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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 645/87**of 4 March 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 135/87⁽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 3 March 1987;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 135/87 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 March 1987.

⁽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 17, 20. 1. 1987, p. 1.

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

Done at Brussels, 4 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 4 March 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	11,71	194,76
10.01 B II	Durum wheat	46,77	267,94 ⁽¹⁾ ⁽²⁾
10.02	Rye	40,78	183,61 ⁽³⁾
10.03	Barley	39,05	191,54
10.04	Oats	97,34	161,17
10.05 B	Maize, other than hybrid maize for sowing	—	182,72 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	39,05	131,95
10.07 B	Millet	39,05	157,65 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	24,96	186,21 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	39,05	54,88 ⁽⁵⁾
11.01 A	Wheat or meslin flour	31,55	287,82
11.01 B	Rye flour	72,25	272,21
11.02 A I a)	Durum wheat groats and meal	86,16	428,97
11.02 A I b)	Common wheat groats and meal	31,71	308,48

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 646/87

of 4 March 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 3 March 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 5 March 1987.

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

Done at Brussels, 4 March 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 4 March 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0,28
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0,55	0,55	0,55
10.07 D	Other cereals	0	3,94	3,94	7,89
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

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

COMMISSION REGULATION (EEC) No 647/87**of 3 March 1987****establishing unit values for the determination of the customs value of certain perishable goods**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 March 1987.

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

Done at Brussels, 3 March 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 335, 13. 12. 1985, p. 9.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	07.01-13 07.01-15	07.01 A II	New potatoes	36,49	1 562	284,68	75,43	251,05	5 531	28,33	53 649	85,24	26,71
1.12	ex 07.01-21 ex 07.01-22	ex 07.01 B I	Broccoli	68,40	2 927	533,54	141,38	470,51	10 367	53,11	100 549	159,75	50,06
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	32,51	1 391	253,59	67,19	223,63	4 927	25,24	47 790	75,93	23,79
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	28,60	1 224	223,09	59,11	196,73	4 335	22,20	42 043	66,80	20,93
1.20	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	78,24	3 348	610,26	161,71	538,17	11 858	60,74	115 007	182,73	57,26
1.22	ex 07.01-36	ex 07.01 D II	Endives	57,63	2 466	449,51	119,11	396,41	8 734	44,74	84 713	134,59	42,17
1.28	07.01-41 07.01-43	07.01 F I	Peas	115,00	4 921	897,01	237,70	791,04	17 430	89,29	169 047	268,59	84,16
1.30	07.01-45 07.01-47	07.01 F II	Beans (of the species Phaseolus)	203,44	8 706	1 586,79	420,48	1 399,33	30 833	157,95	299 038	475,13	148,88
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	44,05	1 885	343,65	91,06	303,05	6 677	34,20	64 762	102,89	32,24
1.40	ex 07.01-54	ex 07.01 G II	Carrots	32,29	1 382	251,87	66,74	222,12	4 894	25,07	47 467	75,41	23,63
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	116,66	4 992	909,97	241,13	802,47	17 682	90,58	171 488	272,47	85,38
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	18,25	781	142,34	37,72	125,53	2 766	14,16	26 826	42,62	13,35
1.70	07.01-67	ex 07.01 H	Garlic	241,85	10 350	1 886,36	499,87	1 663,51	36 654	187,77	355 494	564,83	176,99
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	32,57	1 391	253,61	67,20	223,51	4 931	25,25	47 819	75,83	24,18
1.80		07.01 K	Asparagus :										
1.80.1	ex 07.01-71		— green	565,55	24 203	4 411,15	1 168,92	3 890,03	85 714	439,10	831 301	1 320,82	413,89
1.80.2	ex 07.01-71		— other	562,45	24 061	4 395,12	1 160,16	3 877,12	84 161	436,25	824 849	1 307,74	415,40
1.90	07.01-73	07.01 L	Artichokes	74,75	3 199	583,09	154,51	514,20	11 330	58,04	109 886	174,59	54,71
1.100	07.01-75 07.01-77	07.01 M	Tomatoes	72,71	3 111	567,15	150,29	500,15	11 020	56,45	106 883	169,82	53,21
1.110	07.01-81 07.01-82	07.01 P I	Cucumbers	95,18	4 073	742,43	196,74	654,73	14 426	73,90	139 916	222,30	69,66
1.112	07.01-85	07.01 Q II	Chantarelles	980,32	41 938	7 660,46	2 022,11	6 757,62	146 689	760,37	1 437 668	2 279,32	724,02
1.118	07.01-91	07.01 R	Fennel	32,24	1 379	251,48	66,64	221,77	4 886	25,03	47 394	75,30	23,59
1.120	07.01-93	07.01 S	Sweet peppers	83,77	3 585	653,39	173,14	576,20	12 696	65,04	123 135	195,64	61,30
1.130	07.01-97	07.01 T II	Aubergines	81,24	3 476	633,66	167,91	558,80	12 312	63,07	119 416	189,73	59,45
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	46,19	1 976	360,27	95,46	317,71	7 000	35,86	67 894	107,87	33,80
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	43,52	1 862	339,48	89,96	299,37	6 596	33,79	63 977	101,65	31,85
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	74,60	3 185	582,47	153,85	512,38	11 235	57,94	109 532	173,25	55,53
2.10	08.01-31	ex 08.01 B	Bananas, fresh	52,04	2 227	405,95	107,57	357,99	7 888	40,40	76 503	121,55	38,09
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	45,37	1 941	353,93	93,79	312,12	6 877	35,23	66 700	105,97	33,20
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	100,66	4 307	785,12	208,05	692,37	15 255	78,15	147 959	235,08	73,66
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	180,92	7 742	1 411,18	373,95	1 244,46	27 421	140,47	265 943	422,54	132,41
2.50		08.02 A I	Sweet oranges, fresh :										
2.50.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	40,11	1 716	312,91	82,92	275,94	6 080	31,14	58 970	93,69	29,36

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	30,76	1 316	239,92	63,57	211,58	4 662	23,88	45 215	71,84	22,51
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	38,59	1 651	301,62	79,61	266,07	5 775	29,93	56 607	89,74	28,50
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :										
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	39,72	1 700	309,87	82,11	273,26	6 021	30,84	58 397	92,78	29,07
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	51,59	2 207	402,41	106,63	354,87	7 819	40,05	75 836	120,49	37,75
2.60.3	08.02-28	08.02 B I	— Clementines	55,79	2 387	435,20	115,32	383,79	8 456	43,32	82 017	130,31	40,83
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	60,77	2 600	474,03	125,61	418,03	9 211	47,18	89 333	141,93	44,47
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	33,17	1 419	258,77	68,57	228,20	5 028	25,75	48 766	77,48	24,28
2.80		ex 08.02 D	Grapefruit, fresh :										
2.80.1	ex 08.02-70		— white	38,95	1 667	303,83	80,51	267,93	5 903	30,24	57 258	90,97	28,50
2.80.2	ex 08.02-70		— pink	55,11	2 358	429,85	113,90	379,07	8 352	42,78	81 009	128,71	40,33
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	138,77	5 939	1 082,44	286,84	954,56	21 033	107,75	203 991	324,11	101,56
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	147,31	6 304	1 149,05	304,49	1 013,30	22 327	114,38	216 544	344,05	107,81
2.95	08.05-50	08.05 C	Chestnuts	101,92	4 360	796,49	210,24	702,62	15 251	79,05	149 480	236,99	75,27
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	49,74	2 128	388,00	102,81	342,16	7 539	38,62	73 120	116,17	36,40
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	76,69	3 282	598,18	158,51	527,52	11 623	59,54	112 731	179,11	56,12
2.120	08.07-10	08.07 A	Apricots	137,46	5 882	1 072,14	284,11	945,48	20 833	106,72	202 051	321,03	100,59
2.130	ex 08.07-32	ex 08.07 B	Peaches	162,41	6 950	1 266,82	335,69	1 117,16	24 616	126,10	238 738	379,32	118,86
2.140	ex 08.07-32	ex 08.07 B	Nectarines	128,95	5 518	1 005,79	266,52	886,97	19 543	100,11	189 545	301,16	94,37
2.150	08.07-51 08.07-55	08.07 C	Cherries	88,56	3 788	692,07	182,68	610,50	13 252	68,69	129 883	205,92	65,41
2.160	08.07-71 08.07-75	08.07 D	Plums	106,77	4 569	832,78	220,68	734,40	16 182	82,89	156 941	249,35	78,14
2.170	08.08-11 08.08-15	08.08 A	Strawberries	317,09	13 570	2 473,27	655,39	2 181,08	48 059	246,19	466 098	740,56	232,06
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	131,10	5 608	1 024,49	270,43	903,74	19 617	101,69	192 269	304,83	96,82
2.180	08.09-11	ex 08.09	Water melons	22,75	973	177,79	46,93	156,84	3 404	17,64	33 367	52,90	16,80
2.190		ex 08.09	Melons (other than water melons) :										
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	58,76	2 514	458,33	121,45	404,18	8 906	45,62	86 375	137,23	43,00
2.190.2	ex 08.09-19		— other	160,90	6 886	1 255,00	332,56	1 106,74	24 386	124,92	236 511	375,78	117,75
2.195	ex 08.09-80	ex 08.09	Pomegranates	47,87	2 048	374,10	98,75	330,01	7 163	37,13	70 209	111,31	35,35
2.200	08.09-50	ex 08.09	Kiwis	217,98	9 328	1 700,18	450,53	1 499,33	33 036	169,24	320 407	509,08	159,52
2.202	ex 08.09-80	ex 08.09	Khakis	91,90	3 933	716,83	189,95	632,14	13 929	71,35	135 090	214,63	67,26
2.203	ex 08.09-80	ex 08.09	Lychees	274,54	11 749	2 141,40	567,45	1 888,42	41 610	213,16	403 557	641,19	200,92

COMMISSION REGULATION (EEC) No 648/87

of 4 March 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore,this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

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

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

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

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 5 March 1987.

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

Done at Brussels, 4 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 4 March 1987 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	43,59	
	(b) Other	41,09	
	(II) Flavoured or coloured sugar		0,4359
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	40,10 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4359
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	36,71 ⁽¹⁾	
	(d) Other raw sugar	⁽²⁾	

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

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

COMMISSION REGULATION (EEC) No 649/87

of 3 March 1987

laying down detailed rules for the establishment of a Community vineyard register

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 536/87 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2392/86 of 24 July 1986 establishing a Community vineyard register ⁽³⁾, and in particular Article 10 thereof,

Whereas, in order to ensure that the register is established uniformly throughout the Community, certain basic elements should be defined; whereas, to that end, existing definitions in the Community or national wine legislation should be used as far as possible;

Whereas, in accordance with Article 2 (1) (a) of Regulation (EEC) No 2392/86, the register is to cover every holding where vines are grown; whereas, having regard to the objectives to be achieved by the register, when it is established it need not include holdings with very limited production; whereas the holdings to be included in the register should consequently be defined taking into account in particular the area and physical or economic production thresholds to be determined by the Member States;

Whereas Article 2 of Regulation (EEC) No 2392/86 makes a distinction between compulsory information required by the Community rules and optional information which the Member States may in addition gather; whereas a list should be drawn up of compulsory and optional items of information to be included in the holding and production files respectively;

Whereas, for certain regions not yet covered by a land register which may serve as a basis for the vineyard register, specific provisions must be adopted to ensure that the latter is established within the time limits laid down;

Whereas Council Regulation (EEC) No 154/75 ⁽⁴⁾, as last amended by Regulation (EEC) No 3788/85 ⁽⁵⁾, provides for the establishment of a register of olive cultivation in the Member States producing olive oil; whereas, in certain Member States, some results of the work under-

taken to set up that register may be taken into account; whereas it should be specified that the Member States may avail themselves of the results of such work in order to reduce the cost of and the length of time for establishing the vineyard register;

Whereas, to that end, provision should be made for penalties in the case of failure to fulfil such obligations laid down in this connection, together, where necessary, with penalties applied by the Member States;

Whereas time limits should be laid down for certain notifications to be sent to the Commission by the Member States;

Whereas, pursuant to the Act of Accession of Spain and Portugal, the provisions relating to the establishment of the vineyard register do not apply to Portugal during the first phase; whereas provision should be made for specific time limits for the speedy establishment of the register as from the beginning of the second stage;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for applying Regulation (EEC) No 2392/86 establishing a Community vineyard register.

Article 2

For the purposes of this Regulation:

- (a) 'holding' shall mean a single unit, both technically and economically, which has a single management and
- which has a wine-growing area of at least 10 ares, or
 - which is subject to a declaration required under Community or national wine legislation if the unit concerned has a wine-growing area of less than 10 ares, or
 - which produces from its wine-growing area quantities exceeding certain physical or economic thresholds set by the Member State concerned if the unit concerned has a wine-growing area of less than 10 ares and is not subject to a declaration as referred to in the second indent;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 55, 25. 2. 1987, p. 1.

⁽³⁾ OJ No L 208, 31. 7. 1986, p. 1.

⁽⁴⁾ OJ No L 19, 24. 1. 1975, p. 1.

⁽⁵⁾ OJ No L 367, 31. 12. 1985, p. 1.

- (b) 'holder' shall mean the natural or legal person or group of such persons on whose behalf and in whose name the holding is operated;
- (c) 'utilized agricultural area' shall mean the total area taken up by arable land, permanent pasture and meadow, land used for permanent crops and kitchen gardens;
- (d) 'cultivated wine-growing area' shall mean the total area under vines, with or without associated crops, in production or not yet in production, which is normally intended for the production of grapes, grape must, wine and/or material for the vegetative propagation of vines and which has been subjected to regular cultivation with a view to obtaining a marketable product;
- (e) 'abandoned wine-growing area' shall mean the total area of land under vines which is no longer subjected to regular cultivation with a view to obtaining a marketable product;
- (f) 'parcel' shall mean a continuous plot of land as defined in the land register.

However, where there is no land register, a 'parcel' shall mean a continuous plot of land, within one and the same holding, which constitutes a distinct entity as regards form of tenure, type of cultivation and nature of production;
- (g) 'material for the vegetative propagation of vines', 'cutting nurseries', 'root-stock nurseries' and 'mother vines' shall have the same meaning as in Council Directive 68/193/EEC⁽¹⁾;
- (h) 'wine-grape varieties', 'table-grape varieties' and 'raisin-grape varieties' shall have the same meaning as in Council Regulation (EEC) No 347/79⁽²⁾.

Article 3

1. The compulsory and optimal items of information referred to in Article 2 (1) of Regulation (EEC) No 2392/86 to be included in the holding file and the production file shall be as listed in Annex I to this Regulation.

When drawing up the programme referred to in Article 4 (3) of Regulation (EEC) No 2392/86, Member States shall determine the layout of the said information within each file.

2. In cases where vines are grown in association with other crops, the holding file shall state, in addition to the total area of the parcel concerned, the wine-growing area

expressed in terms of pure cultivation. For the purposes of conversion, use shall be made of appropriate coefficients determined by the Member State.

3. The information relating to the characteristics of each parcel shall be shown distinctly in the holding file. However, where the natural conditions, the type of cultivation and the nature of the product are sufficiently homogeneous, Member States may group together in the holding file information relating to a number of adjoining parcels or parts thereof, provided that each parcel can still be identified.

4. On the establishment of the vineyard register and at each updating thereof, the Member States shall survey all wine-growing areas not dependent on holdings within the meaning of Article 2 (a).

Article 4

In regions where no land register exists at the time when the vineyard register is drawn up, Member States shall ensure that the vineyard register is adjusted in line with the land register as the latter is drawn up, not later than at the time of the regular updatings referred to in Article 5 (3) of Regulation (EEC) No 2392/86.

Article 5

With a view to reducing the cost and speeding up the preparation of the vineyard register, Member States may have recourse to the technology devised and the technical facilities made available for the purpose of drawing up the olive cultivation register provided for in Regulation (EEC) No 154/75.

Article 6

The names of the administrative units in which a shorter time limit for drawing up the register has been set in accordance with the second subparagraph of Article 4 (1) of Regulation (EEC) No 2392/86 are listed in Annex II, together with the time limit applicable in each case.

Article 7

1. In the event of failure to meet the obligations under Article 3 (2) of Regulation (EEC) No 2392/86 those concerned shall not qualify for the measures provided for in Articles 7, 10, 11, 12a, 14, 14a and 15 of Regulation (EEC) No 337/79 until such time as those obligations have been fulfilled.

2. Member States shall take the necessary steps to penalize, in accordance with the seriousness of the infringement, any failure to meet the obligations laid down in Article 3 (2) of Regulation (EEC) No 2392/86.

⁽¹⁾ OJ No L 93, 17. 4. 1968, p. 15.

⁽²⁾ OJ No L 54, 5. 3. 1979, p. 75.

Article 8

Member States shall notify to the Commission :

- at the latest when forwarding the programmes referred to in Article 4 (3) of Regulation (EEC) No 2392/86, the physical or economic thresholds referred to in Article 2 (a) and the conversion coefficients referred to in Article 3 (2),
- as soon as possible and no later than three months after the surveys, the wine-growing areas referred to in Article 3 (4),
- at the latest when forwarding programmes referred to in Article 4 (3) of Regulation (EEC) No 2392/86, a list of the authorities referred to in Article 7 (2) of that Regulation,
- on 31 August of each year at the latest, the report referred to in the first paragraph of Article 8 of Regulation (EEC) No 2392/86,
- save in the case of an emergency, within two months of receipt of the application, the additional items of information referred to in the third paragraph of Article 8 of Regulation (EEC) No 2392/86,

- on 30 November of each year at the latest, a report on cases where obligations under Article 7 (1) have not been fulfilled and the measures taken as a consequence thereof.

Article 9

In Portugal the vineyard register shall be completed, at the latest, by the end of the second stage referred to in Article 260 of the Act of Accession.

Portugal shall forward to the Commission, within three months of the beginning of the said second stage, the programme referred to in Article 4 (3) of Regulation (EEC) No 2392/86 and the list of authorities referred to in Article 7 (2) of that Regulation.

Article 10

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

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

Done at Brussels, 3 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

LIST OF THE COMPULSORY AND OPTIONAL ITEMS OF INFORMATION REFERRED TO IN ARTICLE 2
OF REGULATION (EEC) No 2392/86

I. HOLDING FILE

(Items of information referred to in Article 2 (1) (a) and (b) of Regulation (EEC) No 2392/86)

1. Identification and location

1.1. Name and address of the holding or holder

1.2. Identification number

1.3. Legal personality

1.4. Type of tenure of the wine-growing area :

— owner-farmed

— tenant-farmed

— share-farmed or other types of tenure

1.5. Type of holding

2. General characteristics of the holding

2.1. Utilized agricultural area

2.2. Cultivated wine-growing area in the open air

2.3. Cultivated wine-growing area under glass :

— table grapes

— wine grapes

— nurseries

— other

2.4. Abandoned wine-growing area

2.5. Replanting and new planting rights not yet used (broken down into quality vines psr and others)

2.6. Characteristics of technical wine-making facilities

2.7. Other

3. Characteristics of the parcel

3.1. Land-register reference or identification number

3.2. Name of owner(s)

3.3. Type of tenure :

— owner-farmed

— tenant-farmed

— share-farmed or other type of tenure

3.4. Total area of the parcel

of which :

— cultivated wine-growing area under wine-grape varieties ⁽¹⁾ :

— suitable for the production of quality wines psr :

— in production

— not yet in production

(of which : liqueur wines)

Type of information	
Compulsory	Optional
.....x.....	.....
.....x.....	.....
.....x.....	.....
.....x.....	.....
.....	x.....
.....	x.....
.....x.....	.....
.....	x.....
.....	x.....
.....	x.....
.....x.....	.....
.....x.....	.....
.....	x.....
.....	x.....
.....x.....	.....
.....	x.....
.....	
.....x.....	.....
.....	x.....
.....x.....	.....
.....	
.....x.....	.....

⁽¹⁾ Specify whether mother vines are grown (optional).

	Type of information	
	Compulsory	Optional
— other		
(of which : — wine referred to in Article 54 (2) of Regulation (EEC) No 337/79 :		
— in production		
— not yet in production		
— wine intended for the manufacture of certain wine spirits :		
— in production		
— not yet in production)		
— cultivated wine-growing area under table-grape varieties ⁽¹⁾ :	x.....	.....
— in production		
— not yet in production		
— cultivated wine-growing area under raisin-grape varieties ⁽¹⁾ :	x.....	.....
— in production		
— not yet in production		
— cultivated wine-growing area under varieties classified, for the same administrative unit, both as wine-grape varieties and as varieties intended for other purposes ⁽¹⁾ :	x.....	.....
— in production		
— not yet in production.		
— area intended solely for the production of material for the vegetative propagation of vines, of which :	x.....	.....
— culting nurseries		
— root-stock nurseries		
— area under vines awaiting grafts :	x.....	.....
— quality wines psr		
— other		
— abandoned wine-growing area	x.....	.....
— other	x.....	.....
3.5. Natural characteristics :		
— topographical :		
— gradient :	.....	.....x.....
— flat land (gradient not exceeding 5 %)		
— slight slope (gradient exceeding 5 % but not exceeding 15 %)		
— moderate slope (gradient exceeding 15 % but not exceeding 30 %)		
— steep slope (gradient exceeding 30 %)		
— terrace		
— exposure	.....	.....x.....
— altitude	.....	.....x.....
— valley bottom	.....	.....x.....
— other	.....	.....x.....
— micro-climatic	.....	.....x.....
— pedological	.....	.....x.....
— classification category within the meaning of Article 29 of Regulation (EEC) No 337/79 if that classification has been allotted	x.....	.....

⁽¹⁾ Specify whether mother vines are grown (optional).

	Type of information	
	Compulsory	Optional
3.6. Mechanization	.....	.....x.....
3.7. Irrigation (type and use)	x.....	.....
3.8. Type of cultivation		
— pure cultivation of vines or associated crop	x.....	.....
— type of cultivation of vines in association with :	.....	.....x.....
— temporary crop		
— permanent crop :		
— ligneous		
— other		
— under glass	.....	.....x.....
— other	.....	.....x.....
3.9. Vine variety	x.....	.....
3.10. Root stock	.....	.....x.....
3.11. Date of planting or, failing that, estimated age	x.....	.....
3.12. Training system	x.....	.....
3.13. Density of planting	.....	.....x.....
3.14. State of vines :	.....	.....x.....
— poor		
— good		
— excellent		
4. Declaration systems		
4.1. Planting applications and declarations required under Article 30b of Regulation (EEC) No 337/79		
4.11. Applications for new planting	x.....	.....
4.12. Declarations of planned grubbing, planting or replanting operations	.....	.....x.....
4.13. Declarations of completed grubbing, planting or replanting operations	x.....	.....
4.2. Harvest, production and stock declarations required under Article 28 of Regulation (EEC) No 337/79	x.....	.....
4.21. Harvest declarations		
4.22. Production declarations		
4.23. Stock declarations		
4.3. Declarations relating to oenological practices required under Articles 35 and 36 of Regulation (EEC) No 337/79	x.....	.....
4.31. Increasing of alcoholic strength		
4.32. Acidification		
4.33. Decidification		
4.34. Sweetening		
4.35. Other practices		
5. Production of holdings not subject to the system of harvest and production declarations		
Estimated production potential :		
— wine :	.....	.....x.....
— quality wines psr		
— other		
— table grapes of a total area in the Member State concerned of more than 40 000 hectares	x.....	.....
— raisin grapes	x.....	.....
— other	.....	.....x.....

	Type of information	
	Compulsory	Optional
6. Intervention measures, aids and premiums (Community and national)		
6.1. Measures relating to wine-growing structures :	X.....	.....
6.11. Restructuring		
6.12. Conversion and abandonment		
6.13. Other		
6.2. Measures relating to the market :	X.....	.....
6.21. Storage		
6.22. Enrichment		
6.23. Restorage		
6.24. Distillation (broken down by type of distillation)		
6.25. Other		
6.3. Other aids and premiums	.....	.....X.....
II. PRODUCTION FILE		
(Information referred to in Article 2 (1) (c) of Regulation (EEC) No 2392/86)		
1. Identification and location		
1.1. Name	X.....	.....
1.2. Address	X.....	.....
1.3. Identification number	X.....	.....
1.4. Legal personality	X.....	.....
1.5. Type of activity (e. g. vintner, concentrator)	X.....	.....
2. Declarations		
2.1. Production and stock declarations required under Article 28 of Regulation (EEC) No 337/79	X.....	.....
2.11. Production declarations		
2.12. Stock declarations		
2.2. Declarations relating to oenological practices required under Articles 35 and 36 of Regulation (EEC) No 337/79	X.....	.....
2.21. Increasing of alcoholic strength		
2.22. Acidification		
2.23. Deacidification		
2.24. Sweetening		
2.25. Other practices		
3. Intervention measures, aids and premiums (Community and national)	X.....	.....
3.1. Storage		
3.2. Enrichment		
3.3. Restorage		
3.4. Distillation (broken down by type of distillation)		
3.5. Other		
4. Characteristics of technical wine-making facilities	.....	.....X.....
III. 'DISTILLERS' FILE		
(Second subparagraph of Article 2 (1) (c) of Regulation (EEC) No 2392/86)	.....	.....X.....

ANNEX II

ADMINISTRATIVE UNITS IN WHICH THE ESTABLISHMENT OF THE VINEYARD REGISTER HAS PRIORITY

Name of Administrative unit	Deadline for completion of register
I. Germany	
Rheinland-Pfalz	31 August 1990
II. Spain	
1. Albacete	31 August 1990
2. Toledo	
3. Valencia	
4. Badajoz	
5. Ciudad Real	
6. Cuenca	
7. Huelva	
8. Tarragona	
9. Zamora	
III. Greece	
1. Nomos Korinthias	31 August 1990
2. Nomos Achaïas	
3. Nomos Ilias	
4. Nomos Attikis (*)	
5. Diaperisma Anatolikis Attikis	
6. Nomos Viotias	
7. Nomos Evias	
8. Nomos Argolidas	
9. Nomos Arkadias	
10. Nomos Messinias	
11. Nomos Trifillias	
12. Nomos Lakonias	
13. Nomos Aitolokarnanias	
14. Nomos Zakynthou	
15. Nomos Kefalinas	
16. Nomos Irakliou	
17. Nomos Lassithiou	
18. Nomos Chanion	
19. Nomos Rethimnis	
IV. Italy	
1. Puglia	31 August 1989
2. Sicilia	31 August 1989
3. Toscana	31 August 1989
4. Veneto	31 August 1989
5. Lazio	31 August 1990
6. Abruzzo	31 August 1990
7. Campania	31 August 1990
8. Emilia Romagna	31 August 1990
9. Marche	31 August 1991
10. Calabria	31 August 1991
11. Umbria	31 August 1991
12. Molise	31 August 1991
13. Basilicata	31 August 1991
14. Piemonte	31 August 1991

(*) Except the administrative division of the Department of Agriculture of Piraeus.

COMMISSION REGULATION (EEC) No 650/87

of 4 March 1987

fixing the standard fee per farm return for the 1987 accounting year of the Farm
Accountancy Data Network

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation No 79/65/EEC of
15 June 1965 setting up a network for the collection of
accountancy data on the incomes and business operation
of agricultural holdings in the European Economic
Community ⁽¹⁾, as last amended by Regulation (EEC) No
2143/81 ⁽²⁾, and in particular Article 9 thereof,Whereas Article 5 of Commission Regulation (EEC) No
1915/83 of 13 July 1983 on certain detailed implemen-
ting rules concerning the keeping of accounts for the
purpose of determining the incomes of agricultural
holdings ⁽³⁾ provides that a standard fee shall be fixed to
be paid by the Commission to the Member States for each
farm return completed;Whereas Commission Regulation (EEC) No 3374/85 ⁽⁴⁾
fixes the standard fee for the 1986 accounting year at 85
ECU per farm return;Whereas, as a result of the general rise in costs and its
effects on the cost of completing the farm return, the fee
should be revised;Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Community
Committee on the Farm Accountancy Data Network,

HAS ADOPTED THIS REGULATION:

*Article 1*The standard fee paid the Commission to Member States
for each duly completed farm return is hereby fixed at 90
ECU for the 1987 accounting year.*Article 2*This Regulation shall enter into force on the day follo-
wing its publication in the *Official Journal of the Euro-
pean Communities*.

It shall apply for the 1987 accounting year.

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

Done at Brussels, 4 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No 109, 23. 6. 1965, p. 1859/65.⁽²⁾ OJ No L 210, 30. 7. 1981, p. 1.⁽³⁾ OJ No L 190, 14. 7. 1983, p. 25.⁽⁴⁾ OJ No L 321, 30. 11. 1985, p. 59.

COMMISSION REGULATION (EEC) No 651/87

of 4 March 1987

re-establishing the levying of customs duties on stockings, knickers, panty-hose, understockings, socks, ankle-socks, sockettes and the like, products of category No 12 (NIMEXE code 40.01.20) originating in Sri Lanka to which the preferential tariff arrangements of Council Regulation (EEC) No 3925/86 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3925/86 of 16 December 1986 applying generalized tariff preferences for 1987 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of Regulation (EEC) No 3925/86 provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of its Annexes I or II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of stockings, knickers, panty-hose, understockings, socks, ankle-socks, sockettes and the like,

products of category No 12 (NIMEXE code 40.0120), the relevant ceiling amounts to 349 200 pairs;

Whereas on 24 February 1987, imports into the Community of the products in question originating in Sri Lanka, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-introduce the levying of customs duties for the products in question with regard to Sri Lanka,

HAS ADOPTED THIS REGULATION:

Article 1

As from 8 March 1987 the levying of customs duties, suspended in pursuance of Regulation (EEC) No 3925/86, shall be re-established in respect of the following products, imported into the Community and originating in Sri Lanka.

Code	Category	CCT heading No	NIMEXE code	Description
	(1)	(2)	(3)	(4)
40.0120	12	ex 60.03		Stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized:
		60.04 ex B		Under garments, knitted or crocheted, not elastic nor rubberized:
		60.06 B II		Knitted or crocheted fabrics and articles thereof, elastic or rubberized (including elastic knee-caps and elastic stockings):
			60.03-11, 18, 20, 29, 40, 80	Stockings, knickers, panty-hose, understockings, socks, ankle-socks, sockettes and the like, knitted, crocheted or rubberized, other than babies, including elastic stockings other than items of category 70
			60.04-33, 34	
			60.06-92	

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 68.

Article 2

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

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

Done at Brussels, 4 March 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 652/87

of 4 March 1987

fixing the maximum export refund for white sugar for the 38th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86

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

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 38th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 38th partial invitation to tender for white sugar issued under Regulation (EEC) No 1659/86 is hereby fixed at 43,147 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 5 March 1987.

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

Done at Brussels, 4 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 29.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 3 November 1986

concerning the conclusion of the Agreement in the form of an Exchange of Letters between the European Economic Community and the United States of America on the Mediterranean preferences, citrus and pasta (*)

(87/149/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas a solution should be found to the trade dispute between the Community and the United States over citrus and pasta,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Economic Community and the United States of America on the Mediterranean preferences,

citrus and pasta is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 3 November 1986.

For the Council

The President

A. CLARK

(*) As corrected on 24 February 1987.

AGREEMENT

**in the form of an Exchange of Letters between the European Economic Community
and the United States of America**

A. Letter from the United States

Sir,

I hereby enclose the text of the Agreement between the United States and the European Community which was reached *ad referendum* on 10 August 1986. I believe this text includes all the necessary technical elements meeting the needs of both sides. I can confirm the acceptance of the Agreement by the United States Government, subject to the enactment of necessary legislation to implement the United States tariff concessions set out in Annex B. My Government further understands that, except as provided in footnote 3 of the Agreement, the implementation of Parts A and B of the Annex will take place simultaneously upon enactment of this necessary implementing authority.

I would be grateful if you could confirm the acceptance of the Agreement by the European Community. This would then conclude the Agreement between the United States and the European Community, as set out in the enclosed text and subject to the above understandings.

*For the Government
of the United States of America*

B. Letter from the Community

Brussels,

Sir,

I acknowledge receipt of your letter accepting the Agreement between the United States and the European Community which we reached on 10 August 1986 of which the text is as follows :

'I hereby enclose the text of the Agreement between the United States and the European Community which was reached *ad referendum* on 10 August 1986. I believe this text includes all the necessary technical elements meeting the needs of both sides. I can confirm the acceptance of the Agreement by the United States Government, subject to the enactment of necessary legislation to implement the United States tariff concessions set out in Annex B. My Government further understands that, except as provided in Footnote 3 of the Agreement, the implementation of Parts A and B of the Annex will take place simultaneously upon enactment of this necessary implementing authority.

I would be grateful if you could confirm the acceptance of the Agreement by the European Community. This would then conclude the Agreement between the United States and the European Community, as set out in the enclosed text and subject to the above understandings.'

I have the honour to confirm acceptance of the Agreement by the Community. This therefore concludes the Agreement between the United States and the European Community in accordance with the terms of your letter and attached text, and on the understandings contained therein.

Please accept, Sir, the assurance of my highest consideration.

*On behalf
of the Council of the European Communities*

AGREEMENT

THE UNITED STATES AND THE EUROPEAN COMMUNITY,

CONSCIOUS of the important role which continued improvements in their bilateral trading relations play in the effective working of the open multilateral trading system;

and DETERMINED to settle in a mutually satisfactory way the long-standing dispute over the effects of the European Community's preferential agreements in the Mediterranean region (referred to as 'the Agreements')⁽¹⁾, as they pertain to access to the Community market for citrus⁽²⁾,

AGREE ON THE FOLLOWING ARRANGEMENT:

- A. The United States recognizes that the Agreements provide important opportunities for economic development and political stability in the Mediterranean region.

Consequently, the United States expresses its support for the Agreements, and agrees not to challenge them (including further preferences the European Community is prepared to grant to these countries under the additional protocols to these Agreements now under negotiation) as inconsistent with Article XXIV of the GATT.

- B. The United States agrees not to present additional claims in relation to Mediterranean preferences on citrus taking into account future preferential treatment on these products provided for through the additional protocols now under negotiation.

Subject to the completion of internal legal procedures by both parties⁽³⁾:

- the European Community will put into effect and bind in the GATT the import measures as provided for in Part A of the Annex;
- the United States will put into effect and bind in the GATT the import measures as provided for in Part B of the Annex.

- C. On completion of internal procedures by both parties, the United States will eliminate the increase in the rates of duty on Community pasta imposed since 1 November 1985, and the Community will eliminate the increase in the rates of duty on United States lemons and walnuts applied since 4 November 1985.

- D. Both parties agree to proceed in good faith in seeking a prompt solution to their dispute over pasta refunds. Should a mutually satisfactory solution to the dispute not be found prior to the later of (1) United States congressional approval of the duty reductions delineated in Part B of the Annex, or (2) 1 July 1987, then either party may, at its discretion, choose not to put into effect and/or not to bind in the GATT the import measures in the Annex, as would otherwise be required by paragraph B. If the discretion not to bind in the GATT were exercised, and should the import measures in the Annex not be implemented or maintained or should new restrictions be introduced on pasta from the European Community then the other party would have the right to pursue re-negotiation of this agreement, or to terminate it.

⁽¹⁾ Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, Tunisia, Turkey, Yugoslavia.

⁽²⁾ For the purposes of this understanding citrus means the following products: fresh sweet oranges, fresh lemons, fresh grapefruit, fresh tangerines, orange juice, lemon juice, grapefruit juice, grapefruit segments, dry pectin.

⁽³⁾ Without prejudice to paragraph (D), as soon as the United States Government increases the Community quota for cheese falling under TSUS Item 950.10 by 1 572 metric tonnes and increases the quota for the Community (reserved Portugal) under TSUS Item 950.10 D by 353 metric tonnes, the Community will provisionally apply the autonomous trade measures laid down in the Annex for sweet oranges, minneolas and frozen concentrated orange juice. These new quotas for European Community cheese and for United States frozen concentrated orange juice will be applied *pro rata* on a calendar year basis.

During the interim, the United States Government will refrain from initiating unilateral action against pasta from the European Community and will not pursue the GATT panel case on this product.

- E. The United States and the European Community agree that the Arrangement as specified above resolves definitively the dispute on citrus. On the entry into effect of this Agreement, they will both inform the GATT Council that they have resolved the citrus dispute in a mutually satisfactory way.
-

ANNEX

IMPORT MEASURES REFERRED TO IN PARAGRAPH B

PART A — EUROPEAN COMMUNITY

Tariff Item	Article
ex 08.02 A I	Sweet oranges, high quality : The duty will be reduced to 10 % <i>ad valorem</i> for an aggregate quantity of 20 000 metric tonnes entered during the months of February, March and April, inclusive.
ex 08.02 B II	Grapefruit hybrids known as 'Minneolas' : The duty will be reduced to 2 % <i>ad valorem</i> for an aggregate quantity of 15 000 metric tonnes entered during the months of February, March and April, inclusive.
08.02 C	Lemons : The duty will be reduced to 6 % <i>ad valorem</i> for an aggregate quantity of 10 000 metric tonnes entered during the period 15 January to 14 June, inclusive.
08.02 D	Grapefruit : The duty will be reduced to 1,5 % <i>ad valorem</i> during the months of November to April, inclusive.
08.05 A II	Almonds, other than bitter almonds : The duty will be reduced to 2 % <i>ad valorem</i> for an aggregate quantity of 45 000 metric tonnes entered in any calendar year.
ex 20.06 A I	Groundnuts, roasted, in immediate packings of a net capacity of more than 1 kg : The duty will be reduced to 12 % <i>ad valorem</i> .
ex 20.06 A II	Groundnuts, roasted, in immediate packings of a net capacity of 1 kg or less : The duty will be reduced to 14 % <i>ad valorem</i> .
ex 20.07 B II a) 1	Frozen concentrated orange juice, without added sugar, having a degree of concentration of up to 50 degrees Brix, in containers of 2 litres or less, not containing blood orange concentrate : The duty will be reduced to 13 % <i>ad valorem</i> for an aggregate quantity of 1 500 metric tonnes, entered in any calendar year.

PART B — UNITED STATES

Tariff Item	Article
112.40	Anchovies, prepared or preserved in any manner, in oil, in airtight containers : The duty will be reduced to 3 % <i>ad valorem</i> for an aggregate quantity of 3 000 metric tonnes entered in any calendar year.
117.55 pt.	Romano made from cow's milk, Reggiano, Parmesano, Provolone, and Provelette cheeses provided for in TSUS Item 950.10 : The quota for the European Economic Community will be increased by 1 572 metric tonnes entered in any calendar year.
117.65	Cheese made from sheep's milk, in original loaves and suitable for grating : The duty will be reduced to free.
117.67	Pecorino cheese made from sheep's milk, in original loaves, not suitable for grating : The duty will be reduced to free.
117.8855 pt.	Cheeses, provided for in TSUS Item 950.10D : The quota for the European Economic Community will be increased by the amount of cheese transferred because of the accession of Portugal, including 353 metric tonnes to be reserved for Portugal entered in any calendar year.

Tariff Item	Article
147.29 pt.	Satsumas, packed in airtight containers : The duty will be reduced to free for an aggregate quantity of 40 000 metric tonnes entered in any calendar year.
148.4440 pt.	Olives, in brine, not ripe and not pitted or stuffed, green in colour, in containers holding three gallons or more each to be used for re-packing or sale as green olives : The duty will be reduced to 10 cents per gallon for an aggregate quantity of 4 400 metric tonnes entered in any calendar year.
148.48 pt.	Olives, in brine, ripe, but not pitted or stuffed, green in colour, in containers holding five gallons or less each : The duty will be reduced to 15 cents per gallon for an aggregate quantity of 730 metric tonnes entered in any calendar year.
148.5065	Olives, in brine, stuffed, placed packed, in containers each holding not more than 0,3 gallon : The duty will be reduced to 15 cents per gallon for an aggregate quantity of 2 700 metric tonnes entered in any calendar year.
148.52	Olives, dried, not ripe : The duty will be reduced to 2,5 cents per pound.
148.56.00 pt.	Olives, prepared or preserved other than in brine or dried, green in colour, in containers holding five gallons or less each : The duty will be reduced to 2,5 cents per pound for an aggregate quantity of 550 metric tonnes entered in any calendar year.
161.06	Capers, in immediate containers holding more than 7,5 pounds : The duty will be reduced to 8 % <i>ad valorem</i> .
161.08	Capers, other : The duty will be reduced to 8 % <i>ad valorem</i> .
161.71	Paprika, ground or not round : The duty will be reduced to 1,35 cents per pound.
167.15	Cider, fermented, whether still or sparkling : The duty will be reduced to 1,5 cents per gallon.
176.29	Olive oil, weighing with the immediate container under 40 pounds : The duty will be reduced to 2,28 cents per pound on contents and container.
176.30	Olive oil, weighing with the immediate container 40 pounds or over : The duty will be reduced to 1,56 cents per pound.

Side Letter I: from the Community to the United States

Sir,

The reference to 'future preferential treatment' in paragraph (B) of the European Community/United States arrangement includes treatment through tariffs or tariff quotas. In addition, for the 1990 marketing year and for each subsequent year, the Commission will decide whether the entry price for certain products should be differentiated in order to maintain the traditional trade patterns as among the various Mediterranean exporting countries. Any such differentiation would be carried out within quantified limits and would not be operated so as to impair access under the European Communities/United States arrangement.

Side Letter II: from the United States to the Community

Sir,

I am pleased we have at long last reached an agreement which resolves the citrus dispute. I appreciate your great personal efforts and those of your team. We can take pride that our solution will liberalize trade on both sides.

I understand that there has been some concern within the Community that the United States has additional claims with respect to other products beyond the citrus issue that may be brought forward now that we have resolved citrus. I am certainly not aware of any such claims at this time. Given that, over the long history of your agreements, the citrus industry is the only United States industry that has put forward claims based on the effects of European Community preferences for these Mediterranean countries, I have no expectation that we will be encountering new complaints in the foreseeable future.

As you noted during our discussions, it is clear that, except as otherwise provided in our arrangement, both parties reserve their rights. If disputes should arise in the future, either from our concerns or yours, we should first seek solutions through timely consultations.

Side Letter III: from the Community to the United States

Sir,

With reference to paragraph (D) of the European Community/United States Agreement on Citrus/Pasta, this is to inform you that, should the United States Government be unable to fulfill the undertakings in the final sentence of the paragraph, or the United States Government actually apply new trade restrictions on European Community pasta exports, then the Commission would introduce the necessary Community procedures to terminate the Agreement.

Information regarding the signing of the Agreement between the European Economic Community and the United States of America on the Mediterranean preferences, citrus and pasta

The English version of the Agreement in the form of an Exchange of Letters between the European Economic Community and the United States of America on the Mediterranean preferences, citrus and pasta⁽¹⁾ was signed by the plenipotentiaries of the two Parties (Mr Willy DE CLERCQ on behalf of the Council of the European Community and Mr Clayton YEUTTER for the Government of the United States) in Washington and Brussels respectively on 24 February 1987.

⁽¹⁾ See page 22 of this Official Journal.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 438/87 of 12 February 1987 laying down for the period 1 July 1986 to 31 December 1986 compensation measures in respect of preferential raw sugar and raw sugar from the French overseas departments intended for refining in the Community

(Official Journal of the European Communities No L 43 of 13 February 1987)

On page 23, Article 1 should read as follows:

'Article 1

By way of derogation from Article 5 (1) of Regulation (EEC) No 3154/85, the monetary compensatory amount applicable to imports of preferential raw sugar carried out pursuant to Regulation (EEC) No 2782/76 for which the import entry was accepted during the period from 10 to 23 November 1986, shall, at the request of the interested party, be the amount applicable on 7 November 1986, provided that the sugar concerned is intended for refining and that the bill of lading was drawn up during the period 1 July 1986 to 31 December 1986.'

Corrigendum to Council Regulation (EEC) No 624/87 of 27 February 1987 extending Regulation (EEC) No 1707/86 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station

(Official Journal of the European Communities No L 58 of 28 February 1987)

On page 101, the last recital should read as follows:

'Whereas Regulation (EEC) No 1707/86 should therefore be extended for the last time for a limited period,'.

COMMISSION OF THE EUROPEAN COMMUNITIES

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