed rules for the application of accession compensatory amounts for olive oil⁽³⁾;

Whereas Commission Regulation (EEC) No 584/86 of 28 February 1986 laying down transitional arrangements relating to the detailed rules for the buying in of olive oil by intervention agencies in Spain and Portugal⁽⁴⁾ fixed, for olive-residue oil produced in Spain, price reductions differing from those fixed for the other Member States;

Whereas Articles 72 (1) and 240 (1) of the Act of Accession provide for the incidence of some national aids to be taken into account; whereas Council Regulation (EEC)

No 3774/85 of 20 December 1985 concerning certain national aids in the agricultural sector which are incompatible with the common market but which the Portuguese Republic is authorized to maintain on a transitional basis⁽⁵⁾ provides for the continuation of aid for the consumption of olive oil in Portugal; whereas the aid should be taken into consideration when accession compensatory amounts are granted or levied in the previous conditions of Article 5 in Regulation (EEC) No 583/86;

Whereas Commission Regulation (EEC) No 583/86 fixed the arrangements relating to the accession compensatory amounts for olive oil;

Whereas the application of the rules laid down in Regulation (EEC) No 3774/85 results in compensatory amounts being fixed as set out below,

HAS ADOPTED THIS REGULATION:

Article 1

The accession compensatory amounts applicable in 1985/86 for olive oil shall be as shown in the Annex.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 43.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 5.

⁽³⁾ See page 31 of this Official Journal.

⁽⁴⁾ See page 33 of this Official Journal.

⁽⁵⁾ OJ No L 362, 31. 12. 1985, p. 37.

ANNEX

	Accession compensatory amount deducted (—) or granted (+) in the following exchanges					Accession compensatory amount deducted (—) or granted (+) to exports		
	From EEC of 10 to Spain	From EEC of 10 to Portugal	From Spain to Portugal	To Spain from third countries	To Portugal from third countries	From Spain to third countries	From Portugal to third countries	
1. Olive oil produced in EC-12, presented in bulk or in immediate packages of a net capacity greater than 5 litres :								
15.07 A I a)	(+) 97,91 (b)	(+) 29,44 (b)	(—) 68,47 (c)	(+) 48,60 (e)	(—) 19,87 (f) (d)	(—) 97,91 (g)	(—) 29,44 (f)	
15.07 A I b)	(+) 97,91 (b)	(+) 29,44 (b)	(—) 68,47 (c)	(+) 48,60 (e)	(—) 19,87 (f) (d)	(—) 97,91 (g)	(—) 29,44 (f)	
15.07 A I c)	(+) 29,91 (b)	(+) 29,44 (b)	(—) 0,47 (c)	(—) 19,40 (g)	(—) 19,87 (f) (d)	(—) 29,91 (g)	(—) 29,44 (f)	
15.07 A II a)	(+) 101,83 (b)	(+) 30,62 (b)	(—) 71,21 (c)	(+) 50,54 (e)	(—) 20,66 (f) (d)	(—) 101,83 (g)	(—) 30,62 (f)	
15.07 A II b)	(+) 35,89 (b)	(+) 35,33 (b)	(—) 0,56 (c)	(—) 23,28 (g)	(—) 23,84 (f) (d)	(—) 35,89 (g)	(—) 35,33 (f)	
2. Olive oil of third-country origin however packaged, or olive oil produced in EC-12 presented in immediate packages of a net capacity less than or equal to 5 litres :								
15.07 A I a)	(+) 48,60 (b)	(—) 19,87 (c) (d)	(—) 68,47 (c)	(+) 48,60 (e)	(—) 19,87 (f) (d)	(—) 48,60 (g)	(+) 19,87 (f) (d)	
15.07 A I b)	(+) 48,60 (b)	(—) 19,87 (c) (d)	(—) 68,47 (c)	(+) 48,60 (e)	(—) 19,87 (f) (d)	(—) 48,60 (g)	(+) 19,87 (f) (d)	
15.07 A I c)	(—) 19,40 (g)	(—) 19,87 (c) (d)	(—) 0,47 (c)	(—) 19,40 (g)	(—) 19,87 (f) (d)	(+) 19,40 (g)	(+) 19,87 (f) (d)	
15.07 A II a)	(+) 50,54 (b)	(—) 20,66 (c) (d)	(—) 71,20 (c)	(+) 50,54 (e)	(—) 20,66 (f) (d)	(—) 50,54 (g)	(+) 20,66 (f) (d)	
15.07 A II b)	(—) 23,28 (g)	(—) 23,84 (c) (d)	(—) 0,56 (c)	(—) 23,28 (g)	(—) 23,84 (f) (d)	(—) 23,28 (g)	(+) 23,84 (f) (d)	
3. Products containing olive oil :								
07.01 N II	(+) 21,54 (b)	(+) 6,48 (b)	(—) 15,06 (c)	(+) 21,54 (e)	(—) 6,48 (f)	(—) 21,54 (g)	(—) 6,48 (f)	
07.03 A II	(+) 21,54 (b)	(+) 6,48 (b)	(—) 15,06 (c)	(+) 21,54 (e)	(—) 6,48 (f)	(—) 21,54 (g)	(—) 6,48 (f)	
15.17 B I a)	(+) 48,96 (b)	(+) 14,72 (b)	(—) 34,24 (c)	(+) 48,96 (e)	(—) 14,72 (f)	(—) 48,96 (g)	(—) 14,72 (f)	
15.17 B I b)	(+) 78,33 (b)	(+) 23,55 (b)	(—) 54,78 (c)	(+) 78,33 (e)	(—) 23,55 (f)	(—) 78,33 (g)	(—) 23,55 (f)	
23.04 A II	(+) 2,39 (b)	(+) 2,36 (b)	(—) 0,03 (c)	(+) 2,39 (e)	(—) 2,36 (f)	(—) 2,39 (g)	(—) 2,36 (f)	

Note : for trade in the opposite direction, the signs are reversed.

(b) ACA deducted or granted by the Community as constituted on 31 December 1985.

(c) ACA deducted or granted by Portugal.

(d) If consumption aid is applied in Portugal, the ACA will be reduced by the amount of that aid.

(e) ACA granted by Spain.

(f) ACA deducted by Portugal.

(g) ACA deducted by Spain.