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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 55/87

of 30 December 1986

establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, as amended by Regulation (EEC) No 4026/86 ⁽²⁾, and in particular Article 15 thereof,

Whereas Article 9 paragraph 3 (b) of Regulation (EEC) No 3094/86 provides for fishing by beam trawlers exceeding eight metres length overall within the continental coastal zone of the North Sea to be limited to those appearing on a list and paragraph 5 of the said Article 9 provides for the adoption of detailed rules for the implementation of this provision ;

Whereas the list is to consist of those vessels which at the date these restrictions take effect comply with the criteria set out in Article 9 (3) (b) of the Regulation and with the technical requirements for access to the said area, as determined by the legislation of their flag State or State of registration ;

Whereas inclusion in the list is without prejudice to the application of other measures for conservation of fishery resources provided for or adopted in conformity with Regulation (EE) No 3094/86 or Council Regulation (EEC) No 170/83 ⁽³⁾ ;

Whereas it is therefore necessary to establish this list and to lay down detailed rules for its establishment and modification ;

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

1. The list of vessels authorized by virtue of Article 9 (3) (b) of Regulation No 3094/86 to use beam trawls inside the area within 12 miles of the coasts of France, north of latitude 51°00'N, Belgium, the Netherlands, the Federal Republic of Germany, and the west coast of Denmark as far as the Hirtshals Lighthouse, measured from the baselines from which the territorial waters are measured, is given in the Annex.

2. The list shall consist of those vessels exceeding eight metres length overall

— which entered into service before 1 January 1987, and have been fishing with beam trawls in waters beyond the baselines before that date, and

— which comply on 1 January 1987 with the technical requirements determined by the legislation of the Member State whose flag they fly or in which they are registered for fishing with beam trawls in the area referred to in Article 9 (3) (a) of Regulation (EEC) No 3094/86, and

— whose engine power, on 1 January 1987, does not exceed 221 kW and, in the case of derated engines, did not exceed 300 kW before derating, except for vessels fishing for crustaceans.

3. Vessels which go out of service between 1 July 1986 and 1 January 1987 for reasons of *force majeure* but which would otherwise comply with the conditions set out in paragraph 2 may appear on the list.

Vessels for the construction of which a binding contract was signed before 11 October 1986 may also appear on the list provided that when constructed they comply with the conditions set out in paragraph 2 apart from the references 1 January 1987.

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 376, 31. 12. 1986, p. 1.

⁽³⁾ OJ No L 24, 27. 1. 1983, p. 1.

4. The list is valid from 1 January 1987. The list shall be supplemented, if necessary, before 30 June 1987, in accordance with the procedure laid down in Article 15 of Regulation (EEC) No 3094/86, to take account of any other vessels which entered into service before 1 January 1987 but were not included in the list on the date of entry into force of this Regulation.

5. Member States shall verify that vessels included in the list comply with the conditions set out in paragraph 2 and shall, if necessary, notify the Commission of a request for modification of the list in accordance with Article 3.

Article 2

A vessel on the list referred to in Article 1 may be replaced by any other vessel on the following conditions:

- its engine is not derated,
- its engine power does not exceed 221 kW,
- its total length overall does not exceed 24 metres, and
- it complies with the technical requirements set out in Article 1 (2), second indent.

Article 3

1. Requests for modification of the information in the Annex, including requests for replacement of a vessel on the list by another vessel, shall be notified to the

Commission by the Member State whose flag the currently listed vessel flies or in which it is registered.

2. However, where the modification involves a change of flag or country of registration the request shall be notified by the Member State whose flag the vessel flies or in which it is registered after the change.

3. A request shall include all information necessary to evaluate its compliance with the provisions laid down in Article 1. It shall also include the name of the vessel, its external identification letters and numbers, its port of registry, its radio call sign and the make and type of engine.

4. The Commission shall evaluate the information submitted. The Commission shall then modify the list referred to in Article 1 in respect of those requests which have been found to conform with the abovementioned provisions. It shall notify all Member States of these modifications, which shall take effect from a date determined by the Commission.

5. The Commission shall periodically publish a replacement of the list, taking into account the approved modifications referred to in this Article.

Article 4

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, 30 December 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

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

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

BÉLGICA / BELGIEN / BELGIEN / ΒΕΛΓΙΟ / BELGIUM / BELGIQUE / BELGIO / BELGIË / BÉLGICA

B	65	Artevelde	OPCM	Blankenberge	220
B	601	Van Maerlant	OPYA	Blankenberge	99
N	22	Zeester	OPAV	Nieuwpoort	198
N	49	Erna	OPBW	Nieuwpoort	143
N	52	De Kottens II	OPBZ	Nieuwpoort	220
N	57	Terry	OPCE	Nieuwpoort	218
N	58	Pascin	OPCF	Nieuwpoort	218
N	75	Sarvy	OPCW	Nieuwpoort	218
N	88	Nova-Cura	OPDJ	Nieuwpoort	104
N	106	De Zeemanshoop	OPEB	Nieuwpoort	66
N	152	Evy	OPFV	Nieuwpoort	220
N	350	Colette	OPNL	Nieuwpoort	191
N	525	Golfbreker	OPUU	Nieuwpoort	206
N	563	Zee-Adelt	OPWG	Nieuwpoort	216
N	575	Francine	OPWS	Nieuwpoort	217
N	590	Horizon	OPXH	Nieuwpoort	107
N	700	Alex	OQBV	Nieuwpoort	176
N	720	André-Jeanine	OQCT	Nieuwpoort	218
N	736	Lucky	OQDJ	Nieuwpoort	220
N	782	Nancy	OQFD	Nieuwpoort	110
N	788	Moed en Vertrouwen	OQFJ	Nieuwpoort	110
O	20	Goewind	OPAT	Oostende	110
O	23	Geoffrey William	OPAM	Oostende	176
O	32	Roland	OPBF	Oostende	55
O	62	Seabird II	OPCI	Oostende	206
O	64	Black Jack	OPCL	Oostende	106
O	82	St. Antoine	OPDD	Oostende	138

1	2	3	4	5
O 100	Émilie	OPDV	Oostende	110
O 110	Jeaninne-Margaret	OPEF	Oostende	110
O 116	Caroline	OPEL	Oostende	142
O 142	Hermes	OPFL	Oostende	110
O 148	Snipe	OPFR	Oostende	110
O 190	Renilde	OPHH	Oostende	213
O 191	Natacha	OPHI	Oostende	176
O 192	Lydie-Madeleine	OPHJ	Oostende	126
O 211	Kiwi	OPIC	Oostende	107
O 225	Norman Kim	OPIQ	Oostende	184
O 260	Blackjack	OPDZ	Oostende	118
O 349	The Lady	OPNK	Oostende	169
O 427	Pascal	OPRA	Oostende	220
O 455	Zeesymphonie	OPSC	Oostende	184
O 468	Aran	OPSP	Oostende	132
O 470	Serge	OPSR	Oostende	99
O 481	Martine	OPTC	Oostende	166
O 494	Lucky Star	OPTP	Oostende	143
O 500	De Hoop	OPTV	Oostende	214
O 520	Manuela	OPUP	Oostende	129
O 533	Virtus	OPVC	Oostende	147
O 552	Marathon	OPVV	Oostende	99
O 555	Valentino	OPVY	Oostende	110
O 599	Zeevogel	OPXQ	Oostende	154
Z 12	Sabrina	OPAL	Zeebrugge	210
Z 37	Orca	OPBK	Zeebrugge	220
Z 38	Manta	OPBL	Zeebrugge	220
Z 55	Goede Hoop	OPCC	Zeebrugge	202
Z 56	Orka	OPCD	Zeebrugge	202
Z 63	Thalassa	OPCK	Zeebrugge	220
Z 70	T Westdiep	OPCR	Zeebrugge	220
Z 79	Thorn	OPDA	Zeebrugge	220
Z 80	Silverpit	OPDB	Zeebrugge	198
Z 85	Morgenster	OPDG	Zeebrugge	220
Z 86	Surcouf	OPDH	Zeebrugge	139
Z 93	Aalscholver	OPDO	Zeebrugge	220
Z 122	Noordster	OPER	Zeebrugge	220
Z 201	Marie-Madeleine	OPHS	Zeebrugge	110
Z 207	Adamtje	OPHY	Zeebrugge	220
Z 300	Veerman	OPLN	Zeebrugge	220
Z 402	Atlantis	OPQB	Zeebrugge	162
Z 403	Stern	OPQC	Zeebrugge	110
Z 408	Speranza	OPQH	Zeebrugge	217
Z 430	Margibel	OPRD	Zeebrugge	184
Z 445	Marina	OPRS	Zeebrugge	220
Z 447	Hurricane	OPRU	Zeebrugge	143
Z 472	Condor	OPST	Zeebrugge	154
Z 474	Argo	OPSV	Zeebrugge	220
Z 501	Tac Horn	OPTW	Zeebrugge	176
Z 509	Telstar	OPUE	Zeebrugge	220
Z 536	Zeevalk	OPVF	Zeebrugge	165
Z 548	Flamingo	OPVR	Zeebrugge	110
Z 554	Lucky Star II	OPVX	Zeebrugge	140
Z 568	Zeespiegel	OPWL	Zeebrugge	206
Z 578	Carohein	OPWV	Zeebrugge	217
Z 580	Poseidon	OPWX	Zeebrugge	206
Z 586	Mermaid	OPXD	Zeebrugge	143
Z 596	De Zwerver	OPXN	Zeebrugge	220

1	2	3	4	5
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DINAMARCA / DANMARK / DÄNEMARK / ΔANIA / DENMARK / DANEMARK / DANIMARCA / DENE-MARKEN / DINAMARCA

E	9	Monika	XPBF	Esbjerg	110
E	16	Ovaj	OYML	Esbjerg	110
E	28	Lakolk	OZMF	Esbjerg	80
E	35	Karen Lund	OUIB	Esbjerg	200
E	45	Jette Susanne	OXDU	Esbjerg	201
E	387	Themis	OWAS	Esbjerg	125
E	428	Holmsland	XP3312	Esbjerg	161
E	454	Anna-Ester	OUOT	Esbjerg	124
E	562	Helle Nymann	OWCU	Esbjerg	147
E	614	Leif Brink	OWAS	Esbjerg	165
E	641	Rune Egholm	OXAO	Esbjerg	214
HV	2	Veststrand	XP3185	Haderslev	105
HV	3	Lone	OZYP	Haderslev	110
HV	6	Niels	5QIX	Haderslev	132
HV	13	Britta Tudsborg	XP3272	Haderslev	92
HV	22	Paulon	OYFE	Haderslev	161
HV	32	Mandøflak	XP2990	Haderslev	110
HV	35	Svend Åge	OZNX	Haderslev	169
HV	41	Havsand	XP3685	Haderslev	147
HV	58	Komet	XP2918	Haderslev	197
HV	61	Stella	XP3859	Haderslev	147
HV	67	Juvredyb	XP3614	Haderslev	104
HV	73	Røm	OXTW	Haderslev	165
HV	80	Nordlyset	XP4787	Haderslev	144
HV	89	Helga-Vera	5QEV	Haderslev	151
RI	450	Perkredes	OXUL	Ringkøbing	213
T	1	Sakki	OUOL	Thisted	169
T	435	Bellrock	OYZI	Thisted	220

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

ACC	1	Delphin	DCDK	Accumersiel	162
ACC	2	Emma	DCGK	Accumersiel	92
ACC	3	Nordmark	DCBX	Accumersiel	114
ACC	4	Freya	DCGU	Accumersiel	169
ACC	5	Nova	DCON	Accumersiel	81
ACC	6	Uranus	DCCA	Accumersiel	132
ACC	7	Elke	DCGN	Accumersiel	92
ACC	8	Orion	DCFM	Accumersiel	184
ACC	9	Ozean	DCHJ	Accumersiel	119
ACC	10	Komet	DCWK	Accumersiel	218
ACC	11	Johanne		Accumersiel	110
ACC	12	Poseidon	DCFL	Accumersiel	184
ACC	13	Erika	DCJD	Accumersiel	162
ACC	14	Atlantis	DDAN	Accumersiel	106
ACC	15	Nordlicht	DEEY	Accumersiel	147
ACC	16	Edelweiß	DCPJ	Accumersiel	147
AG	8	Eltje Locden	DCKC	Greetsiel	146
AX	1	Meike		Borkum	203
AZ	5	Gebrüder	DCGW	Neuharlingersiel	145
BEN	1	Germania	DCBG	Bensersiel	184
BEN	2	Möwe	DCET	Bensersiel	188
BRA	2	Frieden	DJSU	Brake	88
BRA	3	Rotesand	DLHX	Brake	219
BUR	3	Nordstern		Burhave	93
BÜS	2	Blume		Büsum	66

1	2	3	4	5
BÜS 4	Adler	DJIC	Büsum	110
BÜS 6	Baggi	DJID	Büsum	125
CUX 1	Cuxi	DFNB	Cuxhaven	104
CUX 2	Chatharina	DGEU	Cuxhaven	74
CUX 3	Seestern	DFJO	Cuxhaven	130
CUX 4	Jan Cux		Cuxhaven	51
CUX 6	Heimkehr	DFKJ	Cuxhaven	130
CUX 7	Edelweiß	DFBO	Cuxhaven	162
CUX 8	Johanna		Cuxhaven	88
CUX 9	Hoffnung		Cuxhaven	66
CUX 9	Play-Boy	DFCJ	Cuxhaven	179
CUX 31	Rosengarten		Cuxhaven	37
CUX 34	Taube		Cuxhaven	63
DAN 3	Seestern		Dangast	74
DIT 1	Berendine	DCSY	Ditzum	110
DIT 2	Annäus Bruhns	DCIC	Ditzum	110
DIT 3	Jan Janssen Bruhns	DCSR	Ditzum	146
DIT 5	Gertje Bruhns	DCPE	Ditzum	107
DIT 6	Heike	DCRE	Ditzum	170
DIT 18	Jan Bruhns	DETV	Ditzum	176
DOR 2	Hoffnung	DESX	Dorum	165
DOR 4	Falke	DERU	Dorum	125
DOR 5	Stör	DFAT	Dorum	146
DOR 8	Delphin		Dorum	138
DOR 12	Sirius	DESC	Dorum	165
DOR 13	Dithmarschen	DIZM	Dorum	130
DOR 15	Else		Dorum	74
DOR 16	Poseidon	DFCS	Dorum	219
FED 1	Orion	DDMP	Fedderwaddersiel	199
FED 2	Sirius		Fedderwaddersiel	147
FED 3	Venus	DLIL	Fedderwaddersiel	199
FED 4	Christine	DLIG	Fedderwaddersiel	184
FED 6	Vörut	DDDT	Fedderwaddersiel	93
FED 8	Seerose	DDGE	Fedderwaddersiel	184
FED 9	Bianka	DLIX	Fedderwaddersiel	147
FED 10	Edelweiß	DDJB	Fedderwaddersiel	147
FED 12	Nausikaa	DDFA	Fedderwaddersiel	183
FED 14	Liebe		Fedderwaddersiel	70
FRI 1	Saturn	DJRJ	Friedrichskoog	138
FRI 3	Holsatia	DIST	Friedrichskoog	96
FRI 6	Nordwind	DIQQ	Friedrichskoog	125
FRI 7	Polarstern	DIRH	Friedrichskoog	125
FRI 16	Neptun		Friedrichskoog	125
FRI 18	Adler	DIQL	Friedrichskoog	136
FRI 20	Falke	DIQT	Friedrichskoog	130
FRI 23	Marschenland	DIRK	Friedrichskoog	110
FRI 35	Lilli	DIRQ	Friedrichskoog	107
FRI 36	Heimatland	DIUP	Friedrichskoog	138
FRI 42	Fahrwohl	DD4413	Friedrichskoog	105
FRI 75	Luise	DIYK	Friedrichskoog	169
FRI 76	Anneliese	DITD	Friedrichskoog	125
FRI 86	Sirius	DDIZ	Friedrichskoog	125
GEV 4	Ostereff		Geversdorf	147
GRE 1	Edde	DCSJ	Greetsiel	146
GRE 2	Erna	DCOH	Greetsiel	110
GRE 3	Horizont	DCMU	Greetsiel	183
GRE 4	Wiking	DCRP	Greetsiel	125
GRE 5	Marlies		Greetsiel	147
GRE 6	Albatros	DCJJ	Greetsiel	107
GRE 7	Emsstrom	DCCH	Greetsiel	184

1	2	3	4	5
GRE 8	Nordsee II	DCVE	Greetsiel	147
GRE 9	Poseidon	DCWE	Greetsiel	125
GRE 10	Jan Ysker	DDAY	Greetsiel	154
GRE 11	Corsar	DCEJ	Greetsiel	184
GRE 12	Condor	DCVO	Greetsiel	184
Gre 13	Jan Looden	DCRA	Greetsiel	146
GRE 14	Möwe	DCSP	Greetsiel	146
GRE 15	Zwei Gebrüder	DCEP	Greetsiel	124
GRE 16	Angelika	DCEV	Greetsiel	147
GRE 17	Odysseus	DCEP	Greetsiel	147
GRE 18	Karl Zink	DCVO	Greetsiel	147
GRE 19	Flamingo	DCFW	Greetsiel	176
GRE 20	Sechs Gebrüder	DCGO	Greetsiel	176
GRE 21	Sturmvogel	DCGR	Greetsiel	147
GRE 22	Frieda Luise	DCPU	Greetsiel	184
GRE 23	Merkur	DITL	Greetsiel	183
GRE 24	Friedrich Conradi	DCVW	Accumersiel	213
GRE 24	Friedrich Conradi	DCVW	Greetsiel	221
GRE 25	Delphin	DCME	Greetsiel	190
GRE 28	Vorwärtz	DCDN	Greetsiel	110
GRE 29	Paloma	DCEL	Greetsiel	180
HAR 1	Gesine Albrecht	DCQM	Harlesiel	132
HAR 2	Jens Albrecht II		Harlesiel	150
HAR 3	Anita	DCPF	Harlesiel	146
HAR 4	Hilde		Harlesiel	147
HAR 5	Ruth Albrecht	DCMJ	Harlesiel	110
HAR 6	Grudrun Albrecht	DCCD	Harlesiel	180
HAR 7	Wangerland	DCEQ	Harlesiel	199
HAR 8	Christine	DCLC	Harlesiel	184
HAR 9	Jens Albrecht	DCEV	Harlesiel	170
HAR 14	Georg Albrecht	DCBU	Harlesiel	110
HAR 20	Marion Albrecht	DCGF	Harlesiel	129
HOO 1	Heye Laurenz	DJIS	Hooge	136
HOO 3	Nartiane	DLYL	Hooge	132
HOO 52	Aggi	DDAE	Hooksiel	213
HOO 61	Samland	DDEP	Hooksiel	110
HUS 2	Heike	DJGJ	Husum	110
HUS 4	Stefanie	DCIU	Husum	138
HUS 6	Oland	DJFU	Husum	85
HUS 9	Edelweis	DJGC	Husum	180
HUS 10	Ramona	DJDf	Husum	184
HUS 16	Falke	DJDW	Husum	129
HUS 18	Friesland	DJGB	Husum	184
HUS 19	Marion	DJGF	Husum	184
HUS 25	Hildegard	DJCH	Husum	138
HUS 28	Zukunft	DLYQ	Husum	165
LIST 1	Alwine	DCWM	List/Sylt	110
NB 1	Weser	DDLU	Brake	221
NC 211	Lucie		Cuxhaven	74
NC 458	Ramona	DFNZ	Cuxhaven	147
NEU 225	Condor	DCVS	Neuharlingersiel	147
NEU 226	Keen Tied	DCBG	Neuharlingersiel	146
NEU 227	Störtebeker	DLYJ	Neuharlingersiel	147
NEU 228	Gorch Fock	DCMO	Neuharlingersiel	147
NEU 229	Falke	DCGQ	Neuharlingersiel	147
NEU 230	Schwalbe	DEPJ	Neuharlingersiel	110
NEU 235	Nordlicht		Neuharlingersiel	110
NEU 240	Anna I	DDFS	Neuharlingersiel	147
NEU 241	Liebe		Neuharlingersiel	114

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NEU 243	Seeschwalbe	DFNS	Neuharlingersiel	146
NEU 245	Seestern	DCJS	Neuharlingersiel	213
NEU 319	Nordlicht		Neuhaus	118
NOR 201	Roswietha	DCDN	Norddeich	213
NOR 202	Pirola	DCRK	Norddeich	184
NOR 203	Sperber		Norddeich	169
NOR 205	Anette	DCEM	Norddeich	165
NOR 206	Neptun	DCKS	Norddeich	197
NOR 207	Seestern	DCJS	Norddeich	147
NOR 208	Erika	DCHU	Norddeich	180
NOR 209	Sirius	DCLS	Norddeich	96
NOR 210	Hildebard	DCMI	Norddeich	103
NOR 211	Helga	DCPP	Norddeich	146
NOR 219	Wega		Norddeich	110
NOR 223	Nordlicht	DCTH	Norddeich	110
NOR 224	Nordland	DCTA	Norddeich	72
NOR 225	Nordmeer	DCDB	Norddeich	110
NOR 228	Nordstern	DCWV	Norddeich	110
NOR 230	Nordsee	DCKR	Norddeich	110
NOR 231	Nordstrom I	DCJO	Norddeich	219
NOR 232	Nordstrand	DCTA	Norddeich	110
NOR 236	Seepferdchen	DITX	Norderney	99
ON 180	Jupiter	DLHG	Fedderwaddersiel	221
PEL 1	Ilyvonne	DJIG	Pellworm	184
PEL 2	Annemarie	DJKF	Pellworm	132
PEL 3	Helene	DJDR	Pellworm	183
PEL 9	Norderoog	DLZC	Pellworm	176
POG 2	Jan	DCRD	Pogum	146
SC 1	Godenwind	DJHV	Büsum	184
SC 2	Stolper Bank	DIVQ	Büsum	221
SC 3 (*)	Frank C	DIUS	Büsum	386
SC 4	Wattenmeer		Büsum	184
SC 5	Atlantis	DEOZ	Büsum	147
SC 6	Keen Tied	DDEW	Büsum	184
SC 7	Seefuchs	DIUQ	Büsum	184
SC 8	Birgit	DLYR	Büsum	179
SC 14	Maret	DJIJ	Büsum	184
SC 15	Martina	DIWD	Büsum	184
SC 18	Gaby Engel	DITV	Büsum	184
SC 20	Antje Möller	DIQY	Büsum	168
SC 21	Blauort	DDEZ	Büsum	184
SC 30	Beate Wika	DKGV	Büsum	183
SC 32	Cornelia	DIUE	Husum	184
SC 33	Merkur	DJGS	Büsum	162
SC 34	Dithmarschen	DIRV	Büsum	184
SC 36	Achat		Büsum	100
SC 38	Steenreff	DJLB	Büsum	103
SC 44	Klaus Groth	DIUC	Büsum	184
SC 45	Bussard	DJNE	Büsum	135
SC 52	Sabine	DJHT	Büsum	184
SC 54	Schwalbe	DJHS	Büsum	162
SC 55	Rebecca	DJIW	Büsum	184
SC 57	Südwind S	DJRS	Büsum	110
SC 58	Oderbank	DKLS	Büsum	206
SCHL 1	Orion		Schlüttsiel	55
SD 1	Hornsriff	DIZQ	Friedrichskoog	140
SD 3	Germania	DITK	Friedrichskoog	184
SD 4	Kerstin	DFCQ	Friedrichskoog	165

1		2	3	4	5
SD	5	Hoffnung	DISK	Friedrichskoog	138
SD	6	Cap Arcona	DIRF	Friedrichskoog	184
SD	7	Delphin	DIUY	Friedrichskoog	184
SD	8	Rugenort	DIWK	Friedrichskoog	165
SD	9	Dieksand	DIRB	Friedrichskoog	184
SD	10	Bussard	DFNM	Friedrichskoog	162
SD	11	Hindenburg	DISC	Friedrichskoog	146
SD	12	Wiking	DISE	Friedrichskoog	173
SD	13	Antares	DITA	Friedrichskoog	162
SD	14	Condor	DISD	Friedrichskoog	159
SD	15	Hanseat	DIVW	Friedrichskoog	184
SD	16	Polli	DIUZ	Friedrichskoog	180
SD	17	Neptun	DISK	Friedrichskoog	184
SD	18	Atlantik	DISR	Friedrichskoog	180
SD	19	Albatros	DISO	Friedrichskoog	199
SD	20	Seerose	DISP	Friedrichskoog	165
SD	21	Rungholt	DIYA	Friedrichskoog	182
SD	22	Kormoran	DITZ	Friedrichskoog	184
SD	23	Odin	DCWX	Friedrichskoog	129
SD	24	Venus	DITW	Friedrichskoog	146
SD	25	Nordfriesland	DJEW	Friedrichskoog	147
SD	26	Paloma G	DIWG	Friedrichskoog	147
SD	28	Teutonia I	DIUO	Friedrichskoog	133
SD	29	Jupiter	DD6272	Friedrichskoog	131
SD	30	Cormoran	DFOC	Friedrichskoog	140
SD	31	Utholm	DJEE	Friedrichskoog	129
SD	32	Tümmeler	DIXU	Friedrichskoog	179
SD	33	Marlies	DCQD	Friedrichskoog	184
SPI	1	Sonny-Boy	DFBI	Spieka	114
SPI	2	Skua	DERI	Spieka	169
SPI	4	Seehund		Spieka	184
SPI	5	Nixe II		Spieka	187
SPI	6	Nordstern	DFBG	Spieka	107
ST	1	Seeberg	DJEZ	Tönning	162
ST	2	Boreas	DJBC	Tönning	184
ST	3	Nordland	DJBB	Tönning	180
ST	4	Gretel	DJFH	Ording	125
ST	5	Friesland	DJDU	Tönning	176
ST	6	Nis Randers	DJGV	Tönning	107
ST	7	Heimatland	DLXW	Tönning	165
ST	8	Sigrid	DJEP	Tönning	184
ST	10	Wiking	DJDV	Husum	162
ST	11	Sylvia	DJFY	Ording	132
ST	12	Anja II	DJIV	Tönning	165
ST	13	Fortuna	DJEN	Husum	88
ST	14	Eicerstedt	DJAF	Tönning	184
ST	15	Neptun I	DJHK	Tönning	125
ST	16	Julia	DHJL	Tönning	184
ST	17	Tina I	DLYX	Tönning	165
ST	18	Gebrüder	DJDC	Tönning	184
ST	19	Fürchtenicht	DLZN	Tönning	176
ST	20	Poseidon	DJHG	Tönning	165
ST	21	Seeschwalbe II	DIZY	Tönning	184
ST	22	Sabine	DIUU	Tönning	182
ST	24	Karl Nohme	DJIF	Ording	99
ST	26	Wega	DJCE	Tönning	221
ST	28	Glück auf	DLZP	Tönning	184
ST	29	Britta	DJBR	Tönning	147
ST	30	Fabian	DJMP	Tönning	182

1	2	3	4	5
SU 1	Lundenberg	DJDV	Lundenberg	145
SU 2	Süderoog	DJFC	Husum	180
SU 3	Theodor Storm	DJDM	Husum	176
SU 5	Ancrea	DJIM	Husum	184
SU 6	Ostpreußen	DJEL	Husum	184
SU 8	Heimatland	DLZK	Husum	181
SU 9	Antares II	DLXU	Husum	165
SU 11	Anneliese	DJES	Husum	184
SU 12	Marianne I	DJDS	Husum	84
SU 13	Fortuna	DJEN	Husum	88
SW 1	Elfriede	DLZV	Wyk/Föhr	125
TÖN 1	Paloma	DJET	Tönning	74
TÖN 2	Hai		Tönning	26
TÖN 4	Pornstrom	DJGD	Tönning	88
TÖN 15	Blondi	DJKW	Tönning	99
TÖN 32	Capella II	DJFS	Tönning	107
VAR 1	Sturmvogel		Varel	162
VAR 6	Hein Godenwind	DDBL	Varel	147
VAR 18	Helga		Varel	110
WIT 1	Kehrwieder	DJFM	Wittdün	146
WRE 4	Hoffnung		Wremen	97
WRE 7	Seerose	DCFJ	Wremen	138
WRM 1	Apollo	DFCM	Wremen	132
WRM 2	Koralle	DFBB	Wremen	131
WRM 3	Falke	DESJ	Wremen	169
WRM 5	Land Wursten	DEQW	Wremen	171
WRM 6	Condor	DETZ	Wremen	110

FRANCIA / FRANKRIG / FRANKREICH / ΓΑΛΛΙΑ / FRANCE / FRANCE / FRANCIA / FRANKRIJK /
FRANÇA

DK 200629A	Éric Marie Ange I	FS 5312	Dunkerque	59
DK 275775F	Cyclone	FP 8453	Dunkerque	213
DK 341077L	Nautilus	FP 7466	Dunkerque	55

ΠΑΪΣΕΣ ΒΑΪΟΣ / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS

ARM 6	Dianne Jolanda	PDQD	Arnemuiden	221
ARM 25	Deo Volente	PDOW	Arnemuiden	221
ARM 46	Prina Cornelia	PGVU	Arnemuiden	221
BR 4	Jozina	PFFS	Oostburg-Breskens	221
BR 5	Morgenster	PGAW	Oostburg-Breskens	221
BR 10	Johanna	PFDQ	Oostburg-Breskens	221
BR 15	De Hoop	PDNP	Oostburg-Breskens	221
BR 19	Adriana		Oostburg-Breskens	165
BR 23	Nellie	PGEL	Oostburg-Breskens	179
BR 24	Miranda		Oostburg-Breskens	151
BR 35	Broedertrouw	PDHD	Oostburg-Breskens	177
BR 45	Deo Volente		Oostburg-Breskens	221
BR 47	Ortelius		Oostburg-Breskens	199
BR 50	Johanna	PFDJ	Oostburg-Breskens	191
BRU 41	Volharding	PIIE	Bruinisse	151
DZ 3	Alina	PCMH	Delfzijl	174
DZ 7	Nely	PGFS	Delfzijl	177
GO 13	Rigeja	PHAU	Goedereede	221
GO 29	Jan Maria	PEZI	Goedereede	221
GO 33	De Hinder		Goedereede	221
GO 52	Elisabeth		Goedereede	113
GO 57	Johanna Maria		Goedereede	113

1	2	3	4	5
GO 58	Jakoriwi	PEZC	Goedereede	221
HA 8	Stormvogel		Harlingen	134
HA 13	Wobbegien		Harlingen	113
HA 21	De Drie Gebroeders		Harlingen	123
HA 39	Anna		Harlingen	134
HA 41	Antje		Harlingen	132
HA 44	Hoop op Zegen		Harlingen	124
HA 50	Zeevalk	PIXY	Harlingen	166
HA 61	Hilly		Harlingen	121
HA 62	Willem Tjitsche		Harlingen	154
HA 75	Elizabeth	PDWR	Harlingen	221
HA 106	Reseda	PHAH	Harlingen	221
HD 5	Fokke Albert	PEDF	Den Helder	199
HD 8	Cornelis Pieter		Den Helder	221
HD 9	Nieuwe Diep	PGGR	Den Helder	221
HD 10	Broodwinner		Den Helder	221
HD 14	Skagerak	PHIM	Den Helder	221
HD 57	El Vera	PDWA	Den Helder	221
HD 63	R. H. van Schijndel	PHAK	Den Helder	221
HD 66	Pieter	PGTH	Den Helder	221
HD 71	Anna Elisabeth	PCRI	Den Helder	210
HD 73	Cornelis Anna Maria	PDKJ	Den Helder	221
HD 175	Johanna	PFDR	Den Helder	132
IJM 18	Eben Haezer	PDUG	Velsen-IJmuiden	221
IJM 25	Zeearend		Velsen-IJmuiden	221
KG 1	Jacobus Johanna	PEYW	Kortgene	113
KG 2	Maris Stella	PFWH	Kortgene	221
KG 5	Zeearend	PIWG	Kortgene	221
KG 6	Imantje	PEVQ	Kortgene	221
KG 7	Christina	PDKC	Kortgene	221
KG 9	Pieterrella	PGTD	Kortgene	221
KG 12	Jozias Tannetje	PFFI	Kortgene	221
KG 14	Jozina Maria	PFFW	Kortgene	221
KG 17	Hendrik	PEPV	Kortgene	221
KG 72	Tina Adriana		Katwijk	221
LO 5	Eeltje Jan		Ulrum-Lauwersoog	124
LO 6	Regina		Ulrum-Lauwersoog	177
LO 7	Zwerver		Ulrum-Lauwersoog	199
LO 8	Zeester		Ulrum-Lauwersoog	206
LO 10	Hoop op Zegen		Ulrum-Lauwersoog	167
LO 11	Twee Gebroeders	PICL	Ulrum-Lauwersoog	175
LO 20	Zwarte Arend		Ulrum-Lauwersoog	85
NZ 1	Spera in Deo		Terneuzen	83
NZ 12	Elly		Terneuzen	114
NZ 21	Magdalena	PFSK	Terneuzen	99
OD 9	Geertruida	PEGK	Goedereede-Ouddorp	221
OL 8	Twee Gebroeders	PEGK	Oostdongeradeel	184
OL 37	Neerlands Hoop		Oostdongeradeel	96
SCH 25	Annie-B		Den Haag-Scheveningen	221
SCH 43	Alida Maria	PELP	Den Haag-Scheveningen	221
SCH 66 (*)	Maria	PFUM	Den Haag-Scheveningen	353
SL 2	Stern	PHTY	Goedereede-Stellendam	221
SL 6	Dina Cornelia	PDQJ	Goedereede-Stellendam	221
SL 9	Henk	PEQX	Goedereede-Stellendam	220
SL 16	Morgenster		Goedereede-stellendam	113
SL 22	Nella		Goedereede-Stellendam	124
ST 4	Hoop op Zegen	PETO	Staveren	188
ST 44	Hendrika Marjanne	PEPW	Staveren	221
TH 5	Adriana Maatje	PCDG	Tholen	221
TH 6	Johanna Cornelia	PFDD	Tholen	221
TH 7	Adriana Maria	PCDY	Tholen	221

1	2	3	4	5
TH 15	Lena Elizabeth	PFOF	Tholen	221
TH 18	Jacob Leendert	PEYV	Tholen	221
TH 25	Pieterella Johanna	PGSY	Tholen	221
TH 36	Isabella	PEXR	Tholen	221
TH 42	Jacomina Carolina	PEYA	Tholen	221
TM 8	Jakomina	PEYJ	Termunten	175
TM 9	Widejo		Termunten	163
TM 16	Wendeltje	PINS	Termunten	188
TM 30	De Toekomst		Termunten	128
TM 37	Marnat II	PFVD	Termunten	103
TS 2	Jurjen Jacob		Terschelling	100
TS 7	Sabine		Terschelling	77
TX 7	De Poolster	PDOM	Texel	191
TX 8	Cornelia Irene		Texel	221
TX 12 (*)	Pionier		Texel	249
TX 27	Lida Marco		Texel	221
TX 41 (*)	Broedertrouw	PDGO	Texel	390
TX 50	Deneb		Texel	188
TX 88 (*)	Anna Maria		Texel	265
UK 11 (*)	Willem	PCKG	Urk	272
UK 75 (*)	Hendrik Schenk	PEQK	Urk	377
UK 121	Hendrika Maria	PEPY	Urk	220
UK 129	Tiometje	PHYV	Urk	221
UK 144	Jurie Sjoerd		Urk	74
UK 146	Albert		Urk	134
UK 186 (*)	Klaas Jelle Pieter	PFJY	Urk	383
UK 212	Gretha Johanna	PEJZ	Urk	221
UK 233	Ida Christina	PEVD	Urk	221
UK 234	Nooit Gedacht	PGHY	Urk	221
UK 244	Grietje van Boukje I	PEKU	Urk	169
UQ 3	Grietje		Usquert	143
UQ 4	Rottum		Usquert	110
UQ 10	Truida II		Usquert	147
VD 6 (*)	Brigitta	PDGT	Edam-Volendam	269
VD 18 (*)	Samenwerking	PHIA	Edam-Volendam	316
VD 20	Elisabeth	PDWY	Edam-Volendam	221
VD 32	De Jantjes	PDOC	Edam-Volendam	206
VD 53	Regina Maris	PGZF	Edam-Volendam	210
VD 128	Johanna Paulina	PFDK	Edam-Volendam	220
VLI 8	Elizabeth-C		Vlissingen	221
WL 2	Zeester		Westdongeradeel	114
WL 3	Zeemeeuw	PIWW	Westdongeradeel	118
WL 4	Hendrika		Westdongeradeel	110
WL 5	Grietje		Westdongeradeel	134
WL 7	Hoop op Zegen		Westdongeradeel	191
WL 8	Albatros		Westdongeradeel	92
WL 15	Monte Tjerk		Westdongeradeel	107
WL 21	Annie		Westdongeradeel	134
WON 2	Suze	PHUN	Wonseradeel	221
WON 24	Elisabeth	PDXJ	Wonseradeel	221
WON 43	Vaya con Dios	PIFI	Wonseradeel	113
WON 77	Wietske	PIRC	Wonseradeel	121
WR 2	Carla Maria	PDHV	Wieringen	188
WR 3	Noordster		Wieringen	184
WR 10	Petrina	PGSD	Wieringen	188
WR 12	Anna Catherina	PCRF	Wieringen	221
WR 15	Zeemeeuw	PIXD	Wieringen	220
WR 17	Bona Spes	Pedy	Wieringen	221
WR 20	Elisabeth	PDXH	Wieringen	221

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WR 22	Cornelius Senoir	PDMI	Wieringen	221
WR 24	Sjierkje Melanie	PHNR	Wieringen	114
WR 29	Waddenzee		Wieringen	184
WR 34	Leendert Jan	PFNU	Wieringen	221
WR 35	Twee Gebroeders		Wieringen	74
WR 36	Arie Johannes	PCUL	Wieringen	221
WR 40	Simon Johannes	PHMW	Wieringen	184
WR 54	Cornelis Nan		Wieringen	169
WR 57	Jacoba	PEYB	Wieringen	169
WR 60	Verwachting	PIGG	Wieringen	138
WR 69 (*)	Teeuwes Jan Visser	PHXB	Wieringen	228
WR 71	Marry An	PFVJ	Wieringen	132
WR 72	Alberta	PCFK	Wieringen	169
WR 73	Paul Martien	PGRD	Wieringen	221
WR 75	Sandra Petra	PHIG	Wieringen	177
WR 77	Ananjah Conzelo	PCQZ	Wieringen	218
WR 87	Breehorn	PDGN	Wieringen	166
WR 88	Rana	PGYN	Wieringen	173
WR 89	Geja Anjo		Wieringen	175
WR 98	Else Jeanette	PDXK	Wieringen	179
WR 102	Limanda	PFOV	Wieringen	118
WR 106	Alida Catherina		Wieringen	134
WR 107	Jannie Diana	PFAE	Wieringen	134
WR 122	Jumbo	PFFQ	Wieringen	221
WR 128	Concordia	PDJQ	Wieringen	210
WR 129	Grietje Hendrika	PEKX	Wieringen	221
WR 136	Wilhelmina	PIPT	Wieringen	220
WR 137	Eefje		Wieringen	221
WR 152	Cornelis Alida	PDLU	Wieringen	220
WR 171	Gea Catherina	PEGS	Wieringen	125
WR 174	Aleida	PCKC	Wieringen	221
WR 189	Bonafide		Wieringen	221
WR 210	Ex Mera Gratia	PEAQ	Wieringen	221
WR 213	Simone	PHMP	Wieringen	140
WR 222 (*)	Anna Tatjana	PCRL	Wieringen	265
WR 244	Texelstroom	PHXZ	Wieringen	174
WR 248	Nieuw Moed	PGGS	Wieringen	221
YE 25	Biem	PDCS	Reimerswaal-Yerseke	199
YE 52	Adriana	PCEB	Reimerswaal-Yerseke	221
YE 138	Wilhelmina		Reimerswaal-Yerseke	221
YE 139	Elizabeth	PDXB	Reimerswaal-Yerseke	221
ZK 1	Portunus	PGVA	Ulrum-Zoutkamp	162
ZK 3	Geja		Ulrum-Zoutkamp	121
ZK 4	Bornrif		Ulrum-Zoutkamp	96
ZK 5	Ora et Labora		Ulrum-Zoutkamp	169
ZK 8	Bjorn		Ulrum-Zoutkamp	128
ZK 9	Drie Gebroeders		Ulrum-Zoutkamp	132
ZK 11	Hoop op Zegen		Ulrum-Zoutkamp	134
ZK 12	Louwina		Ulrum-Zoutkamp	174
ZK 14	Tamme Sr.	PHWT	Ulrum-Zoutkamp	221
ZK 15	Lambert		Ulrum-Zoutkamp	169
ZK 17	Johannes Dirk		Ulrum-Zoutkamp	113
ZK 18	Levenslang		Ulrum-Zoutkamp	138
ZK 21	Anna		Ulrum-Zoutkamp	118
ZK 23	Wilhelmina	PIOU	Ulrum-Zoutkamp	173
ZK 25	Yvonne		Ulrum-Zoutkamp	174
ZK 34	Vier Gezusters	PIGJ	Ulrum-Zoutkamp	202
ZK 46	Zeemeeuw		Ulrum-Zoutkamp	88
ZK 54	Goede Verwachting		Ulrum-Zoutkamp	138
ZK 88	Andries		Ulrum-Zoutkamp	221

1	2	3	4	5
REINO UNIDO / FORENEDE KONGERIGE / VEREINIGTES KÖNIGREICH / ΗΝΩΜΕΝΟ ΒΑΣΙΛΕΙΟ / UNITED KINGDOM / ROYAUME-UNI / REGNO UNTIO / VERENIGD KONINKRIJK / REINO UNIDOS				
BM 23	Bogey I	2CMD	Brixham	218
BM 25	Grey Flimingo	2SSN	Brixham	162
BM 30	Sera Lena	MRKH	Brixham	212
BM 37	Tennetje	2EAR	Brixham	220
BM 188	Sola Gratia	2JXX	Brixham	177
BM 223	Silver Seagull	2UJS	Brixham	170
CK 134	Diana	MUAZ	Colchester	170
CK 179	Gandalf	2GYG	Colchester	111
CK 297	Entreprise	GTEC	Colchester	103
CK 299	Marina I	MJIM	Colchester	114
FH 36	Auldgirth	2JZU	Famouth	54
FH 135	Girl Lisa	ZEOP	Famlmouth	214
FH 514	Sea Bien	MACE7	Falmouth	155
FY 200	Karen Jane	2CAZ	Fowey	88
FY 499	Tamarsk	MAJC	Fowey	102
LT 187	Fortissimo	2GHB	Lowestoft	210
LT 263	Our Las	MGSJ	Lowestoft	65
LT 351	Michelle Louisa	2SCR	Lōwestoft	218
P 336	Zuiderzee	2MHY	Portsmouth	210
PH 5	Nauru	2HWW	Plymouth	214
PH 418	Nil Desporandum	MBEK6	Plymouth	221
PN 411	Silverstream	MLRS	Plymouth	118
PZ 513	Excellent	MRLQ	Penzance	118
SM 49	Challenger	ECQE	Shoreham	203
SM 237	Aleyna	MSAF	Shoreham	218
TH 12	Robert Barge	MLOT	Teignmouth	159
TN 29	Two Sisters	MJOM	Teignmouth	140
413	Sunreve	2FZW	Ramsgate	170

- (*) A los que sólo se autoriza la pesca de crustáceos.
 Der kun har tilladelse til at fiske efter krebsdyr.
 Nur für den Krebstierfang.
 Επιτρέπεται να αλιεύουν μόνο καρκινοειδή.
 Allowed to fish for crustaceans only.
 Autorisés à pêcher uniquement les crustacés.
 Autorizzati a pescare soltanto crostacei.
 Alleen toegestaan om op schaaldieren te vissen.
 Autorizados a pescar unicamente os crustáceos.

COMMISSION REGULATION (EEC) No 56/87

of 30 December 1986

establishing the list of vessels exceeding eight metres length overall and permitted to use within certain coastal areas of the Community beam trawls whose aggregate length exceeds 12 metres

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, as amended by Regulation (EEC) No 4026/86 ⁽²⁾, and in particular Article 15 thereof,

Whereas Article 9, paragraph 3 (c) of Regulation (EEC) No 3094/86 provides for the establishment of an annual list of vessels exceeding eight metres length overall authorised to fish inside the continental coastal zone of the North Sea for sole using beam trawls of which the aggregate beam length exceeds 12 metres and paragraph 5 of the said Article 9 provides for the adoption of detailed rules for the implementation of this provision;

Whereas the list is to consist of those vessels which at the date these restrictions take effect comply with the criteria set out in Article 9 (3) (b) and (c) of the Regulation and with the technical requirements for access to the said area, as determined by the legislation of their flag State or State of registration;

Whereas inclusion in the list is without prejudice to the application of other measures for the conservation of fishery resources provided for or adopted in conformity with Regulation (EEC) No 3094/86 or Council Regulation (EEC) No 170/83 ⁽³⁾;

Whereas it is therefore necessary to establish this list and to lay down detailed rules for its establishment and modification;

Whereas it is necessary to define the primary activity of a vessel;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of vessels authorized by virtue of Article 9 (3) (c) of Regulation No 3094/86 to use beam trawls

whose aggregate length exceeds 12 metres inside the area within 12 miles of the coasts of France, north of latitude 51°00'N, Belgium, the Netherlands, the Federal Republic of Germany, and the west coast of Denmark as far as the Hirtshals Lighthouse, measured from the baselines from which the territorial waters are measured, is given in the Annex.

2. This list shall consist of those vessels exceeding eight metres length overall

- whose primary activity is fishing for shrimps, and
- which entered into service before 1 January 1987, and have been fishing with beam trawls in waters beyond the baselines before that date, and
- which comply on 1 January 1987 with the technical requirements determined by the legislation of the Member State whose flag they fly or in which they are registered for fishing with beam trawls in the area referred to in Article 9 (3) (a) of Regulation (EEC) No 3094/86, and
- whose engine power on 1 January 1987 did not exceed 221 kW and in the case of derated engines did not exceed 300 kW before derating.

3. Vessels which go out of service between 1 July 1986 and 1 January 1987 for reasons of *force majeure* but which would otherwise comply with the conditions set out in paragraph 2 may appear on the list.

Vessels for the construction of which a binding contract was signed before 11 October 1986 may also appear on the list provided that when constructed they comply with the conditions set out in paragraph 2 apart from the references 1 January 1987.

4. The list is valid from 1 January 1987 to 31 December 1987. The list shall be supplemented, if necessary, before 30 June 1987, in accordance with the procedure laid down in Article 15 of Council Regulation (EEC) No 3094/86, to take account of any other vessels which entered into service before 1 January 1987 but were not included on the list on the date of entry into force of this Regulation.

5. Member States shall verify that vessels included on the list comply with the conditions set out in paragraph 2 and shall, if necessary, notify the Commission of a request for modification of the list in accordance with Article 2.

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 376, 31. 12. 1986, p. 1.

⁽³⁾ OJ No L 24, 27. 1. 1983, p. 1.

Article 2

1. Requests for modification of the information in Annex shall be notified to the Commission by the Member State whose flag the vessel concerned flies or in which it is registered.

2. However, where the modification involves a change of flag or country of registration the request shall be made by the Member State whose flag the vessel flies or in which it is registered after the change.

3. A request shall include all information necessary to evaluate its compliance with the provisions laid down in Article 1. It shall also include the name of the vessel, its external identification letters and numbers, its port of registry, its radio call sign and the make and type of engine.

4. The Commission shall evaluate the information submitted. The Commission shall then modify the list referred to in Article 1 in respect of those requests which have been found to conform with the aforementioned provisions. It shall notify all Member States of these modifications, which shall take effect from a date determined by the Commission.

Article 3

Vessels whose primary activity is fishing for shrimps are those vessels which have permanently installed on board a boiler suitable for the processing of shrimps and a sieve designed to separate juvenile flatfish from shrimps, and :

— which fished for shrimps for more than half of the time spent at sea during a representative period of 12 consecutive months within the two years preceding the date of entry into force of this Regulation, or

— whose income from the sale of shrimps during a representative period of 12 consecutive months within the two years preceding the date of entry into force of this Regulation, calculated as a proportion of the total first-hand sales, constituted 50 % or more of their earnings, or

— whose total landings during a representative period of 12 consecutive months within the two years preceding the date of entry into force of this Regulation included 50 % or more by weight of shrimps.

In the case of a vessel replacing another vessel on the list, primary activity may be proved by taking into account the activity of the vessel which it replaces.

Article 4

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

It shall apply until 31 December 1987.

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

Done at Brussels, 30 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

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

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

BÉLGICA / BELGIEN / BELGIEN / BEATIO / BELGIUM / BELGIQUE / BELGIO / BELGIË / BÉLGICA

B	601	Van Maerlant	OPYA	Blankenberge	99
N	106	De Zeemanshoop	OPEB	Nieuwpoort	66
N	700	Alex	OOBV	Nieuwpoort	176
N	782	Nancy	OQFD	Nieuwpoort	110
N	788	Moed en vertrouwen	OQFJ	Nieuwpoort	110
O	20	Goewind	OPAT	Oostende	110
O	32	Roland	OPBF	Oostende	55
O	62	Seabird II	OPCI	Oostende	206
O	64	Black Jack	OPCL	Oostende	106
O	82	St. Antoine	OPDD	Oostende	138
O	100	Emilie	OPDV	Oostende	110
O	101	Benny	OPDW	Oostende	110
O	110	Jeaninne-Margaret	OPEF	Oostende	110
O	142	Hermes	OPFL	Oostende	110
O	211	Kiwi	OPIC	Oostende	107
O	260	Blackjack	OPDZ	Oostende	118
O	349	The Lady	OPNK	Oostende	169
O	455	Zeesymphonie	OPSC	Oostende	184
O	481	Martine	OPTC	Oostende	166
O	494	Lucky Star	OPTO	Oostende	143
O	533	Virtus	OPVC	Oostende	147
O	552	Marathon	OPVV	Oostende	99
O	555	Valentino	OPVY	Oostende	110
O	599	Zeevogel	OPXQ	Oostende	154
Z	86	Surcouf	OPDH	Zeebrugge	139
Z	201	Marie-Madeleine	OPHS	Zeebrugge	110
Z	403	Stern	OPQC	Zeebrugge	110

1	2	3	4	5
Z 430	Margibel	OPRD	Zeebrugge	184
Z 445	Marina	OPRS	Zeebrugge	220
Z 447	Hurricane	OPRU	Zeebrugge	143
Z 472	Condor	OPST	Zeebrugge	154
Z 501	Tac Horn	OPTW	Zeebrugge	176
Z 536	Zeevalk	OPVF	Zeebrugge	165
Z 548	Flamingo	OPVR	Zeebrugge	110
Z 554	Lucky Star II	OPVX	Zeebrugge	140
Z 586	Mermaid	OPXD	Zeebrugge	143

DINAMARCA / DANMARK / DÄNEMARK / ΔANIA / DENMARK / DANEMARK / DANIMARCA / DENE-MARKEN / DINAMARCA

E 9	Monika	XPBF	Esbjerg	110
E 16	Ovaj	OYML	Esbjerg	110
E 28	Lakolk	OZMF	Esbjerg	80
E 35	Karen Lund	OUIB	Esbjerg	200
E 45	Jette Susanne	OXDU	Esbjerg	201
E 387	Themis	OWAS	Esbjerg	125
E 428	Holmsland	XP3312	Esbjerg	161
E 454	Anna-Ester	OUOT	Esbjerg	124
E 562	Helle Nymann	OWCU	Esbjerg	147
E 614	Leif Brink	OWAS	Esbjerg	165
E 641	Rune Egholm	OWAO	Esbjerg	214
HV 2	Veststrand	XP3185	Haderslev	105
HV 3	Lone	OZYP	Haderslev	110
HV 6	Niels	5QIX	Haderslev	132
HV 13	Britta Tudsborg	XP3272	Haderslev	92
HV 22	Paulon	OYFE	Haderslev	161
HV 32	Mandøflak	XP2990	Haderslev	110
HV 35	Svend Åge	OZNX	Haderslev	169
HV 41	Havsand	XP3685	Haderslev	147
HV 58	Komet	XP2918	Haderslev	197
HV 61	Stella	XP3859	Haderslev	147
HV 67	Juvredyb	XP3614	Haderslev	104
HV 73	Røm	OXTW	Haderslev	165
HV 80	Nordlyset	XP4787	Haderslev	144
HV 89	Helga-Vera	5QEV	Haderslev	151
RI 450	Perkredes	OXUL	Ringkøbing	213
T 1	Sakki	OUOL	Thisted	169

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

ACC 1	Delphin	DCDK	Accumersiel	162
ACC 2	Emma	DCGK	Accumersiel	92
ACC 3	Nordmark	DCBX	Accumersiel	114
ACC 4	Freja	DCGU	Accumersiel	169
ACC 5	Nova	DCON	Accumersiel	81
ACC 6	Uranus	DCCA	Accumersiel	132
ACC 7	Elke	DCGN	Accumersiel	92
ACC 8	Orion	DCFM	Accumersiel	184
ACC 9	Ozean	DCHJ	Accumersiel	119
ACC 10	Komet	DCWK	Accumersiel	218
ACC 11	Johanne		Accumersiel	110
ACC 12	Poseidon	DCFL	Accumersiel	184
ACC 13	Erika	DCJD	Accumersiel	162
ACC 14	Atlantis	DDAN	Accumersiel	106
ACC 15	Nordlicht	DEEY	Accumersiel	147

1	2	3	4	5
ACC 16	Edelweiß	DCPJ	Accumersiel	147
AG 8	Eltje Locden	DCKC	Greetsiel	146
AX 1	Meike		Borkum	203
AZ 5	Gebrüder	DCGW	Neuharlingersiel	145
BEN 1	Germania	DCBG	Bensersiel	184
BEN 2	Möwe	DCET	Bensersiel	188
BUR 3	Nordstern		Burhave	93
BÜS 2	Blume		Büsum	66
BÜS 4	Adler	DJIC	Büsum	110
BÜS 6	Baggi	DJID	Büsum	125
CUX 1	Cuxi	DFNB	Cuxhaven	104
CUX 2	Chatharina	DGEU	Cuxhaven	74
CUX 3	Seestern	DFJO	Cuxhaven	130
CUX 4	Jan Cux		Cuxhaven	51
CUX 6	Heimkehr	DFKJ	Cuxhaven	130
CUX 7	Edelweiß	DFBO	Cuxhaven	162
CUX 8	Johanna		Cuxhaven	88
CUX 9	Hoffnung		Cuxhaven	66
CUX 9	Play-Boy	DFCJ	Cuxhaven	179
CUX 31	Rosengarten		Cuxhaven	37
CUX 34	Taube		Cuxhaven	63
DAN 3	Seestern		Dangast	74
DIT 1	Berendine	DCSY	Ditzum	110
DIT 2	Annäus Bruhns	DCIC	Ditzum	110
DIT 3	Jan Janssen Bruhns	DCSR	Ditzum	146
DIT 5	Gertje Bruhns	DCPE	Ditzum	107
DIT 6	Heike	DCRE	Ditzum	170
DIT 18	Jan Bruhns	DETV	Ditzum	176
DOR 2	Hoffnung	DESX	Dorum	165
DOR 4	Falke	DERU	Dorum	125
DOR 5	Stör	DFAT	Dorum	146
DOR 8	Delphin		Dorum	138
DOR 12	Sirius	DESC	Dorum	165
DOR 13	Dithmarschen	DIZM	Dorum	130
DOR 15	Else		Dorum	74
DOR 16	Poseidon	DECS	Dorum	219
FED 1	Orion	DDMP	Fedderwaddersiel	199
FED 2	Sirius		Fedderwaddersiel	147
FED 3	Venus	DLIL	Fedderwaddersiel	199
FED 4	Christine	DLIG	Fedderwaddersiel	184
FED 6	Vörut	DDDT	Fedderwaddersiel	93
FED 8	Seerose	DDGE	Fedderwaddersiel	184
FED 9	Bianka	DLIX	Fedderwaddersiel	147
FED 10	Edelweiß	DDJB	Fedderwaddersiel	147
FED 12	Nausikaa	DDFA	Fedderwaddersiel	183
FED 14	Liebe		Fedderwaddersiel	70
FRI 1	Saturn	DJRJ	Friedrichskoog	138
FRI 3	Holsatia	DIST	Friedrichskoog	96
FRI 6	Nordwind	DIQQ	Friedrichskoog	125
FRI 7	Polarstern	DIRH	Friedrichskoog	125
FRI 16	Neptun		Friedrichskoog	125
FRI 18	Adler	DIQL	Friedrichskoog	136
FRI 20	Falke	DIQT	Friedrichskoog	130
FRI 23	Marschenland	DIRK	Friedrichskoog	110
FRI 35	Lilli	DRIQ	Friedrichskoog	107
FRI 36	Heimatland	DIUP	Friedrichskoog	138
FRI 42	Fahrwohl	DD4413	Friedrichskoog	105
FRI 75	Luise	DIYK	Friedrichskoog	169
FRI 76	Anneliese	DITD	Friedrichskoog	125

1	2	3	4	5
FRI 86	Sirius	DDIZ	Friedrichskoog	125
GEV 4	Ostereff		Geversdorf	147
GRE 1	Edde	DCSJ	Greetsiel	146
GRE 2	Erna	DCOH	Greetsiel	110
GRE 3	Horizont	DCMU	Greetsiel	183
GRE 4	Wiking	DCRP	Greetsiel	125
GRE 5	Marlies		Greetsiel	147
GRE 6	Albatros	DCJJ	Greetsiel	107
GRE 7	Emsstrom	DCCH	Greetsiel	184
GRE 8	Nordsee II	DCVE	Greetsiel	147
GRE 9	Poseidon	DCWE	Greetsiel	125
GRE 10	Jan Ysker	DDAY	Greetsiel	154
GRE 11	Corsar	DCEJ	Greetsiel	184
GRE 12	Condor	DCVO	Greetsiel	184
GRE 13	Jan Looden	DCRA	Greetsiel	146
GRE 14	Möwe	DCSP	Greetsiel	146
GRE 15	Zwei Gebrüder	DCEP	Greetsiel	124
GRE 16	Angelika	DCEV	Greetsiel	147
GRE 17	Odysseus	DCEP	Greetsiel	147
GRE 18	Karl Zink	DCVO	Greetsiel	147
GRE 19	Flamingo	DCFW	Greetsiel	176
GRE 20	Sechs Gebrüder	DCGO	Greetsiel	176
GRE 21	Sturmvogel	DCGR	Greetsiel	147
GRE 22	Frieda Luise	DCPU	Greetsiel	184
GRE 23	Merkur	DITL	Greetsiel	183
GRE 24	Friedrich Conradi	DCVW	Accumersiel	213
GRE 24	Friedrich Conradi	DCVW	Greetsiel	221
GRE 25	Delphin	DCME	Greetsiel	190
GRE 28	Vorwärts	DCDN	Greetsiel	110
GRE 29	Paloma	DCEL	Greetsiel	180
HAR 1	Gesine Albrecht	DCQM	Harlesiel	132
HAR 2	Jens Albrecht II		Harlesiel	150
HAR 3	Anita	DCPF	Harlesiel	146
HAR 4	Hilde		Harlesiel	147
HAR 5	Ruth Albrecht	DCMJ	Harlesiel	110
HAR 6	Gudrun Albrecht	DCCD	Harlesiel	180
HAR 7	Wangerland	DCEQ	Harlesiel	199
HAR 8	Christine	DCLC	Harlesiel	184
HAR 9	Jens Albrecht	DCEV	Harlesiel	170
HAR 14	Georg Albrecht	DCBU	Harlesiel	110
HAR 20	Marion Albrecht	DCGF	Harlesiel	129
HOO 1	Heye Laurenz	DJIS	Hooge	136
HOO 3	Nartiane	DLYL	Hooge	132
HOO 52	Aggi	DDAE	Hooksiel	213
HOO 61	Samland	DDEP	Hooksiel	110
HUS 2	Heike	DJGJ	Husum	110
HUS 4	Stefanie	DCIU	Husum	138
HUS 6	Oland	DJFU	Husum	85
HUS 9	Edelweiß	DJGC	Husum	180
HUS 10	Ramona	DJDF	Husum	184
HUS 16	Falke	DJDW	Husum	129
HUS 18	Friesland	DJGB	Husum	184
HUS 19	Marion	DJGF	Husum	184
HUS 25	Hildegard	DJCH	Husum	138
HUS 28	Zukunft	DLYQ	Husum	165
LIST 1	Alwine	DCWM	List/Sylt	110
NC 211	Lucie		Cuxhaven	74
NC 458	Ramona	DFNZ	Cuxhaven	147
NEU 225	Condor	DCVS	Neuharlingersiel	147

1	2	3	4	5
NEU 226	Keen Tied	DCBG	Neuharlingersiel	146
NEU 227	Störtebeker	DLYJ	Neuharlingersiel	147
NEU 228	Gorch Fock	DCMO	Neuharlingersiel	147
NEU 229	Falke	DCGQ	Neuharlingersiel	147
NEU 230	Schwalbe	DEPJ	Neuharlingersiel	110
NEU 235	Nordlicht		Neuharlingersiel	110
NEU 240	Anna I	DDFS	Neuharlingersiel	147
NEU 241	Liebe		Neuharlingersiel	114
NEU 243	Seeschwalbe	DFNS	Neuharlingersiel	146
NEU 245	Seestern	DCJS	Neuharlingersiel	213
NEU 319	Nordlicht		Neuhaus	118
NOR 201	Roswietha	DCDN	Norddeich	213
NOR 202	Pirola	DCRK	Norddeich	184
NOR 203	Sperber		Norddeich	169
NOR 205	Anette	DCEM	Norddeich	165
NOR 206	Neptun	DCKS	Norddeich	197
NOR 207	Seestern	DCJS	Norddeich	147
NOR 208	Erika	DCHU	Norddeich	180
NOR 209	Sirius	DCLS	Norddeich	96
NOR 210	Hildegard	DCMI	Norddeich	103
NOR 211	Helga	DCPP	Norddeich	146
NOR 219	Wega		Norddeich	110
NOR 223	Nordlicht	DCTH	Norddeich	110
NOR 224	Nordland	DCTA	Norddeich	72
NOR 225	Nordmeer	DCDB	Norddeich	110
NOR 228	Nordstern	DCWV	Norddeich	110
NOR 230	Nordsee	DCKR	Norddeich	110
NOR 231	Nordstrom I	DCJO	Norddeich	219
NOR 232	Nordstrand	DCTA	Norddeich	110
NOR 236	Seepferdchen	DITX	Norderney	99
ON 180	Jupiter	DLHG	Fedderwaddersiel	221
PEL 1	Ivyonne	DJIG	Pellworm	184
PEL 2	Annemarie	DJKF	Pellworm	132
PEL 3	Helene	DJDR	Pellworm	183
PEL 9	Norderoog	DLZC	Pellworm	176
POG 2	Jan	DCRD	Pogum	146
SC 1	Godenwind	DJHV	Büsum	184
SC 2	Stolper Bank	DIVQ	Büsum	221
SC 3	Frank C	DIUS	Büsum	386
SC 4	Wattenmeer		Büsum	184
SC 5	Atlantis	DEQZ	Büsum	147
SC 6	Keen Tied	DDEW	Büsum	184
SC 7	Seefuchs	DIUQ	Büsum	184
SC 8	Birgit	DLYR	Büsum	179
SC 14	Maret	DJIJ	Büsum	184
SC 15	Martina	DIWD	Büsum	184
SC 18	Gaby Engel	DITV	Büsum	184
SC 20	Antje Möller	DIQY	Büsum	168
SC 21	Blauort	DDEZ	Büsum	184
SC 30	Beate Wika	DKGV	Büsum	183
SC 32	Cornelia	DIUE	Husum	184
SC 33	Merkur	DJGS	Büsum	162
SC 34	Dithmarschen	DIRV	Büsum	184
SC 36	Achat		Büsum	110
SC 38	Steenreff	DJLB	Büsum	103
SC 44	Klaus Groth	DIUC	Büsum	184
SC 45	Bussard	DJNE	Büsum	135
SC 52	Sabine	DJHT	Büsum	184
SC 54	Schwalbe	DJHS	Büsum	162

1	2	3	4	5
SC 55	Rebecca	DJIW	Büsum	184
SC 57	Südwind S	DJRS	Büsum	110
SC 58	Oderbank	DKLS	Büsum	206
SCHL 1	Orion		Schlüttsiel	55
SD 1	Hornsriff	DIZQ	Friedrichskoog	140
SD 3	Germania	DITK	Friedrichskoog	184
SD 4	Kerstin	DFCQ	Friedrichskoog	165
SD 5	Hoffnung	DISK	Friedrichskoog	138
SD 6	Cap Arcona	DIRF	Friedrichskoog	184
SD 7	Delphin	DIUY	Friedrichskoog	184
SD 8	Rugenort	DIWK	Friedrichskoog	165
SD 9	Dieksand	DIRB	Friedrichskoog	184
SD 10	Bussard	DFNM	Friedrichskoog	162
SD 11	Hindenburg	DISC	Friedrichskoog	146
SD 12	Wiking	DISE	Friedrichskoog	173
SD 13	Antares	DITA	Friedrichskoog	162
SD 14	Condor	DISD	Friedrichskoog	159
SD 15	Hanseat	DIVW	Friedrichskoog	184
SD 16	Polli	DIUZ	Friedrichskoog	180
SD 17	Neptun	DISK	Friedrichskoog	184
SD 18	Atlantik	DISR	Friedrichskoog	180
SD 19	Albatros	DISO	Friedrichskoog	199
SD 20	Seerose	DISP	Friedrichskoog	165
SD 21	Rungholt	DIYA	Friedrichskoog	182
SD 22	Kormoran	DITZ	Friedrichskoog	184
SD 23	Ödin	DCWX	Friedrichskoog	129
SD 24	Venus	DITW	Friedrichskoog	146
SD 25	Nordfriesland	DJEW	Friedrichskoog	147
SD 26	Paloma G	DIWG	Friedrichskoog	147
SD 28	Teutonia I	DIUO	Friedrichskoog	133
SD 29	Jupiter	DD6272	Friedrichskoog	131
SD 30	Cormoran	DFOC	Friedrichskoog	140
SD 31	Utholm	DJEE	Friedrichskoog	129
SD 32	Tümmeler	DIXU	Friedrichskoog	179
SD 33	Marlies	DCQD	Friedrichskoog	184
SPI 1	Sonny-Boy	DFBI	Spieka	114
SPI 2	Skua	DERI	Spieka	169
SPI 4	Seehund		Spieka	184
SPI 5	Nixe II		Spieka	187
SPI 6	Nordstern	DFBG	Spieka	107
ST 1	Seeberg	DJEZ	Tönning	162
ST 2	Boreas	DJBC	Tönning	184
ST 3	Nordland	DJBB	Tönning	180
ST 4	Gretel	DJFH	Ording	125
ST 5	Friesland	DJDU	Tönning	176
ST 6	Nis Randers	DJGV	Tönning	107
ST 7	Heimatland	DLXW	Tönning	165
ST 8	Sigrid	DJEP	Tönning	184
ST 10	Wiking	DJDV	Husum	162
ST 11	Sylvia	DJFY	Ording	132
ST 12	Anja II	DJIV	Tönning	165
ST 13	Fortuna	DJEN	Husum	88
ST 14	Eicerstedt	DJAF	Tönning	184
ST 15	Neptun I	DJHK	Tönning	125
ST 16	Julia	DHJL	Tönning	184
ST 17	Tina I	DLYX	Tönning	165
ST 18	Gebrüder	DJDC	Tönning	184
ST 19	Fürchtenicht	DLZN	Tönning	176
ST 20	Poseidon	DJHG	Tönning	165

1	2	3	4	5
ST 21	Seeschwalbe II	DIZY	Tönning	184
ST 22	Sabine	DIUU	Tönning	182
ST 24	Karl Nohme	DJIF	Ording	99
ST 26	Wega	DJCE	Tönning	221
ST 28	Glück auf	DLZP	Tönning	184
ST 29	Britta	DJBR	Tönning	147
ST 30	Fabian	DJMP	Tönning	182
SU 1	Lundenberg	DJDV	Lundenberg	145
SU 2	Süderoog	DJFC	Husum	180
SU 3	Theodor Storm	DJDM	Husum	176
SU 5	Ancrea	DJIM	Husum	184
SU 6	Ostpreußen	DJEL	Husum	184
SU 8	Heimatland	DLZK	Husum	181
SU 9	Antares II	DLXU	Husum	165
SU 11	Anneliese	DJES	Husum	184
SU 12	Marianne I	DJDS	Husum	84
SU 13	Fortuna	DJEN	Husum	88
SW 1	Elfriede	DLZV	Wyk/Föhr	125
TÖN 1	Paloma	DJET	Tönning	74
TÖN 2	Hai		Tönning	26
TÖN 4	Pornstrom	DJGD	Tönning	88
TÖN 15	Blondi	DJKW	Tönning	99
TÖN 32	Capella II	DJES	Tönning	107
VAR 1	Sturmvogel		Varel	162
VAR 6	Hein Godenwind	DDBL	Varel	147
VAR 18	Helga		Varel	110
WIT 1	Kehrwieder	DJFM	Wittdün	146
WRE 4	Hoffnung		Wremen	97
WRE 7	Seerose	DCFJ	Wremen	138
WRM 1	Apollo	DFCM	Wremen	132
WRM 2	Koralle	DFBB	Wremen	131
WRM 3	Falke	DESJ	Wremen	169
WRM 5	Land Wursten	DEQW	Wremen	171
WRM 6	Condor	DETZ	Wremen	110

FRANCIA / FRANKRIG / FRANKREICH / ΓΑΛΛΙΑ / FRANCE / FRANCE / FRANCIA / FRANKRIJK / FRANÇA

DK 200629A	Éric Marie Ange I	FS 5312	Dunkerque	59
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PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS / PAESI BASSI / NEDERLAND / PAÍSES BAIXOS

ARM 6	Dianne Jolanda	PDQD	Arnemuiden	221
ARM 46	Prina Cornelia	PGVU	Arnemuiden	221
BR 10	Johanna	PFDQ	Oostburg-Breskens	221
BR 15	De Hoop	PDNP	Oostburg-Breskens	221
BR 19	Adriana		Oostburg-Breskens	165
BR 23	Nellie	PGEL	Oostburg-Breskens	179
BR 24	Miranda	—	Oostburg-Breskens	151
BR 35	Broedertrouw	PDHD	Oostburg-Breskens	177
BR 45	Deo Volente	—	Oostburg-Breskens	177
BR 47	Ortelius	—	Oostburg-Breskens	199
BR 50	Johanna	PFDJ	Oostburg-Breskens	191
BRU 41	Volharding	PIIE	Bruinisse	151
DZ 3	Alina	POMH	Delfzijl	174

1	2	3	4	5
DZ 7	Nely	PGFS	Delfzijl	177
GO 13	Rigeja	PHAU	Goedereede	221
GO 29	Jan Maria	PEZI	Goedereede	221
GO 33	De Hinder	—	Goedereede	221
GO 52	Elisabeth	—	Goedereede	113
GO 57	Johanna Maria	—	Goedereede	113
GO 58	Jakoriwi	PEZC	Goedereede	221
HA 8	Stormvogel	—	Harlingen	134
HA 13	Wobbegien	—	Harlingen	113
HA 21	De Drie Gebroeders	—	Harlingen	123
HA 39	Anna	—	Harlingen	134
HA 41	Antje	—	Harlingen	132
HA 44	Hoop op Zegen	—	Harlingen	124
HA 50	Zeevalk	PIXY	Harlingen	166
HA 61	Hilly	—	Harlingen	121
HA 62	Willem Tjitsche	—	Harlingen	154
HA 75	Elizabeth	PDWR	Harlingen	221
HA 106	Reseda	PHAH	Harlingen	221
HD 8	Cornelis Pieter	—	Den Helder	221
HD 10	Broodwinner	—	Den Helder	221
HD 57	El Vera	PDWA	Den Helder	221
HD 73	Cornelis Anna Maria	PDKJ	Den Helder	221
IJM 18	Eben Haezer	PDUG	Velsen-IJmuiden	221
KG 1	Jacobus Johanna	PEYW	Kortgene	113
KG 2	Maris Stella	PFWH	Kortgene	221
KG 5	Zeearend	PIWG	Korgene	221
KG 6	Imantje	PEVQ	Korgene	221
KG 7	Christina	PDKC	Kortgene	221
KG 9	Pieterella	PGTD	Kortgene	221
KG 12	Jozias Tannetje	PFFI	Kortgene	221
KG 14	Jozina Maria	PFFW	Kortgene	221
KG 17	Hendrik	PEPV	Kortgene	221
KW 72	Tina Adriana	—	Katwijk	221
LO 5	Beltje Jan	—	Ulrum-Lauwersoog	124
LO 6	Regina	—	Ulrum-Lauwersoog	177
LO 7	Zwerver	—	Ulrum-Lauwersoog	199
LO 8	Zeester	—	Ulrum-Lauwersoog	206
LO 10	Hoop op Zegen	—	Ulrum-Lauwersoog	167
LO 11	Twee Gebroeders	PICL	Ulrum-Lauwersoog	175
LO 20	Zwarte Arend	—	Ulrum-Lauwersoog	85
NZ 1	Spera in Deo	—	Terneuzen	83
NZ 12	Elly	—	Terneuzen	114
NZ 21	Magdalena	PFSK	Terneuzen	99
OD 9	Geertuida	PEGK	Goedereede-Ouddorp	221
OL 8	Twee Gebroeders	—	Oostdongeradeel	184
OL 37	Neerlands Hoop	—	Oostdongeradeel	96
SCH 25	Annie-B	—	Den Haag-Scheveningen	221
SCH 66	Maria	PFUM	Den Haag-Scheveningen	221
SL 2	Stern	PHTY	Goedereede-Stellendam	221
SL 16	Morgenster	—	Goedereede-Stellendam	113
SL 22	Nella	—	Goedereede-Stellendam	124
ST 4	Hoop op Zegen	PETO	Staveren	188
ST 44	Hendrika Marianne	PEPW	Staveren	221
TH 6	Johanna Cornelia	PFDD	Tholen	221
TH 15	Lena Elizabeth	PFOF	Tholen	221
TH 18	Jacob Leendert	PEYV	Tholen	221
TH 36	Isabella	PEXR	Tholen	221
TH 42	Jacomina Carolina	PEYA	Tholen	221

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TM 8	Jakomina	PEYJ	Termunten	175
TM 9	Widejo	—	Termunten	163
TM 16	Wendeltje	PINS	Termunten	188
TM 30	De Toekomst	PDPH	Termunten	128
TM 37	Marnat II	PFVD	Termunten	103
TS 2	Jurjen Jacob	—	Terschelling	100
TS 7	Sabine	—	Terschelling	77
TX 7	De Poolster	PDOM	Texel	191
TX 8	Cornelia Irene		Texel	221
TX 12	Pionier	—	Texel	221
TX 27	Lida Marco		Texel	221
TX 41	Broedertrouw	PDGO	Texel	221
TX 50	Deneb		Texel	188
TX 88	Anna Maria		Texel	221
UK 75	Hendrik Schenk	PEOK	Urk	221
UK 129	Tiometje	PHYV	Urk	221
UQ 3	Grietje		Usquert	143
UQ 4	Rottum		Usquert	110
UQ 10	Truida II	—	Usquert	147
VD 20	Elisabeth	PDWY	Edam-Volendam	221
WL 2	Zeester		Westdongeradeel	114
WL 3	Zeemeeuw	PIWW	Westdongeradeel	118
WL 4	Hendrika		Westdongeradeel	110
WL 5	Grietje		Westdongeradeel	134
WL 7	Hoop op Zegen		Westdongeradeel	191
WL 8	Albatros		Westdongeradeel	92
WL 15	Monte Tjerk		Westdongeradeel	107
WL 21	Annie		Westdongeradeel	134
WON 2	Suze	PHUN	Wonseradeel	221
WON 24	Elisabeth	PDXJ	Wonseradeel	221
WON 43	Vaya con Dios	PIFI	Wonseradeel	113
WON 77	Wietske	PIRC	Wonseradeel	121
WR 2	Carla Maria	PDHV	Wieringen	188
WR 3	Noordster		Wieringen	184
WR 10	Petrina	PGSD	Wieringen	188
WR 12	Anna Catherina	PCRF	Wieringen	221
WR 15	Zeemeeuw	PIXD	Wieringen	220
WR 17	Bona Spes	PEDY	Wieringen	221
WR 20	Elisabeth	PDXH	Wieringen	221
WR 22	Cornelius Senoir	PDMI	Wieringen	221
WR 24	Sjierkje Melanie	PHNR	Wieringen	114
WR 29	Waddenzee		Wieringen	184
WR 34	Leendert Jan	PFNU	Wieringen	221
WR 35	Twee Gebroeders	—	Wieringen	74
WR 36	Arie Johannes	PCUL	Wieringen	221
WR 54	Cornelis Nan		Wieringen	169
WR 57	Jacoba	PEYB	Wieringen	169
WR 60	Verwachting	PIGG	Wieringen	138
WR 69	Teeuwes Jan Visser	PHXB	Wieringen	221
WR 71	Marry An	PFVJ	Wieringen	132
WR 72	Alberta	PCFK	Wieringen	169
WR 73	Paul Martien	PGRD	Wieringen	221
WR 75	Sandra Petra	PHIG	Wieringen	177
WR 77	Ananjah Conzelo	PCQZ	Wieringen	218
WR 87	Breehorn	PDGN	Wieringen	166
WR 88	Rana	PGYN	Wieringen	173
WR 89	Geja Anjo	—	Wieringen	175
WR 98	Else Jeanette	PDXK	Wieringen	179
WR 102	Limanda	PFOV	Wieringen	118

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WR 106	Alida Catherina		Wieringen	134
WR 107	Jannie Diana	PFAE	Wieringen	134
WR 122	Jumbo	PFFQ	Wieringen	221
WR 128	Concordia	pDJQ	Wieringen	210
WR 129	Grietje Hendrika	PEKX	Wieringen	221
WR 137	Eefje		Wieringen	221
WR 152	Cornelis Alida	PDLU	Wieringen	220
WR 171	Gea Catherina	PEGS	Wieringen	125
WR 174	Aleida	PCKC	Wieringen	221
WR 213	Simone	PHMP	Wieringen	140
WR 222	Anna Tatjana	PCRL	Wieringen	221
WR 244	Texelstroom	PHXZ	Wieringen	174
YE 25	Biem	PDCS	Reimerswaal-Yerseke	199
YE 52	Adriana	PCEB	Reimerswaal-Yerseke	221
YE 138	Wilhelmina		Reimerswaal-Yerseke	221
YE 139	Elisabeth	PDXB	Reimerswaal-Yerseke	221
ZK 1	Portunus	PGVA	Ulrum-Zoutkamp	162
ZK 3	Geja		Ulrum-Zoutkamp	121
ZK 4	Bornrif	—	Ulrum-Zoutkamp	96
ZK 5	Ora et Labora		Ulrum-Zoutkamp	169
ZK 8	Bjorn	—	Ulrum-Zoutkamp	128
ZK 9	Drie Gebroeders	—	Ulrum-Zoutkamp	132
ZK 11	Hoop op Zegen	—	Ulrum-Zoutkamp	134
ZK 12	Louwina	—	Ulrum-Zoutkamp	174
ZK 14	Tamme Sr.	PHWT	Ulrum-Zoutkamp	221
ZK 15	Lambert		Ulrum-Zoutkamp	169
ZK 17	Johannes Dirk		Ulrum-Zoutkamp	113
ZK 18	Levenslang		Ulrum-Zoutkamp	138
ZK 21	Anna	—	Ulrum-Zoutkamp	118
ZK 25	Yvonne		Ulrum-Zoutkamp	174
ZK 34	Vier Gezusters	PIGJ	Ulrum-Zoutkamp	202
ZK 46	Zeemeeuw	—	Ulrum-Zoutkamp	88
ZK 54	Goede Verwachting	—	Ulrum-Zoutkamp	138

COMMISSION REGULATION (EEC) No 57/87

of 9 January 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, 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 8 January 1987;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 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 10 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 9 January 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	18,39	197,33
10.01 B II	Durum wheat	45,77	244,75 ⁽¹⁾ ⁽²⁾
10.02	Rye	54,03	169,23 ⁽⁶⁾
10.03	Barley	24,59	182,98
10.04	Oats	86,01	151,07
10.05 B	Maize, other than hybrid maize for sowing	—	178,09 ⁽³⁾ ⁽³⁾ ⁽⁹⁾
10.07 A	Buckwheat	8,89	8,89
10.07 B	Millet	24,59	120,76 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	9,83	180,14 ⁽⁴⁾ ⁽⁹⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	24,59	44,52 ⁽²⁾
11.01 A	Wheat or meslin flour	40,36	291,82
11.01 B	Rye flour	90,26	251,54
11.02 A I a)	Durum wheat groats and meal	84,44	392,86
11.02 A I b)	Common wheat groats and meal	41,81	312,64

⁽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).

⁽⁹⁾ The levy referred to in Article 1 of Council Regulation (EEC) No 2913/86 shall be fixed on the basis of an invitation to tender in accordance with Commission Regulation (EEC) No 3140/86.

COMMISSION REGULATION (EEC) No 58/87

of 9 January 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, 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 8 January 1987;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 10 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

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

ANNEX

to the Commission Regulation of 9 January 1987 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 1	1st period 2	2nd period 3	3rd period 4
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	4,26	4,26	4,26
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	101,46	101,46	101,46
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 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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	7,58	7,58	7,58	7,58
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	5,67	5,67	5,67	5,67
11.07 B	Roasted malt	0	6,60	6,60	6,60	6,60

COMMISSION REGULATION (EEC) No 59/87
of 9 January 1987
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2683/86 ⁽³⁾, as last amended by Regulation (EEC) No 8/87 ⁽⁴⁾;

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

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

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2683/86 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 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 12 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 246, 30. 8. 1986, p. 5.

⁽⁴⁾ OJ No L 1, 3. 1. 1987, p. 15.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 9 January 1987 fixing the import levies on rice and broken rice

(ECU/tonne)

CCT heading No	Description	Portugal	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :			
	B. Other :			
	I. Paddy rice ; husked rice :			
	a) Paddy rice :			
	1. Round grain	—	318,02	155,41
	2. Long grain	—	353,01	172,90
	b) Husked rice :			
	1. Round grain	—	397,53	195,16
	2. Long grain	—	441,26	217,03
	II. Semi-milled or wholly milled rice :			
	a) Semi-milled rice :			
	1. Round grain	13,05	519,66	247,90
	2. Long grain	12,97	639,55	307,89
	b) Wholly milled rice :			
	1. Round grain	13,90	553,44	264,37
	2. Long grain	13,90	685,60	330,45
	III. Broken rice	72,16	214,49	104,24

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

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

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

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

COMMISSION REGULATION (EEC) No 60/87

of 9 January 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2684/86 ⁽³⁾, as last amended by Regulation (EEC) No 9/87 ⁽⁴⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 246, 30. 8. 1986, p. 8.

⁽⁴⁾ OJ No L 1, 3. 1. 1987, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 9 January 1987 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 1	1st period 2	2nd period 3	3rd period 4
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 61/87

of 9 January 1987

altering the specific agricultural conversion rates applicable in the rice sector

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

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⁽¹⁾, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽²⁾, as last amended by Regulation (EEC) No 2502/86⁽³⁾, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86⁽⁴⁾, as amended by Regulation (EEC) No 3/87⁽⁵⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁶⁾;

Whereas Regulation (EEC) No 3153/85 lays detailed rules for the calculation of monetary compensatory amounts;

whereas the spot market rates for the Italian lira, recorded in accordance with Regulation (EEC) No 3153/85 during the period 31 December 1986 to 6 January 1987, require the specific agricultural conversion rates applicable for Italy to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 12 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽³⁾ OJ No L 219, 6. 8. 1986, p. 8.

⁽⁴⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁵⁾ OJ No L 1, 3. 1. 1987, p. 5.

⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

1 ECU	= Bfs	47,3307
	= Dkr	8,58155
	= DM	2,31728
	= FF	7,54539
	= £ Irl	0,839794
	= Fl	2,61094
	= £	0,795655
	= Lit	1 588,19
	= Dr	163,459
	= Pta	155,127

COMMISSION REGULATION (EEC) No 62/87**of 9 January 1987****amending Regulation (EEC) No 2464/86 on an accelerated alignment of the customs duties on certain tinned satsumas coming from Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 75 (4) thereof,

Whereas Commission Regulation (EEC) No 2464/86⁽¹⁾ provides for an accelerated alignment of the customs duties on segments of satsumas, in cans, coming from Spain; whereas tinned satsumas are normally marketed only with the description mandarins; whereas the raw material used for processing in Spain of such products is always satsumas;

Whereas the Common Customs Tariff in subheadings 20.06 B II a) 3 and b) 3 refer to mandarins (including tangerines and satsumas); whereas the provisions of Regulation (EEC) No 2464/86 oblige the trade and the authorities to distinguish between tinned satsuma mandarins and other tinned mandarins; whereas that fact leads to administrative complications; whereas the wording of Regulation (EEC) No 2464/86 should be aligned with that used in the Common Customs Tariff; whereas such an amendment would not in practice change the present scope of products covered by Regulation (EEC) No 2464/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2464/86 is hereby replaced by the following:

*'ANNEX**List of products referred to in Article 1*

CCT heading No	Description	Basic duties (%)
ex 20.06 B II a) 3	Mandarin (including tangerine and satsuma) segments, in cans	16
ex 20.06 B II b) 3	Mandarin (including tangerine and satsuma) segments, in cans	15'

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 March 1986.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 211, 1. 8. 1986, p. 11.

COMMISSION REGULATION (EEC) No 63/87

of 9 January 1987

amending for the seventh time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts

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 355/79 ⁽³⁾, as last amended by Regulation (EEC) No 1625/86 ⁽⁴⁾, lays down general rules for the description and presentation of wines and grape musts;

Whereas Commission Regulation (EEC) No 997/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 418/86 ⁽⁶⁾, lays down detailed rules for the description and presentation of wines and grape musts;

Whereas it has become apparent that table wines made from a blend of wines originating in various Member States of the European Communities sometimes have a label that may cause confusion in the mind of the consumer as regards the true origin of such wines, in particular where the overall impression given by the label recalls a product originating in a particular Member State; whereas, to prevent such confusion, a minimum height should be stipulated for the lettering on the labelling on prepackaging of the words laid down to indicate that the table wines in question are a 'blend of wines from different countries of the European Community';

Whereas, to take account of practice in Greece, the inclusion of certain additional traditional terms used to denote certain quality wines psr and of certain terms used to denote the name of the vineyard holding where the wine in question was obtained should be provided for by aligning the rules on the use of such terms on those already accepted for other Member States; whereas, however, in order to improve the understanding of these terms, it is desirable that such terms in Greek should be able to be supplemented by a translation into another language;

Whereas Regulation (EEC) No 355/79 makes the indication of actual alcoholic strength on wine labels compulsory as from 1 May 1988; whereas, in order to give the bottlers responsible for the labelling of wines a greater degree of flexibility as from that date, it is desirable to increase slightly the tolerances for the indication of the alcoholic strength;

Whereas experience has shown that certain consumers do not consider indications on the type of wine that refer to its residual sugar content, such as 'dry', 'medium dry',

'medium sweet' and 'sweet' to be sufficiently explicit; whereas provision should be made for indicating the residual sugar content of the wine as determined by analysis to be indicated on the label;

Whereas it is customary in Germany to indicate the density of grape musts in 'Oechsle degrees'; whereas, in the light of this traditional practice, no further alignment with the Community system for measuring the density of grape must is possible for the moment; whereas the transitional period that expired on 31 August 1986, during which Germany could provide, in respect of grape must put into circulation on its territory, that the density should be expressed in Oechsle degrees, should therefore be extended for a further five years;

Whereas Article 16 (4) of Council Regulation (EEC) No 338/79 ⁽⁷⁾, as last amended by Regulation (EEC) No 3805/85, lays down that the name of a specified region may be used to describe a wine only if it is a quality wine psr; whereas the term 'Madera' is synonymous with 'vinho de Madeira' which describes, in accordance with the said provision, a quality wine psr; whereas this results in a ban on putting into circulation in the Community imported wines described by the term 'Madera'; whereas, to avoid cases of hardship caused by too abrupt a change in the rules in force until now, provision should be made for wines from 'Madera County' originating in the United States of America to be put into circulation during a transitional period ending on 31 December 1988 under the name 'Madera County — California';

Whereas certain producer Member States and Austria have supplemented their provisions on the use of terms relating to the type of wine and its method of production and concerning information on the natural wine-growing conditions in which the wine originated; whereas provision should therefore be made under Regulation (EEC) No 997/81 for the terms that may be used to indicate the abovementioned information on the labelling of wines;

Whereas certain Member States have accepted that wine may be prepackaged in containers such as metal cans, cardboard boxes or in the type of container known as 'bag-in-box' on which has been printed directly the information required for the labelling; whereas the manufacture of such prepackaging is costly and large batches are ordered; whereas, to avoid too large quantities of such prepackaging becoming unusable because certain information printed on that prepackaging is no longer compatible with Community rules as a result of those rules being amended, provision should be made for a transitional period of two years during which wine may continue to be put up in such prepackaging;

Whereas, following the recent amendments of their provisions, Australia, Austria, Bulgaria and the United States of

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 99.

⁽⁴⁾ OJ No L 144, 29. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 106, 16. 4. 1981, p. 1.

⁽⁶⁾ OJ No L 48, 26. 2. 1986, p. 8.

⁽⁷⁾ OJ No L 54, 5. 3. 1979, p. 48.

America have requested that Annexes I, II and IV of Regulation (EEC) No 997/81 be adapted; whereas it seems justified to accede to these requests; whereas a detailed examination of the use of the names and synonyms of certain vine varieties to describe wines has led to the conclusion that Annex IV of the said Regulation should, in addition, be corrected, in particular by deleting certain of these names and synonyms thus preventing the consumer from being misled as regards the geographical origin and the nature of the wine in question;

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

Regulation (EEC) No 997/81 is hereby amended as follows:

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

'1. The terms referred to in Article 2 (1) (d) (ii) and (iii) of Regulation (EEC) No 355/79 shall be indicated on the labels of prepackaging in lettering of the same type, the smallest letters being at least:

- 3 mm high, if the nominal volume of the container is less than 20 cl,
- 4 mm high, if the nominal volume of the container is 20 cl or more but not more than 100 cl,
- 6 mm high, if the nominal volume of the container is more than 100 cl.'

2. In Article 2 (3):

(a) the following is added to the first subparagraph:

'(g) for Greek quality wines *psr*:

- "Από διαλεχτούς αμπελώνες", "grand cru"
- "Επιλογή ή επιλεγμένος", "réserve"
- "Ειδική επιλογή ή ειδικά επιλεγμένος", "grande réserve";

(b) the second subparagraph is replaced by the following:

"The terms referred to in (a), (b), (c), (e), (f), and (g) above shall appear in characters which are the same size as or smaller than those used for indicating the specified region."

3. The following terms are added to the fifth indent of Article 5 (1):

'έλλα, κτήμα, αρχοντικό'

4. Article 8 is amended as follows:

(a) Paragraphs 1 and 2 are replaced by the following:

'1. The information regarding actual alcoholic strength referred to in Articles 2 (1) (g), 12 (1) (f), 22 (1) (b), 27 (1) (e) and 28 (1) (c) of Regulation (EEC) No 355/79 shall be given as a unit or half-unit 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 actual alcoholic strength indicated may not be more than 0,5 % vol more or less than the strength determined by analysis.

However, when quality wines *psr* stored in bottles for more than three years are inspected, the competent departments may allow this tolerance to be increased by 0,3 % vol.

The figure expressing the actual alcoholic strength shall be followed by the symbol "% vol" and may be preceded by the words "actual alcoholic strength" or "actual alcohol" or by the abbreviation "alc.". It shall be indicated on the label in characters at least 3 mm high.

2. The analytical data other than the actual alcoholic strength which may be indicated on the labels of wines and grape musts referred to in Articles 2 (2) (f), 12 (2) (g), 27 (2) (d) and 28 (2) (f) of Regulation (EEC) No 355/79 shall be the residual sugar content determined by analysis. It shall be indicated in grams per litre.

However, for the description of products bottled on their territory, Member States may permit the residual sugar content to be supplemented or replaced by the potential alcoholic strength by adding to the actual alcoholic strength shown in accordance with paragraph 1 the figure corresponding to the potential alcoholic strength, preceded by the symbol "+" and followed by the symbol "% vol". It shall be indicated as a unit or tenth-unit percentage by volume. The potential alcoholic strength indicated may not be higher than the strength determined by analysis. It may be lower than the strength determined by analysis by 0,2 % vol at the most.

⁽¹⁾ OJ No L 133, 14. 5. 1982, p. 1.'

(b) Paragraph 3 is deleted.

(c) The date "31 August 1986" in paragraph 4 (a) is replaced by "31 August 1991".

5. The following paragraph 3 is added to Article 10 :

'3. During a transitional period ending on 31 December 1988, wines imported from the United States of America and obtained from grapes harvested in "Madera County" may be described by the name of that geographical unit. During this period this term must, in addition, be accompanied by the word "California".'

6. Article 13 is amended as follows :

(a) The following is added to paragraph 1 (d) :

'(iv) with respect to all table wine by the following terms :

- "φρέσκο κρασί", "vin jeune",
- "νέο κρασί", "vin nouveau".'

(b) The following is added to paragraph 1 after point (e) :

'(f) the description of a Luxembourg table wine may be supplemented by the term "blanc des blancs".'

(c) The following terms are added to paragraph 3 (a) after 'Badisch Rotgold' :

- "Moseltaler",
- "Riesling-Hochgewächs".'

(d) The following terms and subparagraph are added after 'vivace' in paragraph 3 (c) :

- "vino novello",
- "vin nouveau",
- "dunkel".'

The terms 'Kretzer' and 'dunkel' may be used only for certain quality wines psr originating in the province of Bolzano. The term 'vin nouveau' may be used only for quality wines psr originating in the region of Valle d'Aosta.

(e) The following is added to paragraph 3 after point (e) :

'(f) for Luxembourg wines :
— "blanc des blancs".

(g) for Greek wines :
— "λευκός από λευκάς σταφυλάς", "Blanc des blancs".'

(f) The following paragraph 3a is added :

3a. The term "blanc des blancs" referred to in paragraph 1 (d) and 3 (b) and (f), the term, "λευκός από λευκάς σταφυλάς", "blanc des blancs" referred to in paragraphs 1 (d) and 3 (g), the term "bianco da uve bianche" referred to in paragraph 1 (c) and the term "blanco de uva blanca" referred to in paragraph 1 (e) and 3 (d) may be used only to describe a wine obtained exclusively from grapes from vine varieties classified as white grape varieties".

(g) The second subparagraph of paragraph 4 is replaced by the following :

"The first subparagraph shall not apply to the term "hock", "claret" and "Moseltaler".

7. Article 16 (2) (b) is replaced by the following :

'(b) the terms :

- "vino di colle" and "vino di collina" where they are used to describe an Italian table wine or quality wine psr in accordance with the Italian provisions concerning their use ;
- "Bergwein" for imported wines originating in Austria provided that the Austrian provisions concerning the use of that description are complied with.'

8. In Article 22 (1) the following is inserted after the second subparagraph :

'Prepackaging on which has been printed directly information which is no longer compatible with Regulation (EEC) No 335/79 and with this Regulation, because the latter have been amended, may be used for a period of two years from the date from which the amendment applies.'

9. In point 2 of Annex I (Austria)

(a) the first indent is replaced by the following :

- "Qualitätswein mit staatlicher Prüfnummer",

(b) the third indent is replaced by the following :

- 'Qualitätswein besonderer Reife und Leseart oder Prädikatswein',

(c) the term 'Weingütesiegel Österreich' is deleted.

10. The following is added to point 14 of Annex I, Bulgaria :

- "КОЛЕКЦИОННО/РЕЗЕРВ" (Reserve).'

11. Chapter V of Annex II, 'Austria', is replaced by the following :

'V. AUSTRIA

1. Wines bearing the name of the wine-growing region and/or sub-region of origin (').

1.1. Wine-growing region of Burgenland :

sub-regions :

- Neusiedlersee
- Neusiedlersee-Hügelland
- Mittelburgenland
- Südburgenland

1.2. Wine-growing region of Niederösterreich :

sub-regions :

- Donauland-Carnuntum
- Kamptal-Donauland
- Thermenregion
- Wachau
- Weinviertel

1.3. Wine-growing region of Steiermark :

sub-regions :

- Süd-Oststeiermark
- Südsteiermark
- Weststeiermark

1.4. Wine-growing region of Wien.

2. Information in respect of the type of a wine produced solely from grapes harvested in Austria :

- "Heuriger" where the wine thus described is placed in circulation at the latest on 31 December of the year following the year of harvest, which must be indicated on the label ;
- "Schilcher", where the wine thus described was obtained in the region of Steiermark exclusively from grapes of the "Blauer Wildbacher" variety.

(¹) The terms 'wine-growing region' and 'sub-region' correspond to the terms 'Weinbauregion' and 'Weinbaugebiet' used in Austria.

12. In Chapter VIII of Annex II, United States :

- (a) the words 'Madera County' in section A of point 4, California, are deleted ;
- (b) section B is replaced by the following :

'B. Wines bearing one of the following names of the State and/or viticultural area of origin :

1. Arizona

1.1. Viticultural area : Sonoita

2. Arkansas

2.1. Viticultural areas :

- Altus
- Arkansas Mountain
- Ozark Mountain

3. California

3.1. Viticultural areas :

- Alexander Valley
- Anderson Valley
- Arroyo Seco
- Carmel Valley
- Carneros
- Central Coast
- Central Coast Counties
- Chalk Hill
- Chalone (¹)
- Cienega Valley
- Clarksburg
- Clear Lake
- Cole Ranch
- Dry Creek
- Dry Creek Region
- Dry Creek Valley

- Edna Valley
- El Dorado
- Fiddletown
- Guenoc Valley
- Hopland
- Howell Mountain
- Knights Valley
- Lime Kiln Valley
- Livermore Valley
- Lodi (¹)
- Los Carneros
- Merritt Island
- Monterey
- Mt. Veeder District
- Napa Valley
- Napa-Sonoma-Mendocino
- North Coast
- North Coast Counties
- Northern Sonoma
- North Yuba
- Pacheco Pass
- Paicines
- Paso Robles
- Pinnacles
- Pope Valley
- Potter Valley
- Redwood Valley
- Russian River Valley
- Sanel Valley
- San Pascal Valley
- Santa Clara Valley
- Santa Cruz Mountains
- Sante Maria Valley
- Santa Inez
- Santa Inez Valley
- Saratoga
- Shenandoah Valley (¹)
- Sierra Foothills
- Solano County Green Valley
- Solvang
- Sonoma County Green Valley
- Sonoma Mountain
- Sonoma Valley
- South Coast
- Suisun Valley
- Temecula
- Templeton
- Willow Creek
- Yountville
- York Mountain

4. Connecticut

4.1. Southeastern New England

5. Indiana

5.1. Viticultural area : Ohio River Valley

6. Kentucky

6.1. Viticultural area : Ohio River Valley

7. Louisiana

7.1. Viticultural area : Mississippi Delta

- | | |
|---|---|
| <p>8. Maryland</p> <p>8.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Catoctin — Cumberland Valley — Linganore <p>9. Massachusetts</p> <p>9.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Martha's Vineyard — Southeastern New England <p>10. Michigan</p> <p>10.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Fennville — Lake Michigan Shore — Leelanau Peninsula <p>11. Mississippi</p> <p>11.1. Viticultural area : Mississippi Delta</p> <p>12. Missouri</p> <p>12.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Augusta — Hermann ⁽¹⁾ — Ozark Mountain <p>13. New Jersey</p> <p>13.1. Viticultural area : Central Delaware Valley</p> <p>14. New Mexico</p> <p>14.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Mesilla Valley — Mimbres Valley <p>15. New York</p> <p>15.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Finger Lakes — The Hamptons, Long Island — Hudson River Region — Lake Erie — Lake Erie Islands — North Fork of Long Island <p>16. Ohio</p> <p>16.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Grand River Valley — Isle of St George — Lake Erie — Loramie Creek — Ohio River Valley <p>17. Oklahoma</p> <p>17.1. Viticultural area : Ozark Mountain</p> <p>18. Oregon</p> <p>18.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Columbia Valley — Umpqua Valley — Walla Walla Valley — Willamette Valley | <p>19. Pennsylvania</p> <p>19.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Central Delaware Valley — Cumberland Valley — Lake Erie — Lancaster Valley <p>20. Rhode Island</p> <p>20.1. Viticultural area : South-eastern New England</p> <p>21. Tennessee</p> <p>21.1. Viticultural area : Mississippi Delta</p> <p>22. Texas</p> <p>22.1. Viticultural area :</p> <ul style="list-style-type: none"> — Bell Mountain — Mesilla Valley <p>23. Virginia</p> <p>23.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Monticello — North Fork of Roanoke — Rocky Knob — Shenandoah Valley <p>24. Washington</p> <p>24.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Columbia Valley — Walla Walla Valley — Yakima Valley <p>25. West Virginia</p> <p>25.1. Viticultural areas :</p> <ul style="list-style-type: none"> — Kanawha River Valley — Ohio River Valley — Shenandoah Valley. |
|---|---|
- (¹) This viticultural area may be indicated only if the State to which the area belongs is shown on the same label.
13. In Chapter I 'Germany', of Annex III ;
- the figure '(1)' is added to the term 'Samtrot' in the middle column as a reference to the footnote,
 - the term 'Clevner (Frühburgunder) (1)' in the middle column is replaced by 'Clevner (1)',
 - the term 'Raifrench' appearing in the middle column as a synonym of 'Roter Elbling' and 'Weisser Elbling' is deleted.
14. In Chapter IV, Italy of Annex III :
- footnote (²) relating to the variety name 'Brunello' is replaced by the following :
'(²) Accepted only for the commune of Montalcino in the province of Siena'.
 - the term 'Malvoisie' (³) is added to the right-hand column as a synonym of 'Pinot grigio', accompanied by the following footnote :
'(³) Accepted only for the region of Valle d'Aosta.'

15. In Annex IV :

- (a) The variety names 'Taminga' and 'Merbein Seedless' are added to Chapter III, 'Australia', in the left-hand column ;
- (b) the variety name 'Emerald Riesling' is deleted in Chapters III, 'Australia', VI, 'United States' and VIII, 'Israel' ;
- (c) Chapter IV 'Austria' is replaced by the following :

'List of varieties accepted in the Community'	Accepted Synonyms
IV. ÖSTERREICH Bouviertraube Blauburger Blauer Burgunder Blauer Portugieser Blauer Wildbacher Blauer Zweigelt Blaufränkisch Cabernet franc Cabernet Sauvignon Chardonnay Frühroter Veltliner Furmint Gewürztraminer Goldburger Grüner Sylvaner Roter Sylvaner Grüner Veltliner Jubiläumsrebe Merlot Müller-Thurgau Muskat-Ottonel Muskat-Sylvaner Neuburger Roter Muskateller Gelber Muskateller Roter Traminer Roter Veltliner Rotgipfler Ruländer St. Laurent Scheurebe Trollinger Weißer Burgunder Weißer Riesling Welschriesling Zierfandler	Blauer Spätburgunder Blauburgunder, Pinot noir Rotburger } Cabernet } Sylvaner Weißer Sauvignon, Sauvignon blanc } Muskateller Grauer Burgunder, Pinot gris Sämling 88 Pinot blanc Riesling, Rheinriesling Spätrot'

- (d) the variety 'Gray Riesling' is deleted from Chapter VI, United States ;
- (e) the varieties 'Bànàti Rizling', 'Riesling de Banat' and 'Banatski Rizling' are deleted from Chapters VII, 'Hungary', X, 'Romania' and XIII, 'Yugoslavia'.

The word 'Creatà' is inserted in the place of 'Bànàti Rizling' in the left-hand column of Chapter VII, 'Hungary'.

Article 2

This Regulation shall enter into force on 1 February 1987.

However :

- Article 1 (1) shall apply from 1 July 1987 ;
- Article 1 (4) (a) shall apply from 1 April 1988.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 64/87
of 9 January 1987
amending Regulation (EEC) No 7/87 introducing a countervailing charge on
artichokes originating in Spain (except the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 7/87 of 2 January 1987⁽³⁾, introduced a countervailing charge on artichokes originating in Spain (except the Canary Islands);

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 7/87, '2,45 ECU' is hereby replaced by '4,07 ECU'.

Article 2

This Regulation shall enter into force on 10 January 1987.

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

Done at Brussels, 9 January 1987

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 1, 3. 1. 1987, p. 13.

⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 65/87
of 9 January 1987
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 934/86 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 41/87 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2051/86 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

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 173 1. 7. 1986, p. 91.

⁽⁴⁾ OJ No L 6, 8. 1. 1987, p. 26.

ANNEX

to the Commission Regulation of 9 January 1987 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	51,60
	B. Raw sugar	44,69 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 66/87

of 9 January 1987

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 4071/86 ⁽⁶⁾, as last amended by Regulation (EEC) No 40/87 ⁽⁷⁾;

Whereas Council Regulation (EEC) No 1588/86 ⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽⁹⁾ 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 8 January 1987;

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 ⁽¹⁰⁾ 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 amended Regulation (EEC) No 4071/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 January 1987.

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

Done at Brussels, 9 January 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 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 371, 31. 12. 1986, p. 19.

⁽⁷⁾ OJ No L 6, 8. 1. 1987, p. 24.

⁽⁸⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 9 January 1987 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 F ⁽²⁾	229,38	226,36
11.02 A VI ⁽²⁾	229,38	226,36
11.02 E II d) 1 ⁽²⁾	390,43	384,39
11.02 F VI ⁽²⁾	229,38	226,36
11.08 A II	328,07	297,24

⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 December 1986

relating to a proceeding under Article 85 of the EEC Treaty

(IV/31.428 to 31.432 — Yves Rocher)

(Only the French text is authentic)

(87/14/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 85 thereof,

Having to Council Regulation No 17 of 6 February 1962, First Regulation implementing Articles 85 and 86 of the Treaty⁽¹⁾ as last amended by the Act of Accession of Spain and Portugal, and in particular Articles 6 and 8 thereof,

Having regard to the notification and application for negative clearance submitted on 15 January 1985 by Yves Rocher, La Gacilly, France, concerning a system of standard form franchise contracts for the retailing of cosmetics covering France, Germany, Belgium, Luxembourg, the Netherlands, the United Kingdom and Spain.

Having regard to the summary of the notification published⁽²⁾ pursuant to Article 19 (3) of Regulation No 17,

After consulting the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas :

I. Facts

A. The undertaking

- (1) Société d'études de chimie et de thérapie appliquées (SECTA) Laboratoires de Cosmétologie Yves

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No C 95, 23. 4. 1986, p. 3.

Rocher, whose registered office is in La Gacilly, France, is one of the leading European producers of cosmetics. Its equity capital is held 35 % by the Yves Rocher family and 65 % by Sanofi, a subsidiary of Elf Aquitaine, whose cosmetics production accounts for a quarter of its total turnover.

- (2) Yves Rocher markets its products in 50 countries and has 15 wholly-owned marketing subsidiaries abroad. It originally sold its products by mail order but, starting in 1970, has set up in seven Community Member States (France, Germany, Belgium, Luxembourg, the Netherlands, the United Kingdom and Spain) a network of franchised retail outlets known as 'Yves Rocher Beauty Centres'. These Centres sell only Yves Rocher products. The Yves Rocher group now has some 10 million mail-order customers. Its network of shops consists of about a thousand franchise businesses of which a little over 600 are in France. Their average annual turnover is less than 300 000 ECU. Yves Rocher also operates a number of pilot schemes on its own account.

B. The product and the market

- (3) Cosmetics in the broad sense, i.e. that of substance used in beauty care, can be broken down into 42 groups comprising some 100 000 different products. This extreme diversity reflects the

public's many requirements, the creativity of perfumers and cosmeticians, and the high level of technical expertise attained which makes it possible to satisfy those requirements.

- (4) Nevertheless, the general statistics published by the business circles concerned all distinguish between four main categories of products :

- beauty products (make-up and skin-care products),
- alcohol-based perfumes,
- hair-care products,
- toiletries.

- (5) In all the Member States in which the Yves Rocher network is established cosmetics are a growth market, albeit to differing degrees for each of the four segments referred to above. Most customers are women (90 % of sales).

- (6) On the supply side, the number of both producers and distributors of cosmetics is fairly large. The industry is characterized by the presence of subsidiaries of major industrial groups, being an attractive means of diversification for many groups whose principal line of business is technically similar (pharmaceutical groups in particular). The financial ties between cosmetics manufacturers are therefore global and complex.

- (7) The degree of concentration in the industry is comparatively low. The largest European firm holds a 15 % share of the Community market, and none of the others has a share exceeding 5 %.

- (8) If one compares the ranking, over a period of time, of producers in terms of market share, a fair amount of movement is apparent, which is itself an indication of the effort made by each firm to

promote its image, and of the severity of competition between suppliers.

- (9) In the cosmetics sector as a whole, Yves Rocher holds 7,5 % of the French market, 6 % of the Belgian market, and a share of less than 5 % in every other Member State in which the network is established. Unlike some producers who specialize in one or other of the abovementioned four categories of cosmetics, Yves Rocher is active in every segment of the market. Its business is oriented more towards the production of beauty products and alcohol-based perfumes, but even in France, the country in which the Yves Rocher network is most extensive, its sales do not exceed 15 % of total sales in any particular category of products.

- (10) The channels through which cosmetics are distributed are many in number and complementary in character in every Member State in which the Yves Rocher chain is established. A distinction may be drawn between general retail outlets and specialist (or selective, exclusive or franchise) retail outlets.

- (11) In France, about half the cosmetics sold are marketed through some 100 000 general retail outlets (stores selling household products and cosmetics — *drogueries*), grocers' shops, self-service stores, etc.). A third of all sales are made through some 7 500 specialist retail outlets, including about a thousand franchise shops. Direct selling by the manufacturer (selling by mail order, door-to-door sales or own shops) and sales in chemist's shops each account for about 10 % of the industry's total turnover. The respective share of sales accounted for by various forms of distribution varies, however, according to the market segment, as can be seen from the table below showing the proportion of each category of products sold by each distribution method (¹).

(in %)

Channels	Product					
	Alcohol-based perfumes	Beauty products	Toiletries	Hair-care products	Others	Total
General retailers	6,6	7,8	12,3	21,8	—	48,5
Specialist retailers	15,9	14,0	1,7	0,4	0,4	32,4
Direct selling	2,7	5,1	1,4	1,0	0,4	10,6
Sale in chemist's shops	0,1	5,4	1,2	1,7	—	8,4
Miscellaneous	0,1	—	—	—	—	0,1
Total	25,4	32,3	16,6	24,9	0,8	100,0

(¹) Taken from a survey by DAFSA entitled 'The world perfume and cosmetics industry'.

- (12) The percentage of overall cosmetics sales effected by general retailers is comparable in the other Member States concerned.
- (13) Retail selling prices vary considerably from one Member State in which the network is established to another. Compared with the prices charged by its competitors, Yves Rocher, whose marketing method is a combination of selling by mail order and specialist retailing, fixes its prices at a level somewhere between those of specialist retailers and those of general retailers.

Yves Rocher sells its products to its franchisees at an average discount of 30 % on its recommended selling prices as published in its catalogues, excluding VAT.

C. The system of notified agreements

- (14) As well as selling by mail order, the Yves Rocher group markets its products in the seven Member States concerned through a thousand or so franchised retailers, supplied, in France, direct from the Yves Rocher company and, in the other Member States, by the marketing subsidiaries wholly owned by the company.
- (15) The notified standard from franchise contracts are geared mainly to retailing: the beauty treatments that franchisees undertake to give under the notified contracts account for only a small proportion of their turnover.

The notified contracts all display basically the same features, with the exception of special arrangements for Belgian franchisees, particular provisions based on local commercial practice and the presence in the first few franchise contracts, concluded when the network was originally set up, of clauses prescribing resale prices and prohibiting cross supplies between Yves Rocher franchisees.

Methods of choosing franchisees used by Yves Rocher

- (16) Yves Rocher selects its franchisees in the light of their personality, their apparent overall aptitude for running a cosmetics retailing business, and their performance in a training programme.

Contracts are concluded with the franchise personally and may not be assigned or transferred either in whole or in part without Yves Rocher's previous written consent, otherwise the agreement is cancelled without prior notice.

The franchisee undertakes to employ at his Centre a sufficient number of qualified staff.

Legal independence of franchisees

- (17) All Yves Rocher franchisees are proprietors of their business, which they carry on at their own risk. They are responsible for the cost of fitting out their premises in accordance with plans and specifications which Yves Rocher causes to be drawn up at its own expense.

All commercial documents issued by the franchisee must carry the franchisee's name and the words 'Yves Rocher Beauty Center'. Yves Rocher have circulated a directive to franchisees requiring them to display an appropriate notice indicating their status of independent franchisees within the Yves Rocher chain.

Franchisees are required to take out insurance covering their civil liability and employer's liability throughout the period of the contract.

Clause concerning the location of the Beauty Centre

- (18) Each contract defines the exact location of the franchisee's shop. In practice, Yves Rocher carries out a preliminary market and location study and proposes to the franchisee the most promising shopping district, within which the franchisee determines the exact location of his beauty centre with the franchisor's consent. The contract stipulates that the shop may not be transferred to another place without Yves Rocher's consent and that the use of Yves Rocher identifying marks is not authorized in any other place.

Exclusive territory of the franchisee

- (19) Yves Rocher grants the franchisee an exclusive right within an area defined in the contract to use the franchisor's identifying marks and know-how with a view to selling its products through a retail outlet. The franchisor undertakes not to authorize third parties to open another Yves Rocher Beauty Centre in that territory and not to establish such Centres there itself.

Yves Rocher reserves the right to sell its products to consumers by other means (in particular by mail order).

Grant by Yves Rocher of the right to use their identifying marks (shop sign, trademarks, symbols), and their designs and models

- (20) Yves Rocher grants the franchisee the right to use the sign, trademarks, symbols, designs and models of which it is the owner, in particular for the bottles, packages and furnishings of the Beauty Centre.

- (21) These rights may be exercised only in connection with the operation of the Beauty Centre and its purpose; the franchisee may not exercise them in any other place or for any other purpose and recognizes moreover that the right to use the present and future trade name, marks and symbols of Yves Rocher belongs exclusively to the company. The contract does not however restrict the right of franchisees to contract the franchisor's industrial property rights.

The grant by Yves Rocher of the above rights ceases on termination of the contract.

Transfer by Yves Rocher to the franchisee of commercial and beauty treatment know-how

- (22) The know-how Yves Rocher undertakes to communicate to the franchisee encompasses every aspect of the franchise business, and in particular technical, commercial, promotional, publicity, administrative and financial matters, staff training and general administration.

Before the Centre is opened, Yves Rocher arranges training sessions for the franchisee on the organization and running of a Centre and on the beauty products and treatments available there. It provides further training from time to time during the currency of the contract.

The franchisee undertakes not to divulge any confidential information and instructions to third parties, and not to use Yves Rocher's commercial secrets in any place or for any purpose other than the Beauty Centre.

Provision of technical and commercial assistance to the franchisee by Yves Rocher

- (23) When the Centre is opened, Yves Rocher provides the franchisee with all the aid it considers appropriate in order that the Centre be established and operated in accordance with its policy and image, and places at the franchisee's disposal all its technical knowledge.

During the currency of the contract, the company advises and assists the franchisee on request in the operation of the Beauty Centre: procedures, purchase of products and supplies, publicity (publicity campaign at the time of launch, and periodical sales support and promotion activities, either in the shop or aimed directly at the consumer).

Financial obligations of the franchisee towards the franchisor

- (24) In all countries, the franchisee must pay an initial licence fee. In the Netherlands, in addition to an initial licence fee at a lower amount, he must pay an annual royalty of 1 % of his turnover net of tax, excluding beauty treatment services.

The franchisee also pays Yves Rocher at regular intervals a fixed proportion of publicity costs.

Use by franchisees of uniform trading methods under Yves Rocher's supervision

- (25) The method contracts require franchisees to employ uniform trading methods. The franchisee undertakes to operate his Centre in accordance with the procedures laid down by the company in an operating manual. This covers the following aspects of running the business: decor, lighting, fitting-out in accordance with plans and specifications which Yves Rocher causes to be drawn up at its own expense, layout and furnishing of Centres, presentation of products, sales techniques, publicity campaigns, nature and quality of beauty treatment services, accounts, insurance, etc.

The franchisee is obliged to submit for the prior approval of Yves Rocher all forms of publicity and promotion which he wishes to undertake on his own account. The control exercised by the franchisor extends only to the nature of the publicity and not to the retail prices quoted therein.

The franchisee also undertakes to operate one or more beauty treatment cabins in which only products and treatments authorized by the company may be used or given.

The franchisor reserves the right to carry out checks on stock levels and obtain from the franchisee a copy of his accounts or balance sheet.

Non-competition covenant

- (a) During the lifetime of the contract
- (26) The franchisee is expressly forbidden to carry on either directly or indirectly, whether in return for payment or not, any business which competes with an Yves Rocher Beauty Centre. The franchisee is free to acquire financial interests in the capital of a competitor of Yves Rocher, provided this investment does not involve him personally in carrying on competing activities.

He is obliged to sell only products bearing the Yves Rocher trademark, although he may sell accessories (brushes, tweezers, nail scissors, etc.) with Yves Rocher's previous consent.

(b) on termination of the contract

- (27) The franchisee is forbidden to compete with Yves Rocher, whether directly or indirectly, even as an employee, for a period of one year within the exclusive territory, whether on his own account or with the help of a rival firm.

Supply arrangements

- (28) The franchisee may purchase Yves Rocher products not only from Yves Rocher but also from other franchisees, whether or not the latter are located in the same Member State.

He may buy approved accessories, shop furnishings and products for beauty treatments purposes from any supplier.

Sales promotion obligation

- (29) The franchisee undertakes to devote all his energy and as much time as necessary to promoting the sale of Yves Rocher products and beauty treatments and agrees not to carry on any activities incompatible with those of a Beauty Centre.

Franchisees selling prices

- (30) Yves Rocher circulates to its franchisees a list of recommended resale prices. All franchisees, including those in Belgium, are free to fix their retail selling prices at a lower or higher level, it being understood that it is recommended to them not to sell at a higher price than that given in the catalogue.

As a result of observations made by the Commission, Yves Rocher has expressly deleted with effect from 1 December 1986 the resale price maintenance provisions — which were not applied in practice — contained in the first contracts concluded when the network was originally set up.

Cross supplies between Yves Rocher franchisees

- (31) The franchisee is prohibited from selling, whether directly or indirectly, Yves Rocher products to resellers other than Yves Rocher franchisees.

The first contracts forbade the franchisee to sell products even to other Yves Rocher franchisees. This provision has been deleted with effect from 1 December 1986 as a result of observations made by the Commission. Yves Rocher now authorizes in all its contracts cross supplies, both national and transnational, between its franchisees.

Duration of contracts

- (32) All Yves Rocher contracts are normally concluded and renewed for not more than five years.

Legal status of the Belgian franchisees

- (33) Yves Rocher franchisees resell Yves Rocher products and approved accessories (cf. point 26) and give beauty treatments entirely in their own name and for their own account.

However, under the terms of their contracts, the Belgian franchisees sell, in Yves Rocher's name and for its account, Yves Rocher products supplied by the franchisor or by the other Belgian franchisees by way of cross supplies (cf. point 31) and receive a commission.

In each case, Belgian franchisees are free to fix their selling price to consumers (cf. point 30), it being understood that the amount of the 30 % commission owed to them by the franchisor when they sell in its name and on its account, varies accordingly.

Third parties' observations

- (34) In response to publication of a notice pursuant to Article 19 (3) of Regulation No 17, the Commission received comments from several third parties. Some approved in substance the exemption of the notified standard form contracts, subject to certain objections of principle to the practice of recommending maximum resale prices, the effect of which could be to bring consumer prices to a uniform level. For the purpose of clarification, Yves Rocher has, at the request of the Commission, issued a circular to franchisees stressing that the recommended prices are purely guidelines and has undertaken to avoid any reference in its circulars to the notion of a maximum price. From now on the catalogues circulated by Yves Rocher will mention that the prices are recommended prices.

II. LEGAL ASSESSMENT**A. Article 85 (1)**

- (35) Article 85 (1) prohibits as incompatible with the common market all agreements between undertakings which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

Characteristics of the franchise contracts at issue

- (36) By the notified standard form retail franchise contracts, Yves Rocher grants to its franchisees the exclusive right within an area defined in the contract, to use in a retail shop Yves Rocher identifying marks (sign, trademark and trade name) and its designs and models for the sale of its products.

Yves Rocher transfers to them know-how, consisting in a body of technical and commercial knowledge, previously tested by the franchisor itself, which is not divulged to third parties and therefore constitutes a competitive advantage. This know-how, which is set out in an operating manual and backed up by continuing technical and commercial assistance, is constantly updated in the light of experience gained by the franchisor through its mail-order business and pilot schemes.

The close association between these two forms of support provided by the franchisor helps create an original formula for the retailing of a range of cosmetics based on the theme of natural beauty from plants and sold under a single brand, which franchisees agree to promote exclusively.

- (37) These rights of user are not granted unconditionally. Franchisees may exploit the industrial property rights granted and the knowledge communicated only in strict accordance with their subject matter: the original and constantly evolving formula for the retailing of Yves Rocher products using the franchisor's proven trading methods.
- (38) Inasmuch as the members of the Yves Rocher network are thus bound together by close *de facto* commercial ties, the franchise contracts at issue are the expression of a closely integrated form of distribution. They nonetheless constitute agreements between undertakings within the meaning of Article 85 (1), since the franchisees are the proprietors of their businesses, of which they bear the start-up costs and which they operate at their own risk.

Contractual obligations not restrictive of competition

- (39) The original distribution formula translated into action by the contracts at issue does not in itself interfere with competition having regard to existing structures of production and supply in the relevant market⁽¹⁾. It enables Yves Rocher to establish a uniform distribution network without investing its own capital in the fitting-out of retail shops and at

the same time gives non-specialists access to the use of well-known identifying marks and proven trading methods.

- (40) The obligations imposed by the franchisor on its franchisees to ensure that they exploit its proprietary industrial property rights and know-how in a manner in keeping with their subject matter are inherent in the very existence of its right in its intellectual creations and fall outside the scope of the contractual and concerted practice of Article 85 (1). Consequently, the restrictions on the commercial freedom of franchisees, without which the transfer of the distribution formula concerned could not be envisaged, do not constitute restrictions of competition within the meaning of Article 85 (1).
- (41) The absence of any contractual obligation on the part of Yves Rocher to apply selection criteria in the choice of its franchisees is explained by the fact that Yves Rocher itself trains franchisees during an induction course with a view to setting up new franchise shops. It is logically entitled to choose its partners freely and turn down applicants who do not, in its view, have the personal qualities and business qualifications which it requires for the application of the formula it has developed.
- (42) The franchisor must also be able to participate in determining the location of the Beauty Centre with the franchisee, in their mutual interest: a bad choice might cause the franchisee to fail in business and indirectly damage the network's reputation. In practice, Yves Rocher carries out a preliminary market and location survey, and proposes to the franchisee the most promising area. The exact location of the shop is determined by the franchisee with the franchisor's consent. In any event, the shop's location is agreed upon in the general interest of all members of the chain. For the same reasons, any change in the Beauty Centre's location is subject to Yves Rocher's consent. Article 85 (1) is not applicable to this clause to the extent that the relocation of a Beauty Centre may only be refused for reasons of the network's reputation.

- (43) The obligation on the part of the franchisee to sell Yves Rocher products only in a Beauty Centre fitted out and decorated in accordance with plans and specifications which Yves Rocher causes to be drawn up at its own expense is also intended to ensure compliance with the original distribution formula communicated by the franchisor. The exterior appearance and interior lay-out of a Beauty Centre and the presentation of products are not factors which can be divorced from the methods and procedures transmitted by Yves Rocher or from the network's brand image.

⁽¹⁾ See Court of Justice of the European Communities, 28. 1. 1986, Case 161/84 (Pronuptia), point 15 not yet reported.

The same is true of the franchisee's obligation to use know-how transferred by the franchisor and to apply the trading methods developed by the franchisor.

- (44) The clause whereby any local publicity undertaken by the licensee on his own account must be submitted for the previous approval of Yves Rocher is, so far as it concerns only the nature of the publicity to the exclusion of selling prices, intended to ensure a qualitative control by the franchisor over individual publicity measures in order to avoid any possible deviation from the theme of natural beauty from plants, on which the network's image is based.

- (45) The obligation on the franchisee to sell only products bearing the Yves Rocher trademark — except in the case of accessories previously approved by the franchisor — is inherent in the very nature of the Yves Rocher distribution formula, the purpose of which is to enable independent traders to sell the complete range of Yves Rocher products using a sign, a trademark and symbols, as well as trading methods which have proved effective. The retailing of products bearing trademarks other than that of the franchisor exposes Yves Rocher to the risk of the use of their know-how for the benefit of competing producers and would detract from the identity of the network, which is symbolized by the Yves Rocher sign.

This implies that the franchisee may obtain supplies only from Yves Rocher or from other franchisees.

- (46) The prohibition on the resale by franchisees of Yves Rocher products to resellers who do not belong to the Yves Rocher network is in this case inherent in franchisees' obligations to comply with the franchisor's procedures and methods and to offer products for sale under the Yves Rocher sign. These obligations would be made meaningless if Yves Rocher franchisees could freely pass over the goods covered by the contract to resellers who by definition have no access to the Yves Rocher know-how and are not bound by the same obligations, which are necessary in order to establish and maintain the originality and reputation of the network and its identifying marks.
- (47) The provision under which the franchisee agrees not to carry on competing activities for the duration of the contract, in the same way as the prohibition on the assignment or transfer in whole or in part of the franchise contract, without the prior written consent of the franchisor, and on the divulgence of the know-how made available, is indispen-

sable to protect the know-how and assistance provided by the franchisor. By their nature, the know-how and assistance provided are of a kind which could be used for the benefit of other beauty products or services, which would, even if only indirectly, enable competitors to benefit from the trading methods employed. Other means to avoid the same risks might not be as effective.

The clause which requires that the acquisition of a financial interest in the capital of an undertaking competing with Yves Rocher should not involve the franchisee in personally taking part in competing activities pursues the same aim and is considered in the same way.

- (48) The same is true of the clause forbidding former Yves Rocher franchisees from carrying on a retail cosmetics business in their former exclusive territories for one year after the contract's termination. This is simply intended to prevent Yves Rocher's competitors from benefiting from the know-how which has been communicated by Yves Rocher to the former franchisee, and from the clientele acquired as a result of that know-how and Yves Rocher's identifying marks at a time when, owing to the exclusivity of the territory allotted to the franchisee during the currency of the contract, Yves Rocher has no retail outlet in that territory after the contract's expiry and must therefore be allowed a reasonable period in which to establish a new Beauty Centre.

In the present case, the clause does not go beyond what is strictly necessary to achieve its purpose, since a former franchisee can compete with Yves Rocher as soon as the contract expires by setting up in business outside his former exclusive territory, possibly in the territory of other Yves Rocher franchisees. Under the circumstances, this provision cannot be considered as restrictive of competition under Article 85 (1).

This assessment is without prejudice to the rights of franchisees under national law on termination of contract.

- (49) The general sales promotion obligation imposed on franchisees, in that they undertake to devote all their energy and as much time as necessary to promoting the sale of Yves Rocher products and beauty treatments, and agree in consequence not to carry on any activities incompatible with those of their Centre does not in this case amount to a restriction of competition. The success of the distribution formula adopted by Yves Rocher depends on the presence and the personal commitment of the franchisee in the operation of the business, the franchisee being selected on the basis of his/her

personal qualities after having undergone appropriate training by Yves Rocher. Subject to this reservation, the clause does not prohibit the franchisee from carrying on a non-competing business provided the franchisee's personal commitment to the distribution of the Yves Rocher products is ensured.

- (50) The right which the franchisee reserves to inspect franchisees' stock levels, accounts and balance sheets, is to enable the franchisor to verify, if the need arises, whether franchisees are discharging their obligations. Insofar as this right serves only to enable checks to be carried out on franchisees' compliance with obligations not covered by Article 85 (1), it likewise cannot be considered restrictive of competition without prejudice to any legal consequences under national law of interference by the franchisor.

In particular, the franchisor's right to inspect stock levels allows him to avoid the unduly long stocking of products which could affect their quality.

The Commission reserves its right to intervene in case these controls would be used by the franchisor to affect the freedom of the franchisees to fix their selling prices.

- (51) The recommended prices shown on the catalogues issued by Yves Rocher to franchisees are legitimate, since franchisees remain entirely free to determine their own prices and since, during the procedure, no evidence has been found of any concerted practice between the franchisor and franchisees, or among franchisees, to the effect that the recommended prices should be applied⁽¹⁾.

No anti-competitive effects from the point of view of competing producers and distributors

- (52) From the point of view of competing producers and distributors, the Yves Rocher network cannot have appreciable horizontal anti-competitive effects as against other brands in view of the large number of both producers and distributors of cosmetics.
- (53) Although it is one of the leading European producers, Yves Rocher holds just over 5 % of the entire cosmetics market in only two Member States, and in its principal geographical market it controls no more than 15 % of one of the four market segments. Its 600 or so franchised retail outlets in France cannot, with the approximately 7 000 specialist retailers in that country, have the effect of free-

zing the structures of distribution and rendering access to the market appreciably more difficult for competing producers compared with the 100 000 general retail outlets in that country and the relatively large volume of their sales in each of the four categories of cosmetics. The same holds true for the other Member States, where the total number of Yves Rocher sales outlets is less than 500 and non-specialist retailers account for a similar proportion of the industry's sales.

Contractual obligations restrictive of competition

- (54) On the other hand, Yves Rocher's selection of only one franchisee for a given territory within which the franchisee has an exclusive right to use the franchisor's identifying marks and know-how for the sale of Yves Rocher products in a Beauty Centre, the franchisor's undertaking not to establish a shop itself in the territory of each of its franchisees, combined with the prohibition on the opening by franchisees of a second shop stemming from the prohibition on using Yves Rocher's identifying marks in a location other than that specified in the contract, results in a degree of sharing of markets between the franchisor and the franchisees or between franchisees, thereby restricting competition within the distribution network.
- (55) By virtue of such clauses, Yves Rocher's franchise contracts prevent franchisees from setting up in business in another Member State and may thus affect trade between Member States to an appreciable extent in view of the size of the Yves Rocher group, its market share — greater than 5 % in two of the Member States concerned — the reputation of its products, the expansion of the Yves Rocher chain of shops throughout a substantial part of the common market and the existence alongside that chain of a highly developed mail-order business. The notified contracts therefore fall within Article 85 (1).

B. Article 85 (3)

- (56) Under Article 85 (3), the provisions of Article 85 (1) may be declared inapplicable in the case of any agreement which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not:
- (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of these objectives;
 - (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question.

⁽¹⁾ see Court of Justice of the European Communities 28. 1. 1986, Case 161/84 (Pronuptia), point 25.

- (57) Commission Regulations No 67/67/EEC⁽¹⁾ and (EEC) No 1983/83⁽²⁾, as last amended by the Act of Accession of Spain and Portugal, on the block exemption of exclusive dealing and exclusive distribution agreements are not applicable to the standard form franchise at issue, the legal nature of which is different⁽³⁾. The franchise contracts go beyond mere distribution agreements, for the franchisor undertakes to grant rights to use its identifying marks and its proven trading methods with a view to the application of an original and changing distribution formula. It must therefore be decided whether the contracts at issue qualify for an individual exemption under Article 85 (3).
- (58) Yves Rocher's franchise contracts contribute to improving the distribution of the goods in question, since they help the producer to penetrate new markets by enabling him to expand his network without having to undertake any investment in the fitting-out of new shops. Moreover, the development of a chain of identical retail outlets strengthens competition *vis-à-vis* large retail organizations with a branch network. By its policy of selection and training, directed mainly at prospective franchisees with no experience of running a retail establishment selling beauty products, whose sales outlets thus supplement existing specialist sales outlets, Yves Rocher increases interbrand competition and accordingly improves the structure of cosmetics distribution.
- (59) The close integration of independent traders within the Yves Rocher network leads to a rationalization of distribution through a standardization of trading methods covering every aspect of retailing. The direct nature — there being no wholesalers — of the relationship between franchisor and franchisees facilitates consumer feedback and the adjustment of supply to a constantly changing demand, the fickleness of which is a feature of the market concerned.
- (60) The grant to franchisees of an exclusive territory, combined with the prohibition on setting up outside this territory, enables them to pursue a more intensive policy of selling Yves Rocher products by concentrating on their allotted territory, helped in this by the fact that the Yves Rocher retailing formula is based on a single brand. Territorial exclusivity also simplifies planning and ensures the continuity of supplies.
- (61) The agreements at issue allow consumers a fair share of the benefit resulting from these improvements in distribution, as a wide range of the same cosmetics is more readily available in a number of Member States. Moreover, because they are running their own business and are therefore motivated by the desire for maximum efficiency, franchisees make dynamic and hard-working retailers, which is to the consumer's advantage. The homogeneity of the network, the standardization of trading methods and the direct link between franchisor and franchisee all ensure that the consumer benefits in full from the know-how passed on by the franchisor and ensure the quality and freshness of the products, which are liable to deteriorate rapidly with time. Lastly, Yves Rocher's policy of charging prices mid-way between those of specialist and non-specialist retailers helps to widen the circle of cosmetics users.
- (62) Finally, the commercial practice of the Yves Rocher network and the civil liability insurance taken out by the Yves Rocher group and by franchisees ensure that any product which may be defective is replaced and that any damage which might be sustained as a result of using an Yves Rocher product or undergoing beauty treatment by a franchisee will be covered. Further, consumers will be in a position to know that they are dealing with independent traders whose individual liability may be called upon.
- (63) Yves Rocher's contracts have not imposed any restrictions which are not indispensable to the attainment of the abovementioned objective since the resale-price-maintenance clauses and the prohibition on cross supplies between franchisees, which prevented the machinery for correcting price differences within the network from operating, were deleted from old contracts. The remaining obligations caught by Article 85 (1) are indispensable to the establishment of the network: none of the Yves Rocher franchisees would, in all probability, have agreed to undertake the investment needed to set up an independent business had he not been certain of receiving a degree of protection against competition from another Centre set up in his territory by the franchisor or another franchisee.

⁽¹⁾ OJ No 57, 25. 3. 1967, p. 849/67.

⁽²⁾ OJ No L 173, 30. 6. 1983, p. 1.

⁽³⁾ Case 161/84 (Pronuptia), points 15 and 33.

- (64) The agreement between Yves Rocher and each of its franchisees does not afford them the possibility of eliminating competition in respect of a substantial part of cosmetics, as competition between franchisees is sufficiently ensured by the smallness of the exclusive territory allotted and the possibility for each franchisee to sell to any customer, from whatever area, entering his shop.

The loosening-up of the system, adjusted by Yves Rocher at the Commission's request, has brought about a degree of price competition within the network in that franchisees can now freely obtain supplies from any other franchisee and profit from any difference between the selling prices which Yves Rocher fixes in each Member State at a level somewhere between those charged by its major local competitors. Yves Rocher will be unable to prevent or hinder, on pain of revocation of the exemption pursuant to Article 8 (3) of Regulation No 17, recourse by franchisees to the transnational cross supplies which the price differences between certain Member States are likely to encourage, especially in the case of franchisees operating near national frontiers.

- (65) Even the combined effect of all Yves Rocher franchise contracts is not enough to afford the network the possibility of eliminating competition between brands, in view of the breadth and competitive structure of the supply side and the modest share of the cosmetics market held by Yves Rocher.
- (66) The provisions of Article 85 (1) may therefore be declared not applicable to the standard form Yves Rocher franchise contracts, under the terms of Article 85 (3). Accordingly it is not necessary to examine further the legal status of the Belgian franchisees. Assuming that they fall within the scope of Article 85 (1) they benefit from the exemption in any event.

C. Articles 6 and 8 of Regulation No 17

- (67) The first franchise contracts concluded by Yves Rocher when its network was originally set up did not satisfy the requirements of Article 85 (3) in the form in which they were notified, in that they contained resale-price-maintenance clauses and a prohibition on cross supplies between Yves Rocher franchisees. These obligations have been deleted with effect from 1 December 1986 at the Commission's request. It is therefore possible, by virtue of Article 6 (1) of Regulation No 17, to make the date on which the exemption takes effect with regard to the old, amended contracts coincide with the date

of coming into force of the amendments, namely 1 December 1986.

- (68) The other contracts fulfilled the exemption conditions from the date on which they were notified, namely 15 January 1985. In accordance with the second sentence of Article 6 (1) of Regulation No 17, the exemption may take effect on that date with regard to these contracts.
- (69) In view of the novel character of the notified standard form contracts and the speed at which the structure and methods of cosmetics distribution are liable to change, it is desirable to limit the period of validity of this Decision to 14 January 1992.
- (70) Furthermore, it is appropriate that an obligation should be attached to the decision under Article 8 (1) of Regulation No 17, requiring Yves Rocher to communicate to the Commission each year the recommended sales prices and prices charged to franchisees for Yves Rocher products on the date of such communication in each Member State where the network is established. This obligation will permit the Commission to assess the economic interest of franchisees in making transnational cross sales which should in the normal course of things be brought about by price differences between Member States, and thus contribute, allowing a reduction in these differences, to allowing consumers a fair share of the benefit resulting from the improvement in distribution. The obligation imposed should also permit the Commission to evaluate the risk of direct or indirect obstacles, whether concerted or unilateral, to transnational cross deliveries, with a view to the possible application of Article 8 (3) of Regulation No 17,

HAS ADOPTED THIS DECISION:

Article 1

Pursuant to Article 85 (3) of the EEC Treaty, the provisions of Article 85 (1) are hereby declared inapplicable to the standard-form franchise contracts concluded by the Yves Rocher group for the retailing of its cosmetics within the Community.

Article 2

This Decision shall apply with effect from 15 January 1985. However, it shall apply only with effect from 1 December 1986 in the case of those standard-form

contracts which, until that date, contained resale-price-maintenance clauses and clauses prohibiting cross supplies between franchisees. It shall be valid until 14 January 1992.

Article 3

Société d'études de chimie et de thérapie appliquées (SECTA) laboratoires de Cosmétologie Yves Rocher shall send the Commission on 1 September each year its current recommended retail prices and prices payable by franchisees in the Member States in which the network is established.

Article 4

This Decision is addressed to Société d'études de chimie et de thérapie appliquées (SECTA) Laboratoires de Cosmétologie Yves Rocher, F-56201 La Gacilly.

Done at Brussels, 17 December 1986.

For the Commission

Peter SUTHERLAND

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3904/86 of 22 December 1986 amending Regulation (EEC) No 1057/86 as regards the monetary compensatory amounts applicable to certain intervention beef for export

(Official Journal of the European Communities No L 364 of 23 December 1986)

Page 15, Article 1, point 2 should read as follows :

'2. The following footnote ^(?) is added :

"^(?) The amounts shall be multiplied by the coefficient 0,2 where the corresponding products are sold under Commission Regulation (EEC) No 3905/86 ⁽¹⁾."

⁽¹⁾ OJ No L 364, 23. 12. 1986, p. 17."
