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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2681/86

of 29 August 1986

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2010/86 ⁽⁴⁾ and subsequent amending Regulations ;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 28 August 1986 ;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients ;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2010/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 30 August 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	—	166,37
10.01 B II	Durum wheat	19,41	244,73 ⁽¹⁾ ⁽²⁾
10.02	Rye	32,29	154,16 ⁽⁶⁾
10.03	Barley	29,27	166,72
10.04	Oats	66,43	151,11
10.05 B	Maize, other than hybrid maize for sowing	—	176,02 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	29,27	107,55 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	182,67 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	11,04	247,14
11.01 B	Rye flour	58,47	228,94
11.02 A I a)	Durum wheat groats and meal	43,17	392,88
11.02 A I b)	Common wheat groats and meal	11,63	266,61

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

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

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 2682/86

of 29 August 1986

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2011/86 ⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 28 August 1986;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt originating in Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 August 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 8	1st period 9	2nd period 10	3rd period 11
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2683/86
of 29 August 1986
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1449/86⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1986/87 marketing year by Commission Regulation (EEC) No 2465/86⁽³⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁴⁾, as last amended by Regulation (EEC) No 2117/80⁽⁵⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No

1423/76⁽⁶⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁷⁾, as last amended by Regulation (EEC) No 2249/85⁽⁸⁾, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 211, 1. 8. 1986, p. 12.

⁽⁴⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁵⁾ OJ No L 206, 8. 8. 1980, p. 15.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁷⁾ OJ No L 204, 24. 8. 1967, p. 1.

⁽⁸⁾ OJ No L 210, 7. 8. 1985, p. 13.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them must, pursuant to Council Regulation (EEC) No 486/85⁽¹⁾, as last amended by Regulation (EEC) No 692/86⁽²⁾, be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Articles 10 and 11 of Regulation (EEC) No 486/85 and in Commission Regulation (EEC) No 551/85⁽³⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁴⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation (EEC) No 1613/71 and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas, in accordance with Article 20 (1) of Regulation (EEC) No 1418/76, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least 1,21 ECU per tonne in the amount of the levy in force;

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

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

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 63, 5. 3. 1986, p. 93.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 10.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the import levies on rice and broken rice

(ECU/tonne)				
CCT heading No	Description	Portugal	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :			
	B. Other :			
	I. Paddy rice ; husked rice :			
	a) Paddy rice :			
	1. Round grain	—	307,64	150,22
	2. Long grain	—	325,76	159,28
	b) Husked rice :			
	1. Round grain	—	384,55	188,67
	2. Long grain	—	407,20	200,00
	II. Semi-milled or wholly milled rice :			
	a) Semi-milled rice :			
	1. Round grain	13,05	488,02	232,08
	2. Long grain	12,97	608,74	292,48
	b) Wholly milled rice :			
	1. Round grain	13,90	519,74	247,52
	2. Long grain	13,90	652,57	313,93
	III. Broken rice	59,53	208,70	101,35

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

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

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

COMMISSION REGULATION (EEC) No 2684/86

of 29 August 1986

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1449/86⁽²⁾, and in particular Article 13 (6) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EEC) No 2310/85⁽⁴⁾;

Whereas Council Regulation (EEC) No 1428/76⁽⁵⁾ lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁶⁾, as last amended by Regu-

lation (EEC) No 2117/80⁽⁷⁾; whereas the cif forward delivery price is also determined in accordance with Article 16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during the month in which importation is expected to take place; whereas in the case of imports to be effected during the remaining months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be 0 ECU if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding 0,30 ECU per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0,30 ECU,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 216, 13. 8. 1985, p. 7.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 206, 8. 8. 1980, p. 15.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

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

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 2685/86

of 29 August 1986

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1449/86⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1588/86⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	176,54
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	175,88
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽⁷⁾	161,22
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽⁷⁾	138,19
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II) ⁽⁷⁾	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	182,42
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	175,88
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ⁽¹⁾ ⁽⁸⁾	207,29
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽¹⁾ ⁽⁸⁾	161,22
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1,3 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽¹⁾ ⁽⁸⁾	138,19
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ⁽²⁾	176,54
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (ECU/tonne)
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of tegument content not exceeding 0,5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	156,34
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	176,54
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	166,11
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 B II c) (1)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('Gruetze' or 'Grutten') ^{(2) (8)}	172,74
11.02 B II c) (2)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ('Gruetze' or 'Grutten') ^{(2) (8)}	132,43
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	235,38
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	188,30
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	100,00
11.02 D II	Rye not otherwise worked than kibbled	105,00
11.02 E I b) 1 (aa)	Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	176,54
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	195,42
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	156,34
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	184,26

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	149,71
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	29,40
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	28,79
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	209,29
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	209,49
11.08 A I	Maize starch ⁽⁵⁾	161,26
11.08 A II	Rice starch ⁽⁵⁾	287,08
11.08 A III	Wheat starch ⁽⁵⁾	214,68
11.08 A IV	Potato starch ⁽⁶⁾	161,26
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁵⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6,25$)	261,52
17.02 B II a)	Glucose and malto-dextrine, other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	210,34
17.02 B II b)	Malto-dextrine and malto-dextrine syrup; glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	161,26
17.02 F II a)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, in the form of powder, whether or not agglomerated	220,35
17.02 F II b)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, other than in the form of powder	153,24
21.07 F II	Flavoured or coloured glucose syrup, and malto-dextrine syrup	161,26
23.02 A I a)	Brans sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	28,03
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	28,03
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1,5 % by weight	28,03
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	28,03
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6,25$)	92,12

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- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (⁵) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (⁶) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
- (⁷) The analytical method to be used for the determination of the fatty matter content is that printed in Annex I (method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
- (⁸) The procedure to be followed for the determination of the fatty matter content is as follows :
- the sample has to be crushed so that 90 % or more can pass through a sieve with an aperture of 500 microns and 100 % can pass through a sieve with an aperture of 1 000 microns,
 - the analytical method to be used afterwards is that which is printed in Annex I (Method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
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COMMISSION REGULATION (EEC) No 2686/86

of 29 August 1986

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Regulation (EEC) No 2560/77⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 537/83⁽⁷⁾, provides that calculation of the export refund must be based on the average of the refunds granted on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the month of exportation and on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

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

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 3817/85⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 63, 9. 3. 1983, p. 10.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 368, 31. 12. 1985, p. 16.

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund					
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I):						
		Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:						
	0510	— Exceeding 5 % but not exceeding 10 %	6,06 ⁽²⁾	6,17 ^{(2) (3)}	— ⁽⁴⁾	6,06 ⁽⁵⁾	6,17 ^{(3) (5)}	
	1010	— Exceeding 10 % but not exceeding 20 %	12,12 ⁽²⁾	12,34 ^{(2) (3)}	— ⁽⁴⁾	12,12 ⁽⁵⁾	12,34 ^{(3) (5)}	
	2010	— Exceeding 20 % but not exceeding 30 %	24,24 ⁽²⁾	24,68 ^{(2) (3)}	— ⁽⁴⁾	24,24 ⁽⁵⁾	24,68 ^{(3) (5)}	
	3010	— Exceeding 30 % but not exceeding 40 %	36,36 ⁽²⁾	37,01 ^{(2) (3)}	— ⁽⁴⁾	36,36 ⁽⁵⁾	37,01 ^{(3) (5)}	
	4010	— Exceeding 40 % but not exceeding 50 %	48,48 ⁽²⁾	49,35 ^{(2) (3)}	— ⁽⁴⁾	48,48 ⁽⁵⁾	49,35 ^{(3) (5)}	
	5010	— Exceeding 50 % but not exceeding 60 %	60,60 ⁽²⁾	61,69 ^{(2) (3)}	— ⁽⁴⁾	60,60 ⁽⁵⁾	61,69 ^{(3) (5)}	
	6010	— Exceeding 60 % but not exceeding 70 %	72,73 ⁽²⁾	74,03 ^{(2) (3)}	— ⁽⁴⁾	169,04 ⁽⁵⁾	169,04 ^{(3) (5)}	
	7010	— Exceeding 70 %	79,34 ⁽²⁾	80,76 ^{(2) (3)}	— ⁽⁴⁾	169,04 ⁽⁵⁾	169,04 ^{(3) (5)}	

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

⁽²⁾ For exports to Zones A, B, C, except North Yemen, D and E specified in Annex II to Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 501/85.

⁽³⁾ Minimum content of maize and/or sorghum exceeding: 0510: 5 %; 1010: 10 %; 2010: 20 %; 3010: 30 %; 4010: 40 %; 5010: 50 %; 6010: 60 %; 7010: 60 %.

In so far as this minimum is observed, these refunds shall, at the request of the party concerned, also apply where the cereal products' content exceeds the maximum specified on the same line.

⁽⁴⁾ For export to other third countries.

⁽⁵⁾ For exports to North Yemen.

COMMISSION REGULATION (EEC) No 2687/86

of 29 August 1986

fixing the import levies on syrups and certain other products 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 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 934/86 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1579/86 ⁽⁶⁾, for the fixing of the import levy on the products falling within subheading 17.02 B II of the Common Customs Tariff, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the import levies on syrups and certain other products in the sugar sector

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,4995	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	59,62
	ex II. Other	0,4995	—
	E. Artificial honey, whether or not mixed with natural honey	0,4995	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4995	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	59,62
	IV. Other	0,4995	—

COMMISSION REGULATION (EEC) No 2688/86

of 29 August 1986

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 934/86⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the

chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 17.02 B II a) of the Common Customs Tariff and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁹⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

(2) Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 2689/86
of 29 August 1986
fixing the export refunds on 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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations (EEC) No 1650/86 and (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the

main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

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

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 6.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the export refunds on olive oil

CCT heading No	Description	Refund (ECU/100 kg)
15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified:	
A	Olive oil:	
I	Untreated:	
(a)	Virgin olive oil:	
	In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	65
II	Other:	
(a)	Obtained by processing oils falling within subheading 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil:	
	In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Regulation (EEC) No 2730/79, as well as on export to third countries	65
(b)	Other:	
	Obtained by processing oils falling within subheading 15.07 A I c), whether or not blended with virgin olive oil:	
	In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Regulation (EEC) No 2730/79, as well as on export to third countries	28

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 2690/86

of 29 August 1986

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 15.07 A II a) of the Common Customs Tariff; whereas, however, if the oil

employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Commission Regulation (EEC) No 1510/86⁽⁵⁾ fixes a new threshold price for olive oil for 1985/86;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of September and October 1986, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 112,31 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- 50,47 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- 12,96 ECU per 100 kilograms for olive oil utilized in Spain,
- 84,17 ECU per 100 kilograms for olive oil utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 1.⁽⁵⁾ OJ No L 132, 21. 5. 1986, p. 11.

COMMISSION REGULATION (EEC) No 2691/86
of 29 August 1986
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 2332/86⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 1474/84⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1986/87 marketing year were fixed by Council Regulations (EEC) No 1457/86⁽⁹⁾ and (EEC) No 1458/86⁽¹⁰⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher

than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹¹⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹²⁾ as last amended by Regulation (EEC) No 1815/84⁽¹³⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹⁴⁾;

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 204, 28. 7. 1986, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 133, 21. 5. 1986, p. 12.

⁽¹⁰⁾ OJ No L 133, 21. 5. 1986, p. 14.

⁽¹¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹²⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹³⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽¹⁴⁾ OJ No L 113, 28. 4. 1984, p. 8.

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽¹⁾, as last amended by Regulation (EEC) No 3826/85⁽²⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate,
- (b) for Italy, the United Kingdom and Greece, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas Commission Regulation (EEC) No 2503/86⁽³⁾ fixed the coefficient;

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

Done at Brussels, 29 August 1986.

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

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. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.

Article 2

This Regulation shall enter into force on 1 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽²⁾ OJ No L 371, 31. 12. 1985, p. 1.

⁽³⁾ OJ No L 219, 6. 8. 1986, p. 9.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the export refunds on colza
and rape seed*(amounts per 100 kilograms)*

	Current month	2nd month	3rd month	4th month	5th month	6th month
1. Gross refunds (ECU):						
— Spain	24,480	24,976	25,472	25,968	26,464	26,960
— Portugal	30,000	30,496	30,992	31,488	31,984	32,480
— other Member States	30,000	30,496	30,992	31,488	31,984	32,480
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	72,70	73,89	75,08	76,37	77,56	79,06
— Netherlands (Fl)	81,92	83,25	84,58	86,03	87,36	89,03
— BLEU (Bfrs/Lfrs)	1 398,37	1 421,62	1 444,86	1 467,44	1 490,69	1 508,94
— France (FF)	205,45	208,98	212,24	215,27	218,79	223,03
— Denmark (Dkr)	255,53	259,76	264,00	268,24	272,47	276,35
— Ireland (£ Irl)	21,507	21,885	22,260	22,608	22,986	23,313
— United Kingdom (£)	16,639	16,950	17,261	17,572	17,883	18,194
— Italy (Lit)	45 408	46 169	46 795	47 427	48 190	48 799
— Greece (Dr)	2 936,21	2 968,95	3 000,54	3 046,03	3 103,90	3 045,79
— Spain (Pta)	3 509,73	3 582,04	3 654,36	3 694,62	3 766,94	3 808,82
— Portugal (Esc)	4 373,43	4 416,63	4 481,86	4 545,61	4 620,91	4 648,43

COMMISSION REGULATION (EEC) No 2692/86
of 29 August 1986
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1449/86 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION:

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

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the export refunds on rice and broken rice

CCT heading No	Description	(ECU/tonne) Amount of refund
ex 10.06	Rice : B. I. Paddy rice ; husked rice : b) Husked rice : 1. Round grain — 2. Long grain for export to : — Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italia 210,00 — Other third countries — II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain — 2. Long grain — b) Wholly milled rice : 1. Round grain — 2. Long grain in bulk or packaged for export to : — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ 262,50 — Zone I — — Other third countries — in immediate packings of 5 kg net or less for export to : — Zones I, II b), IV a), IV b) and VI, the Canary Islands, Ceuta and Melilla 320,00 — Zone V a) and VII c) and Canada 330,00 III. Broken rice —	

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

NB : The zones are those defined in the Annex to Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985).

COMMISSION REGULATION (EEC) No 2693/86

of 29 August 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1449/86 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1986.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the corrective amount applicable to the refund on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
ex 10.06	Rice :				
	B. I. Paddy rice, husked rice :				
	a) Paddy rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Husked rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Wholly milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	III. Broken rice	—	—	—	—

COMMISSION REGULATION (EEC) No 2694/86

of 29 August 1986

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1588/86 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of

exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 47.
⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
10.01 B I	Common wheat and meslin							
	for exports to:							
	— China	0	+ 6,00	+ 6,00	+ 6,00	+ 6,00	+ 6,00	+ 6,00
	— other third countries	0	0	0	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	0	+ 12,16	+ 9,71	—	—	—	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	0	0
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

N. B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985).

COMMISSION REGULATION (EEC) No 2695/86

of 29 August 1986

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Council Regulation (EEC) No 1579/86⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1588/86⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation Commission (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market;

whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 47.
⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the corrective amount applicable to the refund on malt

CCT heading No	(ECU/tonne)					
	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	+ 28,00	+ 28,00	+ 28,00	+ 28,00	+ 28,00
11.07 B	0	+ 32,00	+ 32,00	+ 32,00	+ 32,00	+ 32,00

CCT heading No	(ECU/tonne)					
	6th period 3	7th period 4	8th period 5	9th period 6	10th period 7	11th period 8
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	+ 28,00	+ 28,00	+ 28,00	0	0	0
11.07 B	+ 32,00	+ 32,00	+ 32,00	0	0	0

COMMISSION REGULATION (EEC) No 2696/86
of 29 August 1986
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾, and in particular Article 27 (4),

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2332/86⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 2609/86⁽⁷⁾, as amended by Regulation (EEC) No 2666/86⁽⁸⁾;

Whereas the target price and the monthly increments in the target price for colza, rape and sunflower seed for the

1986/87 marketing year have been fixed in Council Regulations (EEC) No 1457/86⁽⁹⁾ and (EEC) No 1458/86⁽¹⁰⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2609/86 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽¹¹⁾ shall be as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹²⁾ and Article 12 of Council Regulation (EEC) No 476/86⁽¹³⁾ shall be as shown in Annex II to this Regulation for sunflower seed harvested in Spain and Portugal.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 204, 28. 7. 1986, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 146, 31. 5. 1986, p. 25.

⁽⁷⁾ OJ No L 235, 22. 8. 1986, p. 32.

⁽⁸⁾ OJ No L 243, 28. 8. 1986, p. 23.

⁽⁹⁾ OJ No L 133, 21. 5. 1986, p. 12.

⁽¹⁰⁾ OJ No L 133, 21. 5. 1986, p. 14.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 51.

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month	6th month
1. Gross aids (ECU):						
— Spain	0,610	0,610	0,610	0,610	0,610	0,610
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	34,862	33,114	32,910	33,048	33,544	34,040
2. Final aids ⁽¹⁾ :						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	83,97	79,95	79,53	79,98	81,16	82,64
— Netherlands (Fl)	94,61	90,09	89,59	90,09	91,43	93,06
— BLEU (Bfrs/Lfrs)	1 628,49	1 545,53	1 535,64	1 541,34	1 564,59	1 583,30
— France (FF)	242,14	228,73	226,74	227,11	230,63	234,80
— Denmark (Dkr)	297,25	282,23	280,46	281,62	285,86	289,77
— Ireland (£ Irl)	25,590	24,083	23,871	23,921	24,299	24,630
— United Kingdom (£)	20,312	18,928	18,710	18,751	19,062	19,373
— Italy (Lit)	53 110	50 317	49 849	49 923	50 686	51 309
— Greece (Dr)	3 665,67	3 365,63	3 294,14	3 285,97	3 343,84	3 296,43
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	88,94	88,94	88,94	88,94	88,94	88,94
— in another Member State (Pta)	4 235,66	3 972,93	3 940,73	3 930,50	4 002,82	4 047,50
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 163,58	4 847,06	4 798,35	4 804,09	4 879,39	4 911,32

⁽¹⁾ The final amount of aid for 'double zero' colza and rape seed must be increased by 1,25 ECU/100 kilograms converted into national currency at the agricultural conversion rate applicable to the Member State where the seeds are harvested.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU):					
— Spain	1,720	1,720	1,720	1,720	1,720
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	38,788	38,879	39,075	39,666	40,257
2. Final aids:					
(a) Seed harvested and processed in ⁽¹⁾ :					
— Federal Republic of Germany (DM)	93,65	93,90	94,41	95,93	97,33
— Netherlands (Fl)	105,52	105,80	106,36	108,06	109,65
— BLEU (Bfrs/Lfrs)	1 810,39	1 814,43	1 823,43	1 850,44	1 878,14
— France (FF)	267,96	268,39	269,33	273,02	277,21
— Denmark (Dkr)	330,59	331,35	333,01	338,06	343,10
— Ireland (£ Irl)	28,217	28,247	28,363	28,783	29,232
— United Kingdom (£)	22,183	22,176	22,248	22,619	22,989
— Italy (Lit)	58 945	59 060	59 201	59 974	60 883
— Greece (Dr)	3 970,27	3 938,73	3 920,57	3 976,67	4 045,63
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	250,77	250,77	250,77	250,77	250,77
— in another Member State (Pta)	3 759,38	3 770,89	3 798,08	3 850,99	3 937,16
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 382,68	6 357,69	6 372,56	6 453,19	6 546,26
— in another Member State (Esc)	6 153,35	6 129,26	6 143,59	6 221,33	6 311,05
3. Compensatory aids:					
— in Spain (Pta)	3 557,79	3 569,30	3 596,49	3 649,40	3 735,57
— in Portugal (Esc)	6 132,36	6 108,27	6 122,60	6 200,34	6 290,06

(¹) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,037269.

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	2nd month	3rd month	4th month	5th month	6th month
DM	2,102110	2,097800	2,093800	2,089750	2,089750	2,078640
Fl	2,371060	2,367710	2,364730	2,361820	2,361820	2,352680
Bfrs/Lfrs	43,525500	43,542000	43,565400	43,594300	43,594300	43,646500
FF	6,879750	6,876330	6,874180	6,872440	6,872440	6,865130
Dkr	7,939030	7,949640	7,964790	7,981200	7,981200	8,035150
£ Irl	0,761661	0,763591	0,766001	0,768545	0,768545	0,776881
£	0,687604	0,689181	0,690730	0,692262	0,692262	0,696510
Lit	1 457,59	1 464,25	1 469,11	1 473,67	1 473,67	1 487,72
Dr	137,42140	139,47340	141,38900	143,47000	143,47000	150,63260
Pta	137,15430	137,94860	138,68000	139,34720	139,34720	140,71770
Esc	149,39210	150,62900	152,01960	153,22340	153,22340	156,61130

COMMISSION REGULATION (EEC) No 2697/86
of 29 August 1986
fixing the rate of the additional aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1985/86⁽²⁾, and in particular Article 5 (3) thereof,

Whereas the amount of the additional aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 was fixed by Regulation (EEC) No 2449/86⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2449/86 and Article 104 of the Act of Accession of Greece to the

information at present available to the Commission that the amount of the additional aid at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the additional aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 171, 28. 6. 1986, p. 4.

⁽³⁾ OJ No L 210, 1. 8. 1986, p. 94.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 September 1986 to dried fodder

(ECU/tonne)

	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.06 B			Fodder otherwise dried ex 12.10 B		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Additional aid	59,489	83,519	85,959	29,745	41,760	42,980

Additional aid in case of advance fixing for the month of:

(ECU/tonne)

October 1986	65,597	89,787	92,067	32,799	44,894	46,034
November 1986	65,664	89,856	92,134	32,832	44,928	46,067
December 1986	65,664	89,856	92,134	32,832	44,928	46,067
January 1987	66,704	90,923	93,174	33,352	45,462	46,587
February 1987	66,704	90,923	93,174	33,352	45,462	46,587
March 1987	66,704	90,923	93,174	33,352	45,462	46,587

COMMISSION REGULATION (EEC) No 2698/86

of 29 August 1986

fixing the amount of the aid for peas, field beans and sweet lupins used in animal feed

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 1431/82 of 18 May 1982 laying down special measures for peas and field beans ⁽¹⁾, as last amended by Regulation (EEC) No 1485/85 ⁽²⁾, and in particular Article 3 (6) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 2462/86 ⁽⁴⁾, and in particular Article 24 (1) thereof,

Whereas the amount of the aid referred to in Article 3 of Regulation (EEC) No 1431/82 was fixed by Commission Regulation (EEC) No 2046/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 2576/86 ⁽⁶⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2046/86 and in Article 105 of the Act of Accession of Greece to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid referred to in Article 3 (1) of Regulation (EEC) No 1431/82 is fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 211, 1. 8. 1986, p. 4.

⁽⁵⁾ OJ No L 173, 1. 7. 1986, p. 81.

⁽⁶⁾ OJ No L 229, 15. 8. 1986, p. 51.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the amount of aid for peas, field beans and sweet lupins used in animal feed

Amounts of the aid applicable from 1 September 1986

(ECU/100 kg)

	Current month	1st month	2nd month	3rd month	4th month	5th month	6th month
1. Peas and field beans :							
(a) used in Spain	14,847	15,498	15,800	15,980	16,038	16,218	16,218
(b) used in Portugal	14,736	15,393	15,698	15,878	15,933	16,113	16,113
(c) used in another Member State	14,980	15,623	15,924	16,104	16,163	16,343	16,343
2. Sweet lupins :							
(a) harvested and used in Spain	15,956	16,583	16,747	16,747	16,583	16,583	16,583
(b) harvested in another Member State and :							
— used in Portugal	17,932	18,567	18,734	18,734	18,567	18,567	18,567
— used in the Community as constituted at 31 December 1985	18,257	18,874	19,036	19,036	18,874	18,874	18,874

COMMISSION REGULATION (EEC) No 2699/86
of 29 August 1986
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽¹⁾, as last amended by Regulation (EEC) No 1976/85 ⁽²⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for the 1986/87 marketing year was fixed by Council Regulation (EEC) No 1466/86 ⁽³⁾;

Whereas Article 1 of Council Regulation (EEC) No 486/86 of 25 February 1986 making special arrangements for the granting of the cotton production aid in Spain during the period 1 March to 31 August 1986 ⁽⁴⁾ states that the rules of implementation for the cotton production aid that are in force in Spain for the 1985/86 marketing year are to remain applicable for the period 1 March to 31 August 1986;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community

harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 2183/81 of 30 July 1981 laying down rules implementing the system of aid for cotton ⁽⁵⁾, as last amended by Regulation (EEC) No 2709/86 ⁽⁶⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 2183/81; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend; whereas, with regard to cotton seed, account must be taken of the offers and quotations recorded on the principal markets in Greece;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, under Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, this price is to be established on the basis of the value of the products obtained from the processing of those seeds, less the cost of crushing; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 2183/81;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾,

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 186, 19. 7. 1985, p. 1.

⁽³⁾ OJ No L 133, 21. 5. 1986, p. 24.

⁽⁴⁾ OJ No L 54, 1. 3. 1986, p. 13.

⁽⁵⁾ OJ No L 211, 31. 7. 1981, p. 35.

⁽⁶⁾ See page 77 of this Official Journal.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Whereas the aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 77,979 ECU per 100 kilograms.
2. The aid in Spain for cotton produced in that country shall however be that granted under the national arrangements.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2700/86

of 29 August 1986

fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, and in particular Article 2 (7) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1986/87 marketing year was fixed by Council Regulation (EEC) No 1461/86 ⁽²⁾; whereas pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽³⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade;

Whereas, pursuant to Commission Regulation (EEC) No 2329/85 of 12 August 1985 laying down detailed rules for the application of the special measures for soya beans ⁽⁴⁾, as last amended by Regulation (EEC) No 2468/86 ⁽⁵⁾, the

world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 2 of Regulation (EEC) No 2329/85;

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

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

Whereas the aid rate applying during the marketing year shall be fixed twice a month in time to be applied from the first and the 16th day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1491/85 is hereby fixed in the Annex.

Article 2

This Regulation shall enter into force on 1 September 1986.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 18.

⁽³⁾ JO No L 204, 2. 8. 1985, p. 1.

⁽⁴⁾ OJ No L 218, 15. 8. 1985, p. 16.

⁽⁵⁾ OJ No L 211, 1. 8. 1986, p. 18.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	1,69	39,286	39,286
— Portugal	24,046	0	39,286
— another Member State	24,046	39,286	39,286

COMMISSION REGULATION (EEC) No 2701/86

of 29 August 1986

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 last on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 934/86 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2661/86 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2661/86 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2661/86 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 August 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 243, 28. 8. 1986, p. 9.

ANNEX

to the Commission Regulation of 29 August 1986 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	43,23	
	(b) Other	41,88	
	(II) Flavoured or coloured sugar		0,4323
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	39,77 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4323
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	38,52 ⁽¹⁾	
	(d) Other raw sugar	⁽²⁾	

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

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

COMMISSION REGULATION (EEC) No 2702/86

of 29 August 1986

fixing the rates of the refunds applicable from 1 September 1986 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1449/86 ⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

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

Whereas 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 2223/86 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas such production refunds are granted under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors ⁽⁷⁾, as last amended by Regulation (EEC) No 3794/85 ⁽⁸⁾, and Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector ⁽⁹⁾; whereas, for the purposes of applying the provisions of Article 4 (3) of Regulation (EEC) No 3035/80 the amount of the production refund applicable for the goods in question, in accordance with Regulations (EEC) No 2742/75 or (EEC) No 1009/86 and their implementing provisions, should be taken into account;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 194, 17. 7. 1986, p. 1.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.

⁽⁹⁾ OJ No L 94, 9. 4. 1986, p. 6.

HAS ADOPTED THIS REGULATION :

Article 1

The rates of the refunds applicable from 1 September 1986 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of

goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the rates of the refunds applicable from 1 September 1986 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	(ECU/100 kg) Rate of refund
10.01 B I	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch	11,758 ⁽¹⁾ 11,758
10.01 B II	Durum wheat	20,968 ⁽²⁾
10.02	Rye	11,414
10.03	Barley	12,869
10.04	Oats	9,771
10.05 B	Maize, other than hybrid maize for sowing: — For the manufacture of starch — Other than for the manufacture of starch	11,516 ⁽¹⁾ 11,516
10.06 B I b) 1	Round grain husked rice	38,281
10.06 B I b) 2	Long grain husked rice	40,772
10.06 B II b) 1	Round grain wholly milled rice	49,395
10.06 B II b) 2	Long grain wholly milled rice	59,090
10.06 B III	Broken rice: — For the manufacture of starch — Other than for the manufacture of starch	20,687 ⁽¹⁾ 20,687
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	16,059
11.01 A	Wheat or meslin flour	13,968
11.01 B	Rye flour	20,417
11.02 A I a)	Durum wheat groats and meal	32,500 ⁽²⁾
11.02 A I b)	Common wheat groats and meal	13,968

⁽¹⁾ This amount must be reduced by the amount of the production refund applicable for the goods in question, in accordance with Regulation (EEC) No 2742/75 or Regulation (EEC) No 1009/86 and their implementing provisions.

⁽²⁾ With the exception of the quantities referred to in the Commission's Decision of 19 March 1986.

COMMISSION REGULATION (EEC) No 2703/86

of 29 August 1986

fixing the rates of the refunds applicable from 1 September 1986 to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 934/86⁽²⁾ and in particular Article 19 (4) (a) and (7) thereof;

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for 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⁽³⁾, as last amended by Regulation (EEC) No 2223/86⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾ provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within subheading 17.02 D ex II of the Common Customs Tariff having a certain purity, and unprocessed isoglucose falling within subheading 17.02 D I, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration;

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. Without prejudice to paragraphs 2, 3 and 4, the rates of the refunds applicable from 1 September 1986 to the basic products appearing in Annex A to Regulation No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 194, 17. 7. 1986, p. 1.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the accomplishment of the customs formalities and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the date on which the export declaration for the goods is accepted.

4. However, for the basic products which have benefited from a production refund according to Council Regulation (EEC) No 1400/78⁽¹⁾ and which are exported, in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, on or after 1 September 1986, the rates of refund fixed as shown in the Annex to this Regulation will be reduced by the production refund in question.

Article 2

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

It shall apply with effect from 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

⁽¹⁾ OJ No L 170, 27. 6. 1978, p. 9.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the rates of the refunds applicable from 1 September 1986 to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

<i>Rate of refund in ECU/100 kg:</i>	White sugar :	43,23
	Raw sugar :	39,77
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$43,23 \times \frac{S^{(1)}}{100}$
	Molasses :	—
	Isoglucose ⁽²⁾ :	43,23 ⁽³⁾

⁽¹⁾ 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 2704/86

of 29 August 1986

fixing the rates of the refunds applicable from 1 September 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas 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 criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 2223/86 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 665/86 ⁽⁸⁾, Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁹⁾, and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹⁰⁾, as last amended by Regulation (EEC) No 698/86 ⁽¹¹⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 194, 17. 7. 1986, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 66, 8. 3. 1986, p. 38.

⁽⁹⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽¹⁰⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽¹¹⁾ OJ No L 64, 6. 3. 1986, p. 12.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable from 1 September 1986 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No

804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

ANNEX

to the Commission Regulation of 29 August 1986 fixing the rates of the refunds applicable from 1 September 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	(ECU/100 kg) Rate of refund
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CCT heading No 35.01 b) On exportation of other goods	— 102,00
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	133,60
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 442/84 and (EEC) No 1932/81 b) On exportation of goods of CCT subheadings 21.07 G VII to IX c) On exportation of other goods	— 212,00 200,00

COMMISSION REGULATION (EEC) No 2705/86

of 28 August 1986

laying down, for the 1986/87 wine year, detailed implementing rules for the distillation as provided for in Article 40 of Council Regulation (EEC) No 337/79

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 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3805/85 ⁽²⁾, and in particular Articles 6 (3), 40 (6) and 65 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽⁴⁾, as last amended by Regulation (EEC) No 2332/86 ⁽⁵⁾,

Whereas the distillation operations referred to in Article 40 of Regulation (EEC) No 337/79 must be carried out in accordance with the provisions of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽⁶⁾, as last amended by Regulation (EEC) No 3805/85;

Whereas it is necessary to determine both the conditions for the fulfilment by producers of the obligations laid down in Article 40 of Regulation (EEC) No 337/79 and the conditions for the fulfilment of the obligations incumbent on distillers;

Whereas each producer should be exempted from the obligation to deliver for distillation in respect of a standard quantity representing family consumption and any quantities exported; whereas it should therefore be provided that any export of wine must take place before a date which will allow the remaining quantities to be distilled, as laid down, before the end of the marketing year;

Whereas under Article 40 (2) of Regulation (EEC) No 337/79 the obligation to distil does not apply to quantities of wine normally produced; whereas those quantities should be defined for each of the different types of wine produced from grapes classed for two purposes;

Whereas the quantity to be distilled by each producer should be determined on the basis of the total quantity produced; whereas this is derived from the declarations provided for by Commission Regulation (EEC) No 2102/84 of 13 July 1984 on harvest production and stock declarations relating to wine-sector products ⁽⁷⁾, as last amended by Regulation (EEC) No 2391/85 ⁽⁸⁾, and from the particulars appearing in the records provided for by Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers ⁽⁹⁾, as last amended by Regulation (EEC) No 3203/80 ⁽¹⁰⁾;

Whereas, for wine obtained from grapes grown in Spain, a price should be fixed taking account of the new guide prices in that Member State;

Whereas the risk must be avoided that the products of the distillation of certain wines to be distilled pursuant to Article 40 of Regulation (EEC) No 337/79 may disturb the market in potable spirits with a registered designation of origin; whereas, to that end, in accordance with Article 3 (2) of Regulation (EEC) No 2179/83, provision should be made that a product obtained from the direct distillation of such wine should not have an alcohol strength less than 92 % vol;

Whereas, in order to ensure that the arrangements are as effective as possible, provision should be made for certain time limits on the operations to be carried out by producers and distillers;

Whereas distillers may, in accordance with Article 40 (4) of Regulation (EEC) No 337/79, either receive aid for the product to be distilled or send the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria referred to in Article 16 of Regulation (EEC) No 2179/83; whereas there is a difference between the level

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 9.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 204, 28. 7. 1986, p. 1.

⁽⁶⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁷⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁸⁾ OJ No L 225, 23. 8. 1985, p. 13.

⁽⁹⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽¹⁰⁾ OJ No L 333, 11. 12. 1980, p. 18.

of the buying-in price for wine in Spain and that fixed for the Community of Ten; whereas the amount of the aid in Spain must accordingly be fixed at a level taking such differences into account;

Whereas, in order to avoid the production of poor-quality potable spirits, it should be laid down, in the absence of Community provisions on this matter, that the potable spirits produced must comply with the national provisions in force;

Whereas, to qualify for the aid, the parties concerned must lodge an application accompanied by certain supporting documents; whereas to ensure that the system operates uniformly in all Member States, time limits should be laid down for the lodging of applications;

Whereas, in order to avoid the risk of unjustified payments, for alcohol it should be laid down that payment of aids and payment for alcohol delivered to the intervention agency is not to be made until the distiller furnishes the intervention agency with proof that the buying-in price has been paid to the producer or provides a guarantee in its favour;

Whereas the price to be paid by the intervention agencies for products delivered to them should be fixed on the basis of the criteria referred to in Article 18 (2) of Regulation (EEC) No 2179/83; whereas, for reasons mentioned, in Spain that price is to be fixed at a different level than in the Community of Ten;

Whereas, in the absence of an organized Community market in ethyl alcohol, the intervention agencies responsible for marketing such alcohol are obliged to resell it at less than the buying-in price; whereas provision should be made for the difference between the buying-in price and the selling price of such alcohol to be borne, at a standard rate, by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund;

Whereas the provisions on the financing of intervention laid down in Council Regulation (EEC) No 729/70⁽¹⁾, as last amended by Regulation (EEC) 2788/72⁽²⁾, should be extended to cover the taking-over by intervention agencies of the products of distillation;

Whereas some of the wines for distillation pursuant to Article 40 of Regulation (EEC) No 337/79 may be made into fortified wines; whereas corresponding adjustments should therefore be made to the provisions applicable to distillation operations in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83;

Whereas, in order that the Commission may keep a general watch on compliance with the obligations regarding distillation under Article 40 of Regulation (EEC) No

337/79, the Member States concerned must keep the Commission regularly informed, on the basis of reports from distillers, of the progress and outcome of distillation operations;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed implementing rules for distillation as provided for in Article 40 of Regulation (EEC) No 337/79 for the 1986/87 wine year.

Article 2

1. Those producers subject to an obligation to distil under Article 40 of Regulation (EEC) No 337/79 shall discharge their obligation by delivering their wine to an approved distiller by 31 July 1987 at the latest. The provisions of paragraph 2 and 3 shall apply.

In cases covered by Article 26 (1) of Regulation (EEC) No 2179/83, the obligation shall be discharged by delivery of the wine to an approved fortifier of wine for distillation by 30 June 1987 at the latest.

2. In the case of wine covered by Article 40 (1) of Regulation (EEC) No 337/79, each producer must deliver a quantity equal to the total quantity which he has produced less:

- a standard quantity of 10 hectolitres,
- any quantity which he proves has been exported by 3 July 1987 at the latest.

Where the distillation requirement is incumbent on a collective winery, the 10 hectolitres referred to in the first indent of the first subparagraph shall be deducted from the quantity produced by each member who actually delivers table grapes to the cooperative. However, the total amount deducted by the cooperative as a whole may not exceed the total quantity returned to individual members delivering table grapes in 1986/87.

3. In the case of wine covered by Article 40 (2) of Regulation (EEC) No 337/79, each producer must deliver a quantity equal to the total quantity which he has produced less:

- a standard quantity of 10 hectolitres,
- any quantity which he proves to have been exported by 31 July 1987 at the latest,
- the quantity normally produced, calculated as specified in paragraph 4.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

4. For each administrative unit the total quantity of wine normally produced shall be equal to the average quantities produced in the wine years 1974/75 to 1979/80 in the Community of Ten and in the wine years 1978/79 to 1983/84 in Spain in the case of wine produced from grape varieties classed in that administrative unit as both wine-grape varieties and varieties for other uses.

However, as regards wine produced from grape varieties classed in an administrative unit as both wine-grape varieties and varieties for the production of wine spirits, the quantities undergoing distillation other than for the production of potable spirits with a registered designation of origin shall be deducted from the quantity.

As regards the wine referred to in the first subparagraph, the quantity normally produced per hectare shall be fixed by the Member States concerned by determining for the reference period mentioned in that subparagraph the proportions of wine produced from grape varieties classed in an administrative unit as both wine-grape varieties and varieties for other uses.

5. The total quantity produced by each producer shall be the sum of the quantities of wine mentioned in paragraph 1 appearing in the production declaration referred to in Article 2 (1) of Regulation (EEC) No 2102/84 and the quantities entered in the records referred to in Article 14 of Regulation (EEC) No 1153/75 and obtained by the producer, after the date of submission of the production declaration, from grapes or from must produced from grapes of the varieties referred to in Article 40 (1) and (2) of Regulation (EEC) No 337/79 which appear in that declaration.

Article 3

1. The buying-in price provided for in Article 40 (3) of Regulation (EEC) No 337/79 shall be 1,59 ECU per % vol per hectolitre. The corresponding price for wines obtained from grapes grown in Spain shall be 0,98 ECU.

2. The buying-in price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the day on which each consignment of wine enters the distillery.

Article 4

1. The distillation operations provided for in Article 40 of Regulation (EEC) No 337/79 may not take place after 31 August 1987.

2. Wine as referred to in the third indent of the second subparagraph of Article 2 (4) must be distilled directly to give a product with an alcoholic strength of 92 % vol or more.

3. Distillers shall send the intervention agency by the 10th day of each month at the latest, a statement of the quantities of wine distilled and of products obtained from distillation during the previous month, itemized according to the categories specified in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

Article 5

1. Distillers may receive aid subject to the conditions set forth in paragraph 2.

The amount of the aid is hereby fixed, on the basis of the prices referred to in Article 3 (1), at, respectively:

- 1,12 and 0,50 ECU per % vol of alcohol per hectolitre of the product of distillation where the latter corresponds to the definition of natural spirits given in the Annex to Regulation (EEC) No 2179/83,
- 1,01 and 0,39 ECU per % vol of alcohol per hectolitre of the product of distillation where the latter is wine spirits having the quality characteristics provided for in the applicable national provisions,
- 1,01 and 0,39 ECU per % vol of alcohol per hectolitre of the product of distillation where the latter is a distillate or raw alcohol having an alcoholic strength of not less than 52 % vol.

2. Distillers who wish to receive the aid provided for in paragraph 1 shall, by 31 October 1987 at the latest, submit an application to the intervention agency of the Member State in which distillation took place in accordance with the provisions of Article 176 (1) of Regulation (EEC) No 2179/83.

Member States may require that the summary referred to in paragraph 1 (a) of the said Article be endorsed by a supervisory authority.

3. Payment of the aid by the intervention agency to the distiller shall be conditional upon the distiller, within two months following the arrival of the wine at the distillery:

- furnishing proof that he has paid the buying-in price referred to in Article 3,
- or
- providing a guarantee in favour of the intervention agency. The guarantee shall be equal to 110 % of the aid requested.

In the case referred to in the second indent of the first subparagraph, the distiller shall be required to furnish the intervention agency, not later than 31 December 1987 with proof that he has paid the buying-in price referred to in Article 3.

Not later than one month after the said proof has been furnished, the intervention agency shall release the guarantee.

If the proof is furnished after 31 December 1987 but before 1 March 1988 and the delay is not due to negligence on the part of the distiller, the intervention agency shall release 80 % of the guarantee.

4. Where it is established that the distiller has not paid the buying-in price to the producer, the intervention agency shall pay to the producer, before 1 June 1988, a sum equal to the amount of the aid, where appropriate, through the intervention agency of the producer's Member State.

Article 6

1. Products having an alcoholic strength of 92 % vol or more shall be delivered to the intervention agency not later than 31 October 1987 or, where Article 11 (2) of Regulation (EEC) No 2179/83 is applied, by the date fixed by the competent national authority.

2. The price to be paid to the distiller by the intervention agency is hereby fixed, on the basis of the prices referred to in Article 3 (1) at, respectively, 2,08 and 1,46 % vol per hectolitre.

Where the distiller has received aid pursuant to Article 5, the price referred to in the first subparagraph shall be reduced by the amount of that aid.

Where the distiller has not received the aid referred to in second subparagraph, the provisions of Article 5 (2) shall apply.

3. The prices referred to in paragraph 2 shall apply to neutral spirits corresponding to the definition given in the Annex to Regulation (EEC) No 2179/83.

For other spirits the prices referred to in paragraph 2 shall be reduced by 0,11 ECU per % vol of pure alcohol per hectolitre.

4. The intervention agency shall pay the distiller for the alcohol not later than three months after the day on which it was delivered.

Article 5 (3) shall apply, subject to the necessary adjustments.

Article 7

The Guarantee Section of the European Agricultural Guidance and Guarantee Fund shall contribute to intervention agencies' expenditure on the taking over of alcohol.

The abovementioned contribution is hereby fixed at a flat rate, on the basis of the prices referred to in Article 3 (1), of, respectively, 1,12 and 0,50 ECU per % vol per hectolitre of alcohol taken over.

However, no contribution shall be paid in respect of alcohol taken over pursuant to Article 11 (2) of Regulation (EEC) No 2179/83.

Article 4 and 5 of Regulation (EEC) No 729/70 shall apply to this contribution.

Article 8

1. In the cases referred to in Article 26 (1) of Regulation (EEC) No 2179/83, the contract or declaration relating to deliveries of wine to be fortified for distillation shall be submitted for approval to the competent intervention agency not later than 31 January 1987.

The intervention agency shall inform the producer of the outcome of the approval procedure within 15 days of the date on which the contract or declaration was submitted.

2. Fortification of wine for distillation shall not be carried out after 31 July 1987.

3. Wine fortified for distillation may not be distilled until the contract or declaration has been approved, and at the latest by 31 August 1987.

4. The fortifier shall send the intervention agency, not later than the 10th day of each month, a statement of the quantities of wine delivered to him during the previous month.

5. For wine fortified for distillation, the fortifier shall receive aid, which is hereby fixed, on the basis of the prices referred to in Article 3 (1), at, respectively, 0,99 and 0,37 ECU per hectolitre and per % vol of actual alcoholic strength before the wine is fortified for distillation.

In order to receive the aid, the fortifier shall submit to the competent intervention agency, not later than 30 November 1987, an application together with copies of the accompanying documents relating to the transport of the wine for which aid is requested or a summary thereof.

Member States may require that the copies or summary referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid at the latest three months after the date of submission of evidence that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration is approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83 the security shall be released only if evidence has been provided by 31 March 1988 at the latest:

- that the total quantity of wine specified in the contract or declaration has been fortified for distillation and distilled,
- that the buying-in price for the wine has been paid to the producer within the period specified in Article 3 (2).

If the evidence referred to in the first subparagraph is not provided by 31 March 1988 at the latest, the total amount of the security shall be forfeited.

However, if such evidence is provided after the deadline stipulated but before 1 July 1988, 80 % of the amount of the security shall be released.

If it is established that the fortifier of wine for distillation has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before 1 August 1988, a sum equal to the amount of the aid, where appropriate through the intervention agency of the producer's Member State.

Article 9

By way of derogation from Article 40 (1) and (2) of Regulation (EEC) No 337/79, the wine referred to therein may be transported:

- to a customs office, so that customs export formalities may be completed and the wine may leave the customs territory of the Community,
- to the premises of an approved fortifier of wine for distillation, so that the wine may be fortified for distillation.

Article 10

1. Without prejudice to the application of Article 6 of Regulation (EEC) No 337/79, and except in cases of *force majeure*, where a producer or distiller does not fulfil one of the obligations incumbent on him under this Regulation, the competent authorities shall take the action they judge necessary in the light of the reasons given.

2. The Member State shall inform the Commission in cases where paragraph 1 is applied and of the action taken where *force majeure* has been invoked.

Article 11

1. By the 20th day of each month at the latest, Member States shall send the Commission a statement specifying in respect of the previous month:

- the quantity of wine and fortified wine distilled,
- the quantity of alcohol delivered to the intervention agencies under the distillation arrangements provided for in Article 40 of Regulation (EEC) No 337/79,
- the quantity of wine spirits produced and the quantity of alcohol contained therein,
- the quantity of other products with an alcoholic strength of 52 % vol or more for which aid has been requested.

2. Member States shall, in respect of alcohol taken over by their intervention agencies, notify the Commission before 1 October 1986 of the selling prices obtaining through the 1985/86 wine year and of the characteristics and quantities of the products sold at those prices.

3. Member States shall inform the Commission not later than 31 March 1988 of cases in which distillers of wine or fortifiers of wine for distillation have not fulfilled their obligations and of the measures taken in consequence.

Article 12

The amounts referred to in Article 3, 5 and 6 shall be converted into national currency at the representative rate applying in the wine sector on 1 September 1986.

Article 13

For the obligations laid down in Article 40 of Regulation (EEC) No 337/79, the reference period referred to in Article 6 (1) thereof shall run from 1 September 1986 to 31 July 1987.

Article 14

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 28 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2706/86

of 28 August 1986

laying down for the 1985/86 wine year detailed rules for the application of the additional measures applicable to holders of long-term storage contracts for table wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 3805/85⁽²⁾, and in particular Articles 12a (5) and 65 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 2332/86⁽⁵⁾,

Whereas the measures employed to support the wine market have not fully yielded the desired results; whereas, in particular, the representative prices for table wines of types AI, RI and RII have remained lower than the respective activating prices since the beginning of the wine year; whereas, therefore, the first condition required under Article 12a (1) of Regulation (EEC) No 337/79 for the adoption of additional measures applicable to holders of long-term storage contracts is satisfied; whereas the second condition, namely that the representative price should remain lower than the activating price for three consecutive weeks, is likely to be fulfilled for table wines of types AI, RI and RII during the reference period;

Whereas these measures should provide for the possibility of removing from the market by distillation a quantity of wine and for the possibility of delaying for several months the marketing of the remaining quantity held by holders of long-term storage contracts, in anticipation of a recovery of the market; whereas, however, this latter measure might not achieve the desired objective; whereas provision for any further measures which may be necessary should therefore be made;

Whereas Article 6 of Regulation (EEC) No 337/79 provides that only producers fulfilling the obligations laid down in Article 39 and, where appropriate, Article 40 and 41 of that Regulation during a reference period to be determined may qualify for the intervention measures; whereas that period must therefore be specified;

Whereas, pursuant to Article 12a (3) of Regulation (EEC) No 337/79, the distillation provided for by this Regulation may not exceed 18 % of the total quantity of table wine produced by each holder in the marketing year in which the long-term contract was concluded; whereas the quantity of table wine produced to which the said percentage is applied should be that shown in the production declaration provided for in Commission Regulation (EEC) No 2102/84 of 13 July 1984 on harvest, production and stock declarations relating to wine-sector products⁽⁶⁾, as last amended by Regulation (EEC) No 2391/85⁽⁷⁾, and in the records provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of accompanying documents for wine producers and specifying the obligations of wine producers and traders other than retailers⁽⁸⁾, as last amended by Regulation (EEC) No 3203/80⁽⁹⁾;

Whereas the distillation provided for by this Regulation should take place in accordance with the provisions of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making, as last amended by Regulation (EEC) No 3805/85⁽¹⁰⁾; whereas, pursuant to Articles 4, 5 and 26 of that Regulation, time limits should be fixed for the submission of applications for approval of delivery contracts and declarations, for approval by the intervention agencies and for the distillation operations; whereas Article 8 of that Regulation specifies that the amount of the aid to be paid is to be fixed using the criteria set out therein;

Whereas additional information which should appear in the delivery contract and in the declaration should also be specified;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 9.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 204, 28. 7. 1986, p. 1.

⁽⁶⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁷⁾ OJ No L 225, 23. 8. 1985, p. 13.

⁽⁸⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽⁹⁾ OJ No L 333, 11. 12. 1980, p. 18.

⁽¹⁰⁾ OJ No L 212, 3. 8. 1983, p. 1.

Whereas some of the wines delivered for distillation under this Regulation may be fortified for distillation; whereas the provisions applicable to distillation operations should therefore be adjusted in conformity with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83;

Whereas the intervention agencies and the Commission should be informed of the progress of distillation operations and should in particular be aware of the quantities of wine distilled and the quantities of alcohol obtained;

Whereas storage contracts must be concluded in accordance with Commission Regulation (EEC) No 1059/83 of 29 April 1983 on storage contracts for table wine, grape must, concentrated grape must and rectified concentrated grape must⁽¹⁾, as amended by Regulation (EEC) No 2850/85⁽²⁾;

Whereas during the storage period there is a natural alteration in the volatile acidity of the wine which might exceed the limit provided for in Commission Regulation (EEC) No 90/86 of 17 January 1986 authorizing the conclusion of long-term private storage contracts for certain table wines for the 1985/86 wine year⁽³⁾, which was laid down with a storage period of nine months in view; whereas it seems appropriate to permit that, when a storage contract is concluded for four months, and provided the wine covered by the new contract is the same as the wine covered by the previous contract, the wine should be considered to have fulfilled the required conditions even if the volatile acidity content is higher than that laid down by the said Regulation, provided that the limit laid down for table wine of the type in question has not been exceeded and that all other administrative and technical conditions are complied with; whereas, to allow for market development, it should be possible to terminate contracts;

Whereas, since the storage contracts referred to in this Regulation were concluded during the 1985/86 wine year, the last representative rate applicable during the said wine year should be used;

Whereas during the 1985/86 wine-growing year Regulation (EEC) No 1059/83 and Regulation (EEC) No 90/86 are not yet applicable in Spain and that, therefore, a table wine produced in this Member State cannot be the subject of a long-term contract within the scope of these Regulations, and cannot consequently benefit from the measures provided for in the present Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down detailed rules for the application of additional measures, as provided for in

Article 12a of Regulation (EEC) No 337/79, in respect of holders of long-term storage contracts for table wine for the 1985/86 wine year.

2. In accordance with Article 6 (1) of Regulation (EEC) No 337/79, producers who were subject to the obligations referred to in Articles 39, 40 or 41 of Regulation (EEC) No 337/79 during the 1985/86 wine year shall not be entitled to benefit from the measures provided for in this Regulation unless they provide evidence that they have complied with their obligations during the reference periods fixed respectively in Article 16 of Commission Regulation (EEC) No 2260/85⁽⁴⁾, Article 13 of Commission Regulation (EEC) No 2261/85⁽⁵⁾ and Article 22 of Commission Regulation (EEC) No 854/86⁽⁶⁾.

Article 2

1. The period of three consecutive weeks referred to in Article 12a (1) of Regulation (EEC) No 337/79 shall fall between 15 July and 30 November 1986.

2. If the decision referred to in Article 12a (5) of Regulation (EEC) No 337/79 is adopted, holders of long-term storage contracts for the types of table wine in respect of which the decision is adopted and for wines in close economic relationship with such wines may:

- (a) for a quantity of wine subject to contract not exceeding a percentage to be determined of the total quantity of table wine which they have produced during the 1985/86 wine year, undertake distillation under the conditions laid down in Articles 3 to 9;
- (b) for a quantity of wine subject to contract to be determined and which is not the subject of the measure provided for in (a), conclude a storage contract under the conditions laid down in Regulation (EEC) No 1059/83 and in Article 9 of this Regulation, for a period to be determined.

3. The total quantity of table wine to which the percentage referred to in Article 12a (3) of Regulation (EEC) No 337/79 applies shall be, in the case of each producer, the sum of the quantities stated in his production declaration and the quantities produced by him after the date on which the production declaration provided for in Regulation (EEC) No 2102/84 was submitted which are entered in the records referred to in Article 14 of Regulation (EEC) No 1153/75.

⁽¹⁾ OJ No L 116, 30. 4. 1983, p. 77.

⁽²⁾ OJ No L 270, 12. 10. 1985, p. 6.

⁽³⁾ OJ No L 14, 18. 1. 1986, p. 8.

⁽⁴⁾ OJ No L 211, 8. 8. 1985, p. 12.

⁽⁵⁾ OJ No L 211, 8. 8. 1985, p. 18.

⁽⁶⁾ OJ No L 80, 25. 3. 1986, p. 14.

4. Other additional measures applicable to holders of the storage contracts referred to in paragraph 2 (b) in respect of a given type of wine or a wine in close economic relationship therewith may be taken if the representative price for that type of wine has remained lower than the activating price during the period between the date of adoption of the decision referred to in Article 12a (5) of Regulation (EEC) No 337/79 and 15 January 1987.

Article 3

1. The distillation referred to in Article 2 (2) (a) shall be carried out in accordance with the provisions of Regulation (EEC) No 2179/83 and of this Regulation.

2. The wines which may be distilled are those which have been the subject of long-term storage.

Article 4

1. The contracts and declarations referred to in Articles 4 (1) and 5 (1) respectively of Regulation (EEC) No 2179/83 shall be submitted for approval to the competent intervention agency by 10 December 1986 at the latest.

2. The contracts and declarations referred to in paragraph 1 shall specify at least:

- (a) the quantity, colour and actual alcoholic strength by volume of the wine to be distilled,
- (b) the name and address of the producer,
- (c) the place where the wine is stored,
- (d) the name of the distiller or the business name of the distillery,
- (e) the address of the distillery.

3. The intervention agency shall notify the producer of the outcome of the approval procedure by 10 January 1987 at the latest.

4. Distillation shall be carried out by 31 August 1987 at the latest.

Article 5

1. The minimum purchase price provided for in Article 12a (3) of Regulation (EEC) No 337/79 shall, without prejudice to application of Article 14 b of Regulation (EEC) No 337/79, be:

- 2,85 ECU per % vol per hectolitre in the case of table wines of type AI and of wines in close economic relationship with those wines,
- 3,13 ECU per % vol per hectolitre in the case of table wines of types RI and RII and of wines in close economic relationship with those wines.

The minimum purchase price specified in the first subparagraph shall be paid by the distiller to the producer within three months of the date on which each consignment of wine delivered enters the distillery.

2. The amount of the aid provided for in Article 8 of Regulation (EEC) No 2179/83 shall be:

(a) for the wines specified in the first indent of paragraph 1:

- 2,36 ECU per % vol per hectolitre of the product of distillation if it meets the definition of neutral spirits given in the Annex to Regulation (EEC) No 2179/83,
- 2,25 ECU per % vol per hectolitre of the product of distillation if it is a wine spirit with the quality characteristics laid down in the applicable national provisions,
- 2,25 ECU per % vol per hectolitre of the product of distillation if it is a distillate or raw alcohol with an alcoholic strength of at least 52 % vol;

(b) for the wines specified in the second indent of paragraph 1:

- 2,65 ECU per % vol per hectolitre of the product of distillation if it meets the definition of neutral spirits given in the Annex to Regulation (EEC) No 2179/83,
- 2,54 ECU per % vol per hectolitre of the product of distillation if it is a wine spirit with the quality characteristics laid down in the applicable national provisions,
- 2,54 ECU per % vol per hectolitre of the product of distillation if it is a distillate or raw alcohol with an alcoholic strength of at least 52 % vol.

The aid shall be paid for the quantity of wine which has actually been distilled within the limit of the tolerances laid down in Article 6 (2) of Regulation (EEC) No 2179/83 and within the limit of the maximum quantities which may be distilled.

3. The distiller must, where appropriate, provide the intervention agency, within four months of the wine entering the distillery, with evidence that he has paid the producer the purchase price for the wine within the time limit laid down in the second subparagraph of paragraph 1.

If this evidence is not provided within two months of the deadline and this delay is not due to serious negligence on the part of the distiller, the intervention agency shall recover 20 % of the aid paid. After this second deadline the intervention agency shall recover the whole of the aid.

If it is found that the distiller has not paid the purchase price to the producer, the intervention agency shall before 1 June 1988 pay the producer an amount equal to the aid, if necessary through the intervention agency of the producer's Member State.

Article 6

1. The amount of the advance referred to in Article 9 (1) of Regulation (EEC) No 2179/83 shall be paid within three months of the submission of evidence that the security has been lodged.

2. Not more than one month after provision of the evidence of payment referred to in Article 5 (3), the agency shall release the security referred to in paragraph 1. If this evidence is not provided within the time limit laid down but within the two months following and this delay is not due to serious negligence on the part of the distiller, the intervention agency shall release 80 % of the security.

Article 7

1. In the case referred to in Article 26 (1) of Regulation (EEC) No 2179/83 the contract or declaration of delivery for the production of fortified wine shall be submitted to the competent intervention agency by 10 December 1986.

The intervention agency shall notify the producer of the outcome of the approval procedure by 10 January 1987 at the latest.

2. The fortified wine may not be produced until after the contract or declaration has been approved but must be produced by 31 July 1987 at the latest.

3. The fortified wine must be distilled by 31 August 1987 at the latest.

4. The fortifier shall transmit to the intervention agency by the 10th of each month at the latest a statement of the quantities of wine delivered to him in the previous month.

5. The fortifier shall receive aid per hectolitre per % vol of the actual alcoholic strength of the wine before processing, as follows:

- 2,21 ECU for table wines of type AI and wines in close economic relationship with those wines,
- 2,49 ECU for table wines of types RI and RII and wines in close economic relationship with those wines.

To receive the aid the fortifier shall, by 31 August 1987 at the latest, submit an application to the competent intervention agency together with a copy of the transport documents accompanying the wine for which aid is requested or a summary of those documents.

Member States may require that copies or summaries as referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid over at the latest three months after the date of submission of evidence that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and in any event after the date on which the contract or declaration was approved.

6. Subject to the provisions of Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if,

by 31 December 1987 at the latest, evidence is provided that:

- the total quantity of wine covered by the contract or declaration has been processed into fortified wine and distilled,
- the purchase price of the wine has been paid to the producer within the period specified in the second subparagraph of Article 5 (1).

If the evidence specified in the first subparagraph is not provided by 31 December 1987 at the latest the intervention agency shall recover the aid from the producer of the fortified wine.

If, however, the evidence is presented after the time limit but by 31 March 1988 at the latest the intervention agency shall recover an amount equal to 20 % of the aid paid.

If it is found that the fortifier has not paid the purchase price to the producer, the intervention agency shall, by 30 April 1988 at the latest, pay the producer an amount equal to the aid, if necessary through the intervention agency of the producer's Member State.

Article 8

1. Member States shall notify the Commission not later than 31 January 1987 of the quantities of wine and fortified wine covered by approved delivery contracts and declarations.

2. Distillers shall send to the intervention agency, not later than the 10th day of each month, a statement of the quantities of wine distilled during the previous month, giving separate figures for each of the categories specified in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

3. Member States shall inform the Commission by telex, not later than the 20th day of each month in respect of the previous month, of the quantities of wine and fortified wine distilled and the quantities expressed as pure alcohol of the products which they have obtained, distinguishing between them in accordance with paragraph 2.

4. Member States shall notify not later than 30 September 1987 cases in which distillers or fortifiers have failed to fulfil their obligations and the measures taken in consequence.

Article 9

1. The contracts referred to in Article 2 (2) (b) shall be concluded not later than 15 January 1987.

The volatile acidity of the table wine covered by the contracts referred to in the first subparagraph may exceed the limits required by Regulation (EEC) No 3676/83 when long-term storage contracts are concluded.

If the holder of a long-term storage contract decides to take advantage of Article 2 (2) (b) in respect of all the wine covered by the contract, the intervention agency may extend the old contract for the new period by altering the relevant wording.

2. In the case of storage contracts as referred to in Article 2 (2) (b) the amount of the aid shall be that laid down for long-term storage contracts for the 1985/86 wine year.

3. The storage contracts referred to in Article 2 (2) (b) shall be terminated at the request of the producers concerned.

In that case :

— the storage aid shall remain payable for the period during which the wine was placed under such a contract,

— wine subject to the contract may not be distilled as described in Article 2 (2) (a).

Article 10

Conversion into national currency of the amounts specified in Articles 5 and 7 shall be at the representative rate in force in the wine sector on 31 August 1986.

Article 11

This Regulation shall enter into force on 16 September 1986.

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

Done at Brussels, 28 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2707/86

of 28 August 1986

laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3805/85 ⁽²⁾, and in particular Article 54 (5) thereof,

Whereas Council Regulation (EEC) No 3309/85 ⁽³⁾, as amended by Regulation (EEC) No 1626/86 ⁽⁴⁾, lays down general rules for the description and presentation of sparkling wines and aerated sparkling wines; whereas the detailed rules for applying the principles laid down in the abovementioned Regulation must be adopted;

Whereas, since it is compulsory throughout the Community to show the actual alcoholic strength of sparkling wines and of aerated sparkling wines detailed rules should be enacted that will create uniform conditions of competition and so facilitate consumer choice; whereas these rules should be made to correspond with the provisions of the Council Directive 76/766/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables ⁽⁵⁾;

Whereas the first subparagraph of Article 3 (2) of Regulation (EEC) No 3309/85 leaves to operators the choice between showing the name or business name of a producer established in the Community or of a vendor established in the Community; whereas, for the sake of better consumer information and better information of the authorities responsible for supervising the trade in sparkling wines, it should be made compulsory for the name to be preceded by the professional status of the person responsible for labelling; whereas there is no need to require this if it is apparent from the business name that the operator is a producer of sparkling wine or if the producer has had the sparkling wine produced on his

behalf by another undertaking, provided in such cases that this is made clear by an expression such as 'cuvée spéciale pour ' or 'Hausmarke' accompanying the name or business name of the producer; whereas neither is there any need to require it in the case of vendors if the name of the producer is accompanied by an expression indicating his professional status;

Whereas to conform with the second indent of Article 5 (2) (c) of Regulation (EEC) No 3309/85, a list of the specific traditional terms that may be used as sales descriptions of quality sparkling wines *psr* should be drawn up;

Whereas under the third subparagraph of Article 5 (3) of Regulation (EEC) No 3309/85, in the case of quality sparkling wines of aromatic type and of quality sparkling wines of aromatic type produced in specified regions, indication of the product type may be replaced by indication of the residual sugar content determined by analysis; whereas, in view of the inevitable variations between individual vats when the said sparkling wines are produced, some tolerance should be allowed but of limited extent so that consumers are not misled as to product characteristics;

Whereas rules on specific descriptions, conforming with Articles 5 (2) (f) and 14 (1) of Regulation (EEC) No 3309/85, should be laid down in order to prevent any risk of confusion between sparkling wines on the one hand and the aerated sparkling wines and sparkling drinks obtained by alcoholic fermentation of a fruit or another agricultural raw material on the other; whereas it should be required that the sales description of drinks other than sparkling wines be shown particularly clearly on the labelling;

Whereas the second indent of the first subparagraph of Article 6 (1) of Regulation (EEC) No 3309/85 makes provision for the names of geographical units to be assigned to quality sparkling wines; whereas a restricted list of these geographical units should be established;

Whereas certain provisions of Regulation (EEC) No 3309/85 are and certain provisions of the present Regulation will be applicable to sparkling wines originating in third countries the rules covering the production of which

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 320, 29. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 144, 29. 5. 1986, p. 3.

⁽⁵⁾ OJ No L 262, 27. 9. 1976, p. 149.

have been recognized as equivalent to those set out in Title III of Council Regulation (EEC) No 358/79⁽⁶⁾; whereas a list of these wines should be established;

Whereas, in order to harmonize throughout the Community and for all categories of wine the use of variety names and synonyms and so establish the formal conditions of competition, the existing rules on the description of wines and musts should be applied to the description of sparkling wines; whereas, in order to facilitate such application, a list of the variety names and synonyms that may be used for the description of sparkling wines should be published in the *Official Journal of the European Communities*;

Whereas the third subparagraph of Article 6 (5) of Regulation (EEC) No 3309/85 stipulates that the words 'méthode champenoise' may be used on the labelling of certain sparkling wines only for a transitional period ending on 31 August 1994 and only together with an equivalent expression denoting this production method; whereas a list should be drawn up of the expressions that may accompany and later replace the words 'méthode champenoise';

Whereas, in order to facilitate the change over from national rules on the description and presentation of sparkling wines and aerated sparkling wines to Community rules, transitional provisions will be required;

Whereas the Management Committee for wine has not delivered an opinion within the time limit set by the Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the description and presentation of sparkling wines and aerated sparkling wines.

Article 2

The actual alcoholic strength, as referred to in the second subparagraph of Article 3 (1) of Regulation (EEC) No 3309/85, shall be indicated by units or half-units of percentage by volume.

Without prejudice to the tolerances provided for in the reference method of analysis used pursuant to Commission Regulation (EEC) No 1108/82⁽¹⁾, the alcoholic strength indicated must be not more than 0,8 % vol higher or lower than the strength determined by analysis.

The figure for the actual alcoholic strength shall be followed by the symbol '% vol' and may be preceded by the words 'actual alcoholic strength' or 'actual alcohol'.

Article 3

1. The name or business name of the producer or of a vendor established in the Community, as required by the first indent of Article 3 (2) of Regulation (EEC) No 3309/79, shall refer:

- to the producer as defined in the first subparagraph of Article 5 (4) of the said Regulation or
- to the vendor, the latter being any natural or legal person or association of such persons who are not covered by the definition of the 'producer' and who hold sparkling wines or aerated sparkling wines with a view to sale or place them on the market.

2. The name or business name of the producer, even if indicated in code form, or of a vendor established in the Community shall be preceded, as appropriate:

- by the words 'producer' or 'produced by',
- by the words 'distributor' or 'distributed by' or other equivalent terms.

The provisions of the first subparagraph shall not apply in the case of:

- (a) the particulars relating to the producer,
 - if the business name of the producer is in itself a clear indication that the production of sparkling wines is the producer's occupation,
 - if the wine is produced to order, provided that the name or business name of the producer is accompanied by words explaining this circumstance;
- (b) the particulars relating to the vendor, where these are accompanied by particular relating to the producer, whether or not in coded form.

3. The name or business name of the importer as referred to in Article 3 (3) (a) of Regulation (EEC) No 3309/85 shall be preceded by the words 'importer' or 'imported by'.

Article 4

The specific traditional terms referred to in the second indent of Article 5 (2) (c) of Regulation (EEC) No 3309/85 which may be used as a sales description for a quality sparkling wine psr shall be:

- (a) for France:
 - 'appellation d'origine contrôlée',
 - 'appellation contrôlée'. However, where the name of a holding or vine variety or a brand name appears on the labelling bearing the term 'appellation contrôlée', the name of the specified region

⁽⁶⁾ OJ No L 54, 5. 3. 1979, p. 130.

⁽¹⁾ OJ No L 133, 14. 5. 1982, p. 1.

shall be repeated between the words 'appellation' and 'contrôlée', all these words being in characters of the same type, size and colour,

- 'appellation d'origine vin délimité de qualité supérieure',
- 'Champagne';

(b) for Italy :

- 'denominazione di origine controllata',
- 'denominazione di origine controllata e garantita';

(c) for Greece :

- 'Όνομασία προελεύσεως ελεγχόμενη' (registered designation of origin), 'Όνομασία προελεύσεως ανωτέρας ποιότητας' (designation of origin indicative of higher quality);

(d) for Spain :

- 'denominación de origen',
- 'denominación de origen calificada';

(e) for Luxembourg :

- 'marque nationale du vin luxembourgeois';

(f) for Portugal :

- 'denominação de origem'; 'denominação de origem controlada', 'indicação de proveniência regulamentada'.

Article 5

Where the residual sugar content determined by analysis in grams per litre is indicated pursuant to the third subparagraph of Article 5 (3), a tolerance of ± 5 grams per litre shall be permitted.

The terms 'dulce', 'doux', 'doce', 'mild', 'dolce', 'sweet', 'sød' or 'γλυκός' may also be replaced by an indication that the residual sugar content is more than 50 grams per litre.

Article 6

1. The sales description 'aerated sparkling wine' referred to in Article 5 (2) (f) of Regulation (EEC) No 3309/85 shall appear on a white background on the label bearing the compulsory information, in black characters of the same type with the smallest letters at least 5 mm high.

The words 'obtained by the addition of carbon dioxide' must be added to the following sales descriptions :

- 'vin mousseux gazéifié',
- 'vino spumante gassificato',
- 'aerated sparkling wine',
- 'αεριούχων αφρωδών οίνων',
- 'vino espumoso gasificado',
- 'vinho espumoso gaseificado'.

The terms supplementing the sales description as provided for in the second subparagraph shall appear :

- on the same line or on the line immediately below the line on which the sales description appears,
- in characters which are at least half the size of those indicating the sales description.

2. Sales descriptions including the words 'sparkling wine' authorized by Member States under the second subparagraph of Article 14 (1) of Regulation (EEC) No 3309/85 for the designation of a beverage falling within Common Customs Tariff subheading 22.07 B I obtained by alcoholic fermentations of a fruit or other agricultural raw material shall be shown, within the same visual field as the other compulsory information, on a white background on the label in black characters of the same type with the smallest at least 5 mm high.

Article 7

1. The names of geographical units other than specified regions, and smaller than a Member State which may be used to supplement the description of a quality sparkling wine originating in the Community within the meaning of the second indent of the first subparagraph of Article 6 (1) of Regulation (EEC) No 3309/85 are listed in Annex I.

2. The sparkling wines originating in third countries referred to in the third indent of the first subparagraph of Article 6 (1), the second indent of the first subparagraph of Article 6 (2), the third indent of the first subparagraphs of Article 6 (3), (4), (5) and (6) and the third subparagraph of Article 6 (7) of Regulation (EEC) No 3309/85 are listed in Annex II.

Article 8

1. When drawing up the list of vine varieties referred to in section (b) of the second subparagraph of Article 6 (2) of Regulation (EEC) No 3309/85, Member States may provide for the use of only those variety names and their synonyms that appear in Annex III to Commission Regulation (EEC) No 997/81 ⁽¹⁾.

The names of the 'Pinot blanc', 'Pinot noir' and 'Pinot gris' varieties and equivalent names in other official languages of the Community may be replaced by the synonym 'Pinot'.

Only the names of varieties given in Article 1 of Regulation (EEC) No 1907/85 ⁽²⁾ or the synonyms for such varieties referred to in Annex IV to Regulation (EEC) No 997/81 may be used for the description of a sparkling wine produced in the Community from wines originating in third countries.

⁽¹⁾ OJ No L 106, 16. 4. 1981, p. 1.

⁽²⁾ OJ No L 179, 11. 7. 1985, p. 21.

2. Only the names of varieties and the synonyms appearing in Annex IV to Regulation (EEC) No 997/81 may be used to describe an imported sparkling wine referred to in Annex II to this Regulation.

3. The Member States shall forward to the Commission at an early date the list of vine varieties drawn up in conformity with point (b) of the second subparagraph of Article 6 (2) of Regulation (EEC) No 3309/85 and any amendments made thereto. The Commission shall publish these lists in the *Official Journal of the European Communities*.

Article 9

The expressions equivalent to 'méthode champenoise' that may, under the third subparagraph of Article 6 (5) of Regulation (EEC) No 3309/85, be shown together with that term shall be:

- (a) 'bottle fermented by the traditional method' or 'traditional method'; or
- (b) for a transitional period expiring on 31 August 1988, another expression describing the production method known as the 'méthode champenoise'; or
- (c) in the case of wines produced in a third country, the expressions notified to the Commission and recognized by the latter.

The Commission will decide before 31 August 1988 on one or more single terms, to apply throughout the Community, for use in conjunction with and subsequently instead of the expression 'méthode champenoise'.

Article 10

1. Products as referred to in Article 1 (1) of Regulation (EEC) No 3309/85, described and presented in accordance

with the provisions in force in the Member State and produced before 31 August 1986 but not in accordance with the abovementioned Regulation and with this Regulation, may be held with a view to sale, placed on the market and exported until stocks are exhausted.

The same shall apply in the case of products obtained after 31 August 1986 from cuvées prepared before that date, the description and presentation of which do not comply with the abovementioned provisions but comply with the provisions in force before that date in the Member State where production took place.

2. Sparkling wines and aerated sparkling wines produced in Portugal before 31 December 1990 whose description and presentation do not comply with Regulation (EEC) No 3309/85 and this Regulation may be held with a view to sale, placed on the market in Portuguese territory and exported until stocks are exhausted provided that they comply with Portuguese provisions in force before that date.

3. Labels and other labelling accessories printed or manufactured before 31 August 1986 and bearing items of information not complying with the provisions of Regulation (EEC) No 3309/85 and this Regulation may be used until 31 August 1987. Products on which these labels have been used may be held with a view to sale, placed on the market and exported until stocks are exhausted.

Article 11

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 28 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

List as provided for in Article 7 (1), of the names and geographical units which may be used to describe quality sparkling wines originating in the Community :

1. *For Germany :*

Rhein-Mosel

- (a) Rhein,
- (b) Mosel,
- (c) Saar.

2. *Spain :*

- (a) Almendralejo,
- (b) Calatayud,
- (c) Jarque de Moncayo.

ANNEX II

List as provided for in Article 7 (2), of sparkling wines originating in third countries :

- 1. Sparkling wines originating in Austria and described on the labelling as 'Qualitätsschaumwein' in accordance with Austrian provisions.
 - 2. Sparkling wines originating in Bulgaria and described in the labelling as "Висококачествено вино с географски произход" (high quality wine with a geographical designation of origin) in accordance with Bulgarian provisions.
 - 3. Sparkling wines originating in Hungary, where the competent official body has noted on document VI 1 that the sparkling wine in question meets Hungarian requirements as regards the basic materials which may be used for the production thereof and as regards quality.
 - 4. Sparkling wines originating in South Africa, where the competent official body has noted on Document VI 1 that the sparkling wine in question has been made from basic materials which may be described in accordance with South African provisions as 'cultivar wine', 'wine of origin', 'vintage wine' or 'superior wine'.
 - 5. Sparkling wines originating in the United States of America where the competent official body or a producer approved by the competent official body has noted on Document VI 1 that the sparkling wine in question has been made from basic materials which may be described in accordance with United States provisions by an 'appellation of origin', by the name of a variety (other than varieties of *Vitis labrusca*) or a 'vintage year'.
-

COMMISSION REGULATION (EEC) No 2708/86

of 28 August 1986

determining the actual production of unginned cotton for the 1985/86 marketing year and fixing the percentage of aid to be paid by Member States for the 1986/87 marketing year

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

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as amended by Protocol 14 of the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽¹⁾, as last amended by Regulation (EEC) No 1976/85 ⁽²⁾, and in particular Articles 7 and 8 thereof,

Whereas Article 7 of Regulation (EEC) No 2169/81 states that actual production for each marketing year shall be determined every year, account being taken in particular of the quantities for which aid has been requested; whereas application of this criterion gives the figure for actual production in the 1985/86 marketing year indicated below;

Whereas Article 8 of Regulation (EEC) No 2169/81 provides that the percentage of the aid to be paid by Member States after ginning of the cotton, pending determination of the quantity actually produced, shall be laid down for each marketing year taking into account crop estimates; whereas those estimates for the marketing year concerned indicate that the percentage should be fixed at the level shown below;

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

HAS ADOPTED THIS REGULATION:

Article 1

Production of unginned cotton, in the Member States of the Community as constituted on 31 December 1985, is hereby determined at 561 555 tonnes for the 1985/86 marketing year.

Article 2

The percentage of the aid for the 1986/87 marketing year to be paid by the Member States after ginning of the cotton has been carried out and pending determination of the actual quantity produced is hereby fixed at 88.

Article 3

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

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

Done at Brussels, 28 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 186, 19. 7. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2709/86**of 28 August 1986****amending Regulation (EEC) No 2183/81 laying down rules implementing the system of aid for cotton**

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

Having regard to the Act of Accession of Greece, and in particular Article 4 on cotton, as amended by Protocol 14 of the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽¹⁾, as last amended by Regulation (EEC) No 1976/85 ⁽²⁾, and in particular Article 11 thereof,

Whereas Article 1 (2) of Commission Regulation (EEC) No 2183/81 ⁽³⁾, as last amended by Regulation (EEC) No 2428/85 ⁽⁴⁾, gives a figure for ginning costs and Article 2 (2) (e) gives the cost of unloading and forwarding ginned cotton at Piraeus and Article 4 (1) gives the crushing costs for cotton seed; whereas since these costs have decreased in the meantime the amounts given in the Regulation should be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2183/81 is hereby amended as follows:

1. in Article 1 (2) '14,25' is replaced by '13,25';
2. in Article 2 (2) (e) '1,08' is replaced by '1';
3. in Article 4 (1) '8' is replaced by '7,45'.

Article 2

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

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

Done at Brussels, 28 August 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 186, 14. 7. 1985, p. 1.

⁽³⁾ OJ No L 211, 31. 7. 1981, p. 35.

⁽⁴⁾ OJ No L 230, 29. 8. 1982, p. 12.

COMMISSION REGULATION (EEC) No 2710/86

of 29 August 1986

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2010/86⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 28 August 1986;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2010/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	0,93	169,50
10.01 B II	Durum wheat	22,31	247,86 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	34,81	156,84 ⁽⁶⁾
10.03	Barley	31,79	169,13
10.04	Oats	68,95	153,50
10.05 B	Maize, other than hybrid maize for sowing	—	176,02 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	31,79	110,54 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	182,67 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	14,84	250,84
11.01 B	Rye flour	62,27	233,11
11.02 A I a)	Durum wheat groats and meal	47,74	397,35
11.02 A I b)	Common wheat groats and meal	15,43	270,31

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

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

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 2711/86

of 29 August 1986

fixing the premiums to be added to the import levies on cereals, flour and malt

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2011/86 ⁽⁴⁾ and subsequent amending Regulations ;

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

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

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

Whereas these exchange rates being those recorded on 28 August 1986 ;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt originating in Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 29 August 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2712/86**of 29 August 1986****introducing a countervailing charge on certain varieties of plum originating in Hungary**

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2604/86⁽³⁾, introduced a countervailing charge on certain varieties of plum originating in Hungary;

Whereas for plums originating in Hungary there were no prices for six consecutive working days; whereas the

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2604/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 August 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 235, 21. 8. 1986, p. 24.

COMMISSION REGULATION (EEC) No 2713/86

of 29 August 1986

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1449/86 ⁽⁴⁾ and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾ and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2674/86 ⁽⁶⁾;

Whereas Council Regulation (EEC) No 1588/86 ⁽⁷⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽⁸⁾ as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 28 August 1986;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁹⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1588/86, as fixed in the Annex to Regulation (EEC) No 2674/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 29 August 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 244, 29. 8. 1986, p. 15.

⁽⁷⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 29 August 1986 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	322,86	316,82
11.01 E II ⁽²⁾	182,55	179,53
11.01 G ⁽²⁾	188,10	185,08
11.02 A II ⁽²⁾	285,74	279,70
11.02 A V a) 1 ⁽²⁾	295,86	289,82
11.02 A V a) 2 ⁽²⁾	322,86	316,82
11.02 A V b) ⁽²⁾	182,55	179,53
11.02 A VII ⁽²⁾	188,10	185,08
11.02 B II b) ⁽²⁾	209,69	206,67
11.02 B II c) ⁽²⁾	284,64	281,62
11.02 B II d) ⁽²⁾	293,34	290,32
11.02 C II ⁽²⁾	251,64	248,62
11.02 C V ⁽²⁾	284,64	281,62
11.02 C VI ⁽²⁾	293,34	290,32
11.02 D II ⁽²⁾	161,52	158,50
11.02 D V ⁽²⁾	182,55	179,53
11.02 D VI ⁽²⁾	188,10	185,08
11.02 E II b) ⁽²⁾	285,74	279,70
11.02 E II c) ⁽²⁾	322,86	316,82
11.02 E II d) 2 ⁽²⁾	332,65	326,61
11.02 F II ⁽²⁾	285,74	279,70
11.02 F V ⁽²⁾	322,86	316,82
11.02 F VII ⁽²⁾	188,10	185,08
11.02 G II	138,05	132,01
11.04 C II a)	279,78	255,60 ⁽⁵⁾
11.04 C II b)	303,93	279,75 ⁽⁵⁾
11.08 A I	279,78	259,23
11.08 A IV	279,78	259,23
11.08 A V	279,78	129,61 ⁽⁵⁾
17.02 B II a) ⁽³⁾	434,84	338,12
17.02 B II b) ⁽³⁾	325,72	259,23
17.02 F II a)	450,94	354,22
17.02 F II b)	312,84	246,35
21.07 F II	325,72	259,23
23.03 A I	503,36	322,02

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

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

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

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

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

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