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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 847/87

of 23 March 1987

opening, allocating and providing for the administration of a Community tariff quota for dried, dehydrated or evaporated onions falling within subheading 07.04 A of the Common Customs Tariff

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 proposal from the Commission,

Whereas, under the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV. 6, as approved by the Council Decision of 30 January 1987, the Community undertook for the period 1987 to 1990, to open an annual Community tariff quota of 12 000 tonnes at a duty rate of 10 % for dried, dehydrated or evaporated onions, falling within subheading 07.04 A of the Common Customs Tariff; whereas, therefore, this tariff quota should be opened for 1987;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the said quota and the application, without interruption, of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, in order to safeguard the Community character of this quota, it seems advisable not

to allocate the latter among the Member States but to allow them to draw against the quota volume such quantities as they may need under the conditions and according to a procedure to be specified; whereas this method of management requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1987, the Common Customs Tariff duty on the following products shall be suspended at the level and within the limit of a Community tariff quota as shown herewith:

Order No	CCT heading No	Description	Amounts of tariff quotas (in tonnes)	Rate of duty (in %)
09.0035	07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: A. Onions	12 000	10

Within the limit of this tariff quota the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions laid down by the Act of Accession.

shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

2. If an importer notices an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.
2. Each Member State shall ensure that importers of the said goods have access to the quota for such time as the residual balance of the quota volume so permits.
3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered for free circulation.
4. The extent to which the quotas have been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

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

It shall apply with effect from 18 March 1987.

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

Done at Brussels, 23 March 1987.

For the Council

The President

H. DE CROO

COUNCIL REGULATION (EEC) No 848/87**of 23 March 1987****increasing the Community tariff quota opened by Regulation (EEC) No 3741/86 for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff (1987)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

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

Having regard to the proposal from the Commission,

Whereas, under the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6, as approved by the Council Decision of 30 January 1987, the Community undertook, for the period 1987 to 1990, to increase annually by 50 000 m³ the volume of the Community tariff quota for certain plywood of coniferous species falling within heading No ex 44.15 of the Common Customs Tariff; whereas, therefore, the Community tariff quota opened by Regulation (EEC) No 3741/86⁽¹⁾ for these products should be increased by the aforesaid amount in 1987; whereas, in order to safeguard the Community character of the quota in question, the whole volume of the proposed increase should be allocated to the Community reserve,

Article 1

The volume of the Community tariff quota opened by Regulation (EEC) No 3741/86 for certain plywoods of coniferous species, falling within heading No ex 44.15 of the Common Customs Tariff, is hereby increased from 600 000 to 650 000 m³.

Article 2

The additional volume referred to in Article 1, amounting to 50 000 m³, shall be allocated to the reserve.

The reserve provided for in Article 2 (3) of Regulation (EEC) No 3741/86 is thus increased from 10 000 to 60 000 m³.

Article 3

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

It shall apply with effect from 18 March 1987.

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

Done at Brussels, 23 March 1987.

For the Council

The President

H. DE CROO

⁽¹⁾ OJ No L 353, 13. 12. 1986, p. 7.

COUNCIL REGULATION (EEC) No 849/87

of 23 March 1987

opening and providing for the administration of a Community tariff quota for
unroasted malt falling within subheading 11.07 A II b) of the Common Customs
Tariff originating in and coming from Finland

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

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

Having regard to the proposal from the Commission,

Whereas an Agreement was concluded between the European Economic Community and the Republic of Finland on 22 July 1972; whereas, following the accession of the Kingdom of Spain and the Portuguese Republic to the Community, an Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Finland concerning agriculture was approved by Decision 86/556/EEC⁽¹⁾;

Whereas the Agreement in the form of an Exchange of Letters makes provision for an annual tariff quota of 2 500 tonnes for unroasted malt, falling within subheading 11.07 A II b) of the Common Customs Tariff, originating in and coming from Finland, with a reduction in the levy of 100 ECU per tonne; whereas, in addition, it is desirable to carry forward to 1987, altogether by way of exception and because of the late entry into force of Council Regulation (EEC) No 2376/86 of 24 July 1986 opening and providing for the administration of a Community tariff quota for unroasted malt falling within subheading 11.07 A II b) of the Common Customs Tariff originating in and coming from Finland⁽²⁾, the quantity of 1 700 tonnes of unroasted malt not taken up under the quota of 2 500 tonnes provided for Finland by the said Regulation; whereas the technical factors relating to the opening and administration of a quota for 1987 of a total quantity of 4 200 tonnes should be fixed by an implementing Regulation;

Whereas all Community importers should be ensured access to the quota and uninterrupted application of the reduced rate until the tariff quota has been used up;

Whereas this method of management requires close cooperation between the Member States and the Commission, which latter must, in particular, be able to monitor the rate at which the tariff quota is used up and inform the Member States thereof,

⁽¹⁾ OJ No L 328, 22. 11. 1986, p. 67.

⁽²⁾ OJ No L 206, 30. 7. 1986, p. 7.

Article 1

Until 31 December 1987, the import levy on unroasted malt falling within subheading 11.07 A II b) of the Common Customs Tariff, originating in and coming from Finland shall be reduced by 100 ECU per tonne within the limit of a Community tariff quota of 4 200 tonnes.

Article 2

1. Applications for licences, which must be accompanied by an application for advance fixing of the levy with a reduction of 100 ECU per tonne, may be submitted to the competent authority until the last Monday of each month, at 1 p.m. The expiry of the first deadline shall be 30 March 1987.

2. The applications referred to in paragraph 1 shall be admissible only if they are accompanied by a specimen of the Finnish export licence. This licence must make reference to Regulation (EEC) No 849/87.

Article 3

After 1 p.m. on the last Monday of each month, Member States shall notify the Commission of applications for licences submitted pursuant to Article 2.

Article 4

1. Within four working days, the Commission shall decide:

- to accept the applications for licences that have been submitted to the extent that the total quantity does not exceed 4 200 tonnes,
- to announce the closing of the quota where the quantity of 4 200 tonnes is exhausted,

and shall inform the competent authorities accordingly.

2. The competent body immediately inform all parties concerned of the Commission's decision.

Article 5

1. The competent authority shall issue import licences on the basis of the decision taken by the Commission pursuant to the first indent of Article 4 (1).

2. Import licences shall be valid from their actual date of issue until the end of the third month thereafter. The final date of validity of the licence may not be later than 31 December 1987.

3. Applications for licences and the import licences themselves shall include the following indications:

- in box 12, 'Licence issued pursuant to Regulation (EEC) No 849/87'.
- in box 13, 'Finland',
- in box 14, 'Finland'.

The licence shall carry an obligation to import products originating in and coming from Finland.

Article 6

Detailed rules for implementing this Regulation shall be adopted in accordance with the procedure laid down in

Article 26 of 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 2913/86 ⁽²⁾.

Article 7

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, 23 March 1987.

For the Council

The President

H. DE CROO

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 272, 24. 9. 1986, p. 1.

COUNCIL REGULATION (EEC) No 850/87

of 23 March 1987

opening, allocating and providing for the administration of a Community tariff quota for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus (1987)

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 proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983 ⁽¹⁾, as last amended by Regulation (EEC) No 3682/85 ⁽²⁾, provides, for the period 1 April to 15 May 1987 for the opening of a Community tariff quota of 2 500 tonnes of carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 40 % of the customs duty in the Common Customs Tariff; whereas the Community tariff quota should therefore be opened for this period;

Whereas, in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Council adopted Regulation (EEC) No 449/86 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries ⁽³⁾; whereas this Regulation applies therefore to the Community as constituted on 31 December 1985;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota to all imports of the products

concerned into all Member States, until the quota has been used up; whereas, however, since the period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 April to 15 May 1987, the customs duty on the import into the Community as constituted on 31 December 1985 for the following products shall be suspended at a level and within the limits of a Community tariff quota as follows:

Order No	CCT heading No	Description	Quota volume (tonnes)	Quota duty (%)
09.1403	ex 07.01 G II	Carrots, originating in Cyprus	2 500	6,8

The Protocol on the definition of the concept of originating products and on the methods of administrative cooperation ⁽⁴⁾, annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned

shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 351, 28. 12. 1985, p. 9.

⁽³⁾ OJ No L 50, 28. 2. 1986, p. 40.

⁽⁴⁾ OJ No L 339, 28. 12. 1977, p. 19.

2. Each Member State shall ensure that importers of the said quota have free access to the quota so long as the residual balance of the quota volume allows this.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

4. The extent to which the quota has been exhausted shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 April 1987.

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

Done at Brussels, 23 March 1987.

For the Council

The President

H. DE CROO

COUNCIL REGULATION (EEC) No 851/87**of 23 March 1987****temporarily suspending the autonomous Common Customs Tariff duties on a number of industrial products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the draft Regulation submitted by the Commission,

Whereas production of the products referred to in this Regulation is at present inadequate or non-existent within the Community and producers are thus unable to meet the needs of user industries in the Community;

Whereas it is in the Community's interest to suspend the autonomous Common Customs Tariff duties only partially in certain cases, due particularly to the existence of Community production, and to suspend them completely in other cases;

Whereas, taking account of the difficulties involved in accurately assessing the development of the economic

situation in the sectors concerned in the near future, these suspension measures should be taken only temporarily with their term of validity fixed to coincide with the interests of Community production,

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties for the products listed in the Annex shall be suspended at the level indicated opposite each of them.

Such suspension shall be valid from 1 April to 30 June 1987.

Article 2

This Regulation shall enter into force on 1 April 1987.

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

Done at Brussels, 23 March 1987.

For the Council

The President

H. DE CROO

ANNEX

CCT heading No	Description	Rate of autonomous duty (%)
ex 38.19 F	Preparation consisting essentially of alkaline asphalt sulphonate having a density of not less than 1,2 and not more than 1,5 and a solubility in water of not less than 70 % by weight	0
ex 81.04 F I	Unwrought hafnium having a purity of not less than 95 % by weight and a zirconium content of not more than 4,5 % by weight	0
ex 85.21 D II	Monolithic integrated circuit consisting of a static, random-access memory (S-RAM) with a storage capacity of 256 bits superimposed bit-for-bit on a programmable, electrically erasable, read-only memory (E ² PROM), contained in a housing the exterior dimensions of which do not exceed 8 × 24 mm, with not more than 18 connecting pins and bearing : — an identification marking consisting of or including one of the following combination of figures and letters : X 2210, X 2443, X 2444, or — other identification markings relating to S-RAMs superimposed of E ² PROMs complying with the abovementioned description	0

COMMISSION REGULATION (EEC) No 852/87

of 25 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 24 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 26 March 1987.

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

Done at Brussels, 25 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 17, 20. 1. 1987, p. 1.

ANNEX

to the Commission Regulation of 25 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	196,98
10.01 B II	Durum wheat	46,77	260,82 ⁽¹⁾ ⁽²⁾
10.02	Rye	40,78	181,06 ⁽³⁾
10.03	Barley	39,05	190,00
10.04	Oats	97,34	161,75
10.05 B	Maize, other than hybrid maize for sowing	—	180,99 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	39,05	132,28
10.07 B	Millet	39,05	157,92 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	24,96	186,39 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	39,05	62,70 ⁽⁵⁾
11.01 A	Wheat or meslin flour	31,55	290,93
11.01 B	Rye flour	72,25	269,61
11.02 A I a)	Durum wheat groats and meal	86,16	417,94
11.02 A I b)	Common wheat groats and meal	31,71	311,84

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 853/87

of 25 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 24 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 26 March 1987.

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

Done at Brussels, 25 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 25 March 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 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	0,39
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	0	0	5,85
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		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 854/87

of 25 March 1987

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 794/87 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1860/86 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 2 March 1987, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

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

and in Article 4 (1), (3) and (4) of Regulation (EEC) No 1633/84 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving region 5 of the aforesaid Member State during the week beginning 2 March 1987, shall be set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 2 March 1987 the level of the premium shall be equivalent to the amount fixed in Annex I.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80 which left the territory of region 5 during the week beginning 2 March 1987, the amounts to be charged shall be equivalent to those fixed in Annex II hereto.

Article 3

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

It shall apply with effect from 2 March 1987.

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

Done at Brussels, 25 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 2 March 1987

Description	Premium
Certified sheep or sheepmeat	144,063 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

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

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
2 March 1987

(ECU/100 kg)

CCT heading No	Description	Amounts		
		A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified at the second, third and fourth indents of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (1)	C. Products specified at the first indent of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (1)
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight	Live weight	Live weight
		67,710	33,855	6,771
		Net weight	Net weight	Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :			
	1. Carcases or half-carcases	144,063	72,032	14,406
	2. Short forequarters	100,844		
	3. Chines and/or best ends	158,469		
	4. Legs	187,282		
	5. Other :			
	aa) Unboned (bone-in)	187,282		
02.01 A IV b)	bb) Boned or boneless	262,195		
	Meat of sheep or goats, frozen :			
	1. Carcases or half-carcases	108,047		
	2. Short forequarters	75,633		
	3. Chines and/or best ends	118,852		
	4. Legs	140,461		
	5. Other :			
02.06 C II a)	aa) Unboned (bone-in)	140,461		
	bb) Boned or boneless	196,646		
	Meat of sheep or goats, salted in brine, dried or smoked :			
ex 16.02 B III b) 2 aa) 11)	1. Unboned (bone-in)	187,282		
	2. Boned or boneless	262,195		
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :			
	— unboned (bone-in)	187,282		
	— boned or boneless	262,195		

(1) Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 855/87

of 25 March 1987

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 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 second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 764/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 764/87 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 764/87 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 March 1987.

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

Done at Brussels, 25 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 77, 19. 3. 1987, p. 22.

ANNEX

to the Commission Regulation of 25 March 1987 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	43,59	
	(b) Other	43,50	
	(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	38,26 ⁽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 856/87

of 24 March 1987

fixing the amounts by which import duties on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced

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 486/85 of
26 February 1985 on the arrangements applicable to agri-
cultural products and certain goods resulting from the
processing of agricultural products originating in the
African, Caribbean and Pacific States or in the overseas
countries and territories ⁽¹⁾, as last amended by Regulation
(EEC) No 625/87 ⁽²⁾, and in particular Article 4 thereof,

The amounts by which import duties on beef and veal are
to be reduced pursuant to Article 4 (1) of Regulation
(EEC) No 486/85 shall, in respect of importations during
the second quarter of 1987, be as shown in the Annex
hereto.

Article 2

Whereas Article 4 (1) of Regulation (EEC) No 486/85
provides for a 90 % reduction in the import duties on
beef and veal; whereas the amount of this reduction must
be calculated in conformity with Article 3 of Commission
Regulation (EEC) No 552/85 ⁽³⁾, as amended by Regu-
lation (EEC) No 3815/85 ⁽⁴⁾,

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 April 1987.

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

Done at Brussels, 24 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 58, 28. 2. 1987, p. 102.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 13.

⁽⁴⁾ OJ No L 368, 31. 11. 1985, p. 11.

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

Número del arancel aduanero común Position i den fælles toldtarif Nummer des Gemeinsamen Zolltarifs Κλάση του κοινού δασμολογίου CCT heading No Numéro du tarif douanier commun Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Nº da pauta aduaneira comum	Belgique Luxembourg FB/Flux/100 kg	Danmark Dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χγρ	España Pta/100 kg	France FF/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
01.02 A II	4 886,3	881,06	247,86	10 093,69	13 174,24	774,67	83,089	157 660	279,28	64,472
02.01 A II a) 1	9 284,0	1 674,00	470,93	19 178,05	25 053,18	1 471,86	157,868	299 553	530,64	122,496
02.01 A II a) 2	7 427,1	1 339,20	376,76	15 342,39	20 041,91	1 177,49	126,294	239 642	424,50	97,997
02.01 A II a) 3	11 140,7	2 008,81	565,13	23 013,69	30 064,46	1 766,24	189,443	359 465	636,76	146,995
02.01 A II a) 4 aa)	13 925,9	2 535,17	698,36	38 426,74	42 154,11	2 229,04	243,403	463 041	786,86	206,074
02.01 A II a) 4 bb)	15 929,2	2 884,22	804,03	37 698,96	44 085,50	2 535,96	274,145	520 773	905,95	221,259
02.01 A II b) 1	8 228,0	1 483,50	417,41	16 952,53	22 148,15	1 304,36	139,883	265 420	470,32	108,462
02.01 A II b) 2	6 582,4	1 186,79	333,93	13 561,98	17 717,93	1 043,49	111,907	212 335	376,26	86,769
02.01 A II b) 3	10 285,0	1 854,37	521,77	21 190,64	27 700,79	1 630,46	174,853	331 775	587,91	135,577
02.01 A II b) 4 aa)	12 342,0	2 246,73	618,95	34 020,74	37 315,12	1 975,44	215,696	410 325	697,41	182,554
02.01 A II b) 4 bb) 11	10 285,0	1 854,37	521,77	21 190,64	27 700,79	1 630,46	174,853	331 775	587,91	135,577
02.01 A II b) 4 bb) 22 (1)	10 285,0	1 854,37	521,77	21 190,64	27 700,79	1 630,46	174,853	331 775	587,91	135,577
02.01 A II b) 4 bb) 33	14 152,1	2 566,04	713,13	34 927,16	39 428,26	2 256,19	244,540	464 710	803,53	199,889
02.06 C I a) 1	13 925,9	2 535,17	698,36	38 426,74	42 154,11	2 229,04	243,403	463 041	786,86	206,074
02.06 C I a) 2	15 929,2	2 892,03	801,42	40 822,05	44 811,16	2 542,82	276,278	525 207	903,01	228,478
16.02 B III b) 1 aa)	15 929,2	2 892,03	801,42	40 822,05	44 811,16	2 542,82	276,278	525 207	903,01	228,478

(1) La inclusión en esta subpartida estará subordinada a la presentación de un certificado expedido en las condiciones que las autoridades competentes de las Comunidades Europeas determinen.

(1) Hentfærsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) Η υπαγωγή εις την διάκριση αυτήν εξαρτάται εκ της προσκομιλάως πιστοποιητικού εκδιδόμενου κατ' όρους προϋποθέσεως παρά των αρμοδίων αρχών.

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

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) A admissão nesta subposição está subordinada à apresentação de um certificado emitido nas condições previstas pelas autoridades competentes das Comunidades Europeias.

COMMISSION REGULATION (EEC) No 857/87

of 24 March 1987

on the supply of common wheat to the World Food Programme (WFP) as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, and in particular Article 13 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 1579/86⁽³⁾, and in particular Article 28 thereof,

Whereas, by its Decision of 10 February 1986 on the supply of food aid to the WFP, the Commission allocated to the latter organization 9 968 tonnes of cereals to be supplied fob;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁴⁾, as last amended by Regulation (EEC) No 3826/85⁽⁵⁾; whereas it is necessary to specify the time

limits and conditions of supply and the procedure to be followed to determine the resultant costs;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 24 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽⁴⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

ANNEX

1. **Programme** : 1986 — Operation No 123/87⁽¹⁾
2. **Recipient** : World Food Programme (WFP)
3. **Place or country of destination** : Indonesia
4. **Product to be mobilized** : common wheat
5. **Total quantity** : 9 968 tonnes
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris (telex 200 490 F)
8. **Method of mobilizing the product** : the Community market
9. **Characteristics of the goods** :
common wheat of fair, sound and merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process
The common wheat must meet the following conditions :
 - moisture : 14,5 % maximum (ICC Method No 110)
 - protein content 11,5 % maximum ($N \times 5,7$ in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 220, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - Zeleny index of at least 20 (ICC Method No 118)
10. **Packaging** : in bulk
11. **Port of shipment** :
any Community port accessible to ocean-going vessels
12. **Delivery stage** : fob
13. **Port of landing** : —
14. **Procedure to be applied in order to determine supply costs** : tendering
15. **Deadline for the submission of tenders** : 12 noon on 7 April 1987
16. **Shipment period** : 25 April to 20 May 1987
17. **Security** : 10 ECU per tonne

Notes :

1. At the request of the beneficiary, the successful tenderer shall deliver a certificate coming from an official entity and certifying that for the product to be delivered the standards in force, on nuclear radiation, in the Member State concerned, have not been exceeded.
2. As soon as the successful tenderer has been informed of the award of the contract, he shall contact the beneficiary or his representative without delay, in order to determine the necessary consignment documents, as well as the details of period, rate and other circumstances concerning shipment.
3. The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - certificate of origin,
 - phytosanitary certificate.
4. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Indonesia,
Wisma Metropolitan I, 10th Floor,
29, Jl. Jendral Sudirman,
PO Box 34 KBYMP, Jakarta 12920B,
(Tél. 578 24 74/5,
Télex 62788 DAMORE IA).

⁽¹⁾ The operation number is to be quoted in all correspondence.

COMMISSION REGULATION (EEC) No 858/87

of 24 March 1987

on the supply of common wheat flour to the Republic of Lebanon as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, and in particular Article 13 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 1579/86⁽³⁾, and in particular Article 28 thereof,

Whereas, by its Decision of 16 December 1986 on the supply of food aid to Lebanon, the Commission allocated to the latter country 5 000 tonnes of cereals to be supplied CIF;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁴⁾, as last amended by Regulation (EEC) No 3826/85⁽⁵⁾; whereas it is necessary to specify the time

limits and conditions of supply and the procedure to be followed to determine the resultant costs;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 24 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽⁴⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

ANNEX

1. **Programme** : 1986 — Operation No 81/87⁽¹⁾
2. **Recipient** : Comité Supérieur de Secours, Rue Badaro, Immeuble ODS, Beyrouth (Telex : Appel Paris 068914 COMSEC 20400 LE)
3. **Place or country of destination** : Republic of Lebanon
4. **Product to be mobilized** : common wheat flour
5. **Total quantity** : 3 650 tonnes (5 000 tonnes of cereals)
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
OBEA, rue de Trèves 82, B-1040 Bruxelles (téléc : 24076)
8. **Method of mobilizing the product** : on the Community market
9. **Characteristics of the goods** :
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
— moisture : 14 % maximum (ICC Method No 110)
— protein content : 10,5 % minimum (N × 6,25 in terms of dry matter) (ICC Method No 105)
— Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
— Zeleny index of at least 20 (ICC No 116)
— ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging** :
— in new jute sacks of 370 grams, lined with woven polypropylene sacks of 110 grams. The top edge of the sacks will be sewn together
— net weight of the bags : 50 kilograms
— marking on the bags in letters at least 5 cm high :
ACTION N° 81/87 / FARINE DE FROMENT / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE
À LA RÉPUBLIQUE LIBANAISE POUR DISTRIBUTION GRATUITE /
طحين القمح
تقدمة من قبل المجموعة الاقتصادية الأوروبية الى الجمهورية اللبنانية
من اجل التوزيع مجانا •
11. **Port of shipment** : a Community port
12. **Delivery stage** : cif
13. **Port of landing** : Beirut
14. **Procedure to be applied in order to determine supply costs** : tendering
15. **Deadline for the submission of tenders** : 12 noon on 7 April 1987
16. **Shipment period** : 1 to 30 May 1987
17. **Security** : 15 ECU per tonne

Notes :

1. At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
2. As soon as the successful tenderer has been informed of the award of the contract, he shall contact the beneficiary or his representative without delay, in order to determine the necessary consignment documents, as well as the details of period, rate and other circumstances concerning shipment.
3. The successful tenderer shall send a copy of the shipping documents to the following address :
M. Nielsen, Délégation CEE, Bloc B — 8^e étage, Centre Gefinor, rue Clémenceau, Beyrouth. (Téléc : deleur 23307 LE).
4. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

(¹) The operation number is to be quoted in all correspondence.

COMMISSION REGULATION (EEC) No 859/87**of 25 March 1987****laying down detailed rules applying to the special premium for beef producers**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 467/87⁽²⁾, and in particular Article 4a (4) thereof,

Having regard to Council Regulation (EEC) No 468/87 of 10 February 1987, laying down general rules applying to the special premium for beef producers⁽³⁾, and in particular Articles 3 (2) and 5 thereof,

Whereas under Article 3 (2) of Regulation (EEC) No 468/87 Member States may be authorized, for administrative reasons, to stipulate that applications cover a minimum number of animals; whereas the terms in which such authorizations may be granted should be laid down;

Whereas Article 5 of the same Regulation states that the detailed rules of application for the special premium are to deal with the lodging of applications and payment of the premium, identification of animals, monitoring procedures and the specific provisions to be applied when live animals from Member States granting the premium on slaughter are exported from the Community or consigned to other Member States;

Whereas in view of the difficulties in connection with presentation of evidence of compliance with the requirements laid down, it should be specified that applications be accompanied by declarations and undertakings by recipients and that these be subject both to administrative and on-the-spot checks by Member States and give rise to total recovery of the sums paid should they turn out to be inexact; whereas, so that the abovementioned checks can be carried out, Member States should specify a period during which cattle are to be retained on the farm following lodging of the application that suits their administrative requirements and is long enough to permit adequate checking without excessively delaying marketing of the cattle;

Whereas the premium must be paid within a time limit that while permitting the required conditions to be

complied with does not result in any reduction of the producer income support that the Council intended to provide by granting the special premium;

Whereas in view of the control requirements for the special premium scheme in animals should be visibly identified; whereas moreover those animals in respect of which the premium is claimed under Article 2 (3) of Regulation (EEC) No 468/87 and those animals consigned alive from Member States granting the premium on slaughter to other Member States or exported live from the Community must be marked in a special way; whereas in the case of these animals presentation must be required of a document certifying that they have left the Member State in question for another Member State or have left the customs territory of the Community;

Whereas in view of the marketing requirements for male cattle held by producers at the time when this Regulation enters into force, a temporary exception to the obligation to retain such cattle on the holding for a specified period after lodging of the application should be granted, on condition however that the cattle meet the age requirements and were fattened on the holding for at least three months; whereas it is necessary, furthermore, to lay down for these animals which by virtue of their age are difficult to handle, an exception to the marking system;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for the premium referred to in Article 4a of Regulation (EEC) No 805/68 shall be lodged by producers with the competent authority designated by the Member State.

Member States may determine the period or periods during which applications for the premium may be lodged.

2. The total number of animals for which application for the premium may be made may not exceed 50 eligible animals per calendar year per farm. The same restriction shall apply in respect of the period 6 April to 31 December 1987.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 48, 17. 2. 1987, p. 4.

3. The authorization provided for in Article 3 (2) of Regulation (EEC) No 468/87 may not be granted unless the minimum number of animals to be laid down :

- is no more than five,
- will not give rise to any discrimination between producers within the Member State,
- is applicable until 31 December 1988.

4. To be valid applications must include a declaration by the producer of the number of animals for which he has applied for the premium in the course of the calendar year.

5. After making the necessary checks the competent authority shall inform each applicant of the outcome of his application. If the application is accepted it may however pay the premium without first informing the applicant of the outcome.

Article 2

Applications for the premium in respect of live animals lodged under Article 3 of Regulation (EEC) No 468/87 shall, in addition to the declarations required under that Article and under Article 1 (4) of this Regulation :

- indicate the age bracket of the animals, and
- include an undertaking by the producer to retain the male animals, for which he applies for the premium, on his holding for the period fixed pursuant to Article 7 (2) and at least until they are nine months old.

Article 3

Applications for the premium lodged under Article 2 (3) of Regulation (EEC) No 468/87 shall include, in addition to the declaration specified in Article 1 (4) :

- a declaration by the producer that the animals for which the premium is requested are on the date of the acceptance of the consignment declaration at least six and at most nine months old and that these animals are sold for the purposes of fattening,
- a declaration that he has kept the animals for which the premium is requested for at least three months on his holding,
- evidence, as specified in Article 10 (1), of consignment of the animals to the Member State of destination.

Article 4

Premium applications lodged under Article 4 of Regulation (EEC) No 468/87 shall be presented as specified in Regulation (EEC) No 468/87, and in particular at (d) of the said Article 4.

Article 5

1. The amounts set in Article 2 (2) of Regulation (EEC) No 468/87 shall be paid no later than nine months following the date on which the application was lodged.

In no case shall they be paid before expiry of the retention period referred to in the second indent of Article 2.

2. The conversion rate to be applied to the amounts referred to in paragraph 1 shall be the agricultural conversion rate applicable on the day when the application was lodged. However, for applications lodged during a period fixed pursuant to Article 1 (1), second subparagraph, the agricultural conversion rate shall be that applicable on the first day of this period.

Article 6

1. Animals for which a premium application as mentioned in Article 2 is lodged shall within the time limit fixed by the Member States and at the latest within four weeks from the date of lodging of the application, bear a clearly visible permanent non-removable identification consisting of either perforation or marking of the ear.

2. Animals for which a premium application as referred to in Article 3 is lodged shall, on consignment be permanently marked but in a different fashion from that provided for in paragraph 1, in order to prevent any confusion between cattle covered by the different arrangements.

3. Member States shall adopt national provisions on the identification provided for in paragraph 1 and the marking provided for in paragraph 2. They shall inform the Commission of these provisions on 6 April 1987.

Article 7

1. The competent authority appointed by each Member State shall operate administrative checks and on-farm inspection, in order to verify that the provisions governing the special premium are respected. These control measures shall cover in particular :

- (a) the presence on the holding run by the producer of the number of male cattle covered by the application ;
- (b) the correctness of the required declarations and fulfilment of the undertakings made by the producer ;
- (c) observance of the provisions on identification and marking specified in Article 6.

2. In order to enable them to exercise adequate control of applications lodged by virtue of Article 2 the Member States shall set a minimum period during which male cattle must be kept on the holding following the date of lodging of the application. This period may not be less than one nor more than five months.

3. In the case of declarations by producers, as specified at (d) of Article 4 of Regulation (EEC) No 468/87, both the accounts of the holding and the means of production

must be checked. The means of production must be sufficient to have permitted fattening of the number of animals covered by the application for a period of at least three months on the holding.

4. Member States shall take any necessary steps to recover premiums improperly paid. If a false declaration has been made the Member State shall recover an amount equal to that of all the premiums paid on the basis of that declaration.

5. Each application for a number of eligible animals greater than that found during the control shall be considered as a false declaration. However, if the number of qualifying animals found when the control work provided for at (a) of paragraph 1 is carried out is less than that covered by the premium application the premium shall be due on the number of qualifying animals actually kept during the period referred to in paragraph 2, provided that this reduction can be ascribed to natural circumstances affecting the herd and that the producer has informed the competent authorities of it as soon as possible.

6. The right to the premium shall subsist even where, for reasons of *force majeure*, and especially those listed in Article 5 of Commission Regulation (EEC) No 1244/82 the producer has not been able to comply with the undertaking provided for in Article 2. The producer shall duly inform the competent authorities as soon as possible.

Article 8

In the case of dispatch of live animals from a Member State applying the arrangement specified in Article 4 of Regulation (EEC) No 468/87 to another Member State or of export of such animals from the Community, the special premium may be granted when the animals leave the Member State.

In such cases :

(a) the application shall be accompanied :

- by a declaration by the producer that the animals are at least nine months old on the date of consignment or export and that they have been kept on his holding for at least three months, and
- by the evidence, as specified in Article 10 (1) and (2), of consignment or export of the animals ;

(b) the animals shall be marked as specified in Article 6 (1).

Article 9

Article 2 notwithstanding, producers may during a transitional period from 6 April to 10 July 1987 lodge applications for the premium without making the undertaking specified at the second indent of the said Article.

In such cases the producer must declare on his application that the animals concerned are at least nine months old on the date of lodging of the application and that he has kept them on his holding for at least three months before that date.

The animals concerned must have a clearly visible and permanent identification mark.

Article 10

1. Evidence that animals have been consigned is considered as fulfilled by presentation of an attestation issued by the competent authorities of the Member State of departure certifying that the animals have left the Member State.

Use of the internal Community transit procedure for consignment of the animals shall be compulsory in order to permit issue of the abovementioned attestation. The attestation shall be stamped on request after the office of departure has received the transit document in return.

In the case of animals consigned under cover of an international consignment note equivalent to a T2 document, the attestation shall on request be issued after the consignment note has been presented showing that the animals have been accepted for transport by the railway authorities. Unless the attestation has not been delivered or will be returned, the office of departure may not authorize any change in the transport contract the effect of which would be that the transport operation would be terminated in a Member State other than the Member State of destination.

2. In cases of export, evidence that the animals have left the Community shall be the same as that required in cases of application for export refunds.

Article 11

1. Member States shall notify the Commission, within 10 days at the latest of the date on which they are introduced, of the measures taken to implement Regulation (EEC) No 468/87 and this Regulation.

2. Member States shall notify the Commission not later than 30 March of the number of animals on which the special premium was granted during the previous calendar year.

Article 12

This Regulation shall enter into force on 6 April 1987.

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

Done at Brussels, 25 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 860/87
of 25 March 1987
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 842/87 ⁽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 26 March 1987.

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

Done at Brussels, 25 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 173 1. 7. 1986, p. 91.

⁽⁴⁾ OJ No L 81, 25. 3. 1987, p. 34.

ANNEX

to the Commission Regulation of 25 March 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	51,08
	B. Raw sugar	43,01 ⁽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 861/87**of 25 March 1987****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 588/87 ⁽³⁾, as amended by Regulation (EEC) No 632/87 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 588/87 to the informa-

tion known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 588/87 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 March 1987.

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

Done at Brussels, 25 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 35, 6. 2. 1987, p. 19.

⁽⁴⁾ OJ No L 60, 3. 3. 1987, p. 11.

ANNEX

to the Commission Regulation of 25 March 1987 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,5108	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	60,60
	ex II. Other	0,5108	—
	E. Artificial honey, whether or not mixed with natural honey	0,5108	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,5108	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	60,60
	IV. Other	0,5108	—

COMMISSION REGULATION (EEC) No 862/87**of 25 March 1987****fixing the maximum export refund for white sugar for the 41st partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86**

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

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

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

Whereas Commission Regulation (EEC) No 1659/86 of 29 May 1986 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 811/87⁽⁴⁾; requires partial invitations to tender to be issued for the export of this sugar;

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

Whereas, following an examination of the tenders submitted in response to the 41st 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 41st partial invitation to tender for white sugar issued under amended Regulation (EEC) No 1659/86 is hereby fixed at 45,678 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 26 March 1987.

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

Done at Brussels, 25 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.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 37.

COMMISSION REGULATION (EEC) No 863/87

of 25 March 1987

fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (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 Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, sweet fresh oranges, fresh mandarins, fresh lemons, apples and peaches of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I hothouse grapes and open ground grapes, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

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 coefficient provided for in the last indent of Article 3 (1) of 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 these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas the obligations under Article 10 (1) (b) of Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁶⁾, last amended by Regulation (EEC) No 3903/86⁽⁷⁾, may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 23 (1) (c) of Regulation (EEC) No 2730/79 may be applied;

Whereas, for Spain and Portugal, the Act of Accession introduce transitional measures by phases and stages respectively; whereas, in particular as regards the arrangements applicable to exports to Spain from the Community as constituted at 31 December 1985, Article 141 provides that, during the first phase, the Community is not in principle to grant export refunds; whereas, pursuant to Article 146, the Kingdom of Spain is to be a

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 45.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁷⁾ OJ No L 364, 23. 12. 1986, p. 13.

authorized to maintain, during the first phase, for exports to third countries, the arrangements in force before its accession for such trade, including any export aid or subsidies; whereas Article 275 provides for a special procedure for the grant of refunds on exports to Portugal from the Community as constituted at 31 December 1985; whereas, pursuant to Article 283, the Portuguese Republic is to be authorized to maintain, during the first stage, for exports to third countries, the arrangements in force before its accession for such trade, including any export aid or subsidies; whereas, under those circumstances, refunds for such exports should not be provided for in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.
2. The provisions of Articles 10 (1)(b) and 23 (1)(c) of Regulation (EEC) No 2730/79 shall apply to exports of sweet oranges, mandarin oranges, lemons, open ground table grapes, walnuts in shell, shelled hazelnuts and apples as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 March 1987.

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

Done at 25 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 March 1987 fixing the export refunds on fruit and vegetables

CCT heading No	Description	(ECU kg net) Refund ^(?)
ex 07.01 M	Tomatoes ('Extra' Class, Class I and Class II)	4,50
ex 08.02 A I	Sweet fresh oranges : For export of varieties Biondo comune and Sanguigno comune ('Extra' Class, Class I and Class II) to : — Countries or States with a planned economy in central or eastern Europe and Yugoslavia 8,00 — Other destinations 5,32 For export of variety Valencia late ('Extra' Class, Class I and Class II) to : — Countries or States with a planned economy in central or eastern Europe and Yugoslavia 17,00 — Other destinations 12,00 For export of other varieties ('Extra' Class, Class I and Class II) to : — Countries or States with a planned economy in central or eastern Europe and Yugoslavia 14,50 — Other destinations 9,67	
ex 08.02 B II	Fresh mandarins ('Extra' Class, Class I and Class II)	7,25
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II) For export to : — Countries or States with a planned economy in central or eastern Europe and Yugoslavia 15,00 — Other destinations 10,00	
ex 08.04 A I	Table grapes : — Fresh, open ground ('Extra' Class and Class I) 10,50 — Fresh, hothouse ('Extra' Class and Class I) 19,34	
ex 08.05 A II	Shelled almonds, other than bitter almonds	9,67
ex 08.05 B	Unshelled walnuts	14,00
ex 08.05 G	Unshelled hazelnuts	7,50
ex 08.05 G	Shelled hazelnuts	14,51
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples : For export to : — Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Jibuti, the countries of the Arabian peninsula ⁽¹⁾ , Iran, Iraq and Jordan 12,00 — Countries and territories of Africa other than those mentioned above and South Africa, Syria, countries with a planned economy in central and eastern Europe, Yugoslavia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, Iceland, Norway, Sweden, Austria, the Faroe Islands, Finland and Greenland 4,00	

⁽¹⁾ For the purpose of this Regulation the 'countries of the Arabian peninsula' are considered to be the following, including the territories attached thereto : Saudi Arabia, Bahrain, Qatar, Kuwait, the Sultanate of Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras Al Khaimah), Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen).

⁽²⁾ The refunds fixed in this Regulation shall not apply to exports :

- to Spain and Portugal from the Community as constituted at 31 December 1985,
- to third countries from Spain and Portugal.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 March 1987

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of outboard motors originating in Japan and terminating the investigation

(87/210/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consultations within the Advisory Committee as provided for by the above Regulation,

Whereas :

A. Procedure

- (1) On 26 November 1985, the Commission reopened the anti-dumping investigation concerning outboard motors originating in Japan following a request for review lodged by Community producers representing a major proportion of the Community production of outboard motors⁽²⁾. The request for review contained evidence of renewed dumping and renewed injury caused thereby which was considered sufficient to warrant the reopening of the investigation. The products referred to in the request for review are outboard motors up to and including 63 kW (85 hp) falling within subheading ex 84.06 B of the Common Customs Tariff, corresponding to NIMEXE codes 84.06-10 and ex 84.06-12.

- (2) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting countries and the complainant, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

All but one of the Community producers, the exporters concerned and some importers, as well as two associations representing boat builders and users, made their views known in writing. In addition, one Community producer and all the exporters concerned requested, and were granted, a hearing.

- (3) The Commission sought and verified all information it considered necessary and carried out investigations at the premises of the following :

EEC producers :

- Outboard Marine Belgium SA, Bruges, Belgium,
- Outboard Marine Deutschland GmbH, Mannheim, Germany,
- Outboard Marine France, Paris, France,
- Outboard Marine UK, Northampton, United Kingdom,
- Selva SpA, Tirano, Italy;

Exporters :

- Honda Motor Co., Tokyo, Japan,
- Suzuki Motor Co., Hamomatsu, Japan,
- Tohatsu Corporation, Tokyo, Japan,
- Yamaha Motor Co., Hamamatsu, Japan;

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 305, 26. 11. 1985, p. 3.

Importers :

- Honda Deutschland GmbH, Offenbach, Germany,
- Marine Power-Europe Inc., Verviers, Belgium,
- Suzuki Deutschland GmbH, Heppenheim, Germany,
- Yamaha Motor Europe NV, Uithoorn, Netherlands,
- Yamaha Motor France, Paris, France,
- Yamaha Motor Netherlands, Uithoorn, Netherlands,
- Mitsui Machinery Sales (UK) Ltd, Chessington, United Kingdom.

The investigation of dumping covered the period from 1 January to 31 October 1985.

B. Scope of the investigation

- (4) The Commission found that, during the investigation period, by far the largest of the Community producers ceased producing outboard motors of above 18,5 kW (25 hp). The only other complainant Community producer produces only relatively small quantities of outboard motors of more than 18,5 kW and, in 1985, accounted for less than 5 % of total Community production of such motors. The Commission, consequently, did not find it appropriate to cover in its investigation outboard motors of up to 63 kW (85 hp) as was requested in the application for review.
- (5) It was, however, considered reasonable for the present investigation to cover outboard motors of up to 26 kW (35 hp), since motors of 26 kW closely resemble 18,5 kW outboard motors with regard to motor capacity, design, weight and technical features.

C. Normal value

- (6) For Honda Motor Co. and Yamaha Motor Co., the Commission established the normal value on the basis of domestic prices actually paid or payable in the ordinary course of trade for the like product, since these prices were shown to be profitable.
- (7) For Suzuki Motor Co. and Tohatsu Corporation, the Commission determined the normal value on the basis of constructed value, since the sales of these two companies on the domestic market did not provide a sufficient basis for the calculation of normal value. The constructed value was determined by adding the cost of production, including a reasonable amount for selling, administrative and other general expenses, and a reasonable margin of profit.

D. Export price

- (8) Export prices were determined by the Commission on the basis of the prices actually paid or payable for the products sold for export to the Community.

- (9) Where exports were made to subsidiary companies in the Community export prices were constructed on the basis of the prices at which the imported product was first resold to an independent buyer, suitably adjusted to take account of all costs incurred between importation and resale including customs duty, and of a profit margin of 5 % considered reasonable in the light of the profit margins of independent importers of the product concerned.

E. Comparison

- (10) In comparing normal value with export prices, the Commission took account, where appropriate, of differences affecting price comparability, in particular discounts and rebates, credit terms, transport, insurance, handling, packing and salesmen's salaries. Due allowance for such differences was made where claims in these areas could be satisfactorily demonstrated. All comparisons were made at ex-works level and for each individual transaction.

F. Margins

- (11) The above examination of the facts shows the existence of dumping in respect of all exporters involved, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.
- (12) These margins vary according to the exporter, the importing Member State and the type of outboard motor concerned, the weighted average margin for each of the exporters investigated being as follows :
- | | |
|-------------------------|---------|
| — Honda Motor Co.: | 16,2 %, |
| — Suzuki Motor Co.: | 51,6 %, |
| — Tohatsu Corporation : | 43,3 %, |
| — Yamaha Motor Co.: | 53,2 %. |

G. Injury

- (13) In 1983, after having carried out an anti-dumping investigation, the Commission, by Regulation (EEC) No 1500/83 ⁽¹⁾, established that dumped imports of outboard motors originating in Japan had caused injury to the Community industry concerned and that protective measures were necessary. The Commission subsequently, by Decision 83/452/EEC ⁽²⁾, accepted undertakings by most of the exporters concerned with a view to eliminating the injury by voluntary price increases for the exported products. For all other exporters a definitive anti-dumping duty was imposed by Council Regulation (EEC) No 2809/83 ⁽³⁾.

⁽¹⁾ OJ No L 152, 10. 6. 1983, p. 18.

⁽²⁾ OJ No L 247, 7. 9. 1983, p. 18.

⁽³⁾ OJ No L 275, 8. 10. 1983, p. 1.

- (14) While these measures contributed to an improvement of the position of the Community producers of outboard motors in 1984, the situation of this industry deteriorated again in 1985. It is still characterized by low capacity utilization, considerable losses and high import penetration.
- (15) With regard to the renewed injury caused by the dumped imports, the evidence available to the Commission shows, more specifically, that imports of outboard motors into the Community from Japan fell from 67 204 units in 1983 to 46 654 units in 1984, but increased again to 56 577 units in 1985. This resurgence represents an increase of 21 % in one year.
- (16) At the same time, consumption of outboard motors within the Community fell from 161 209 units in 1983 to 127 959 units in 1984, but increased again to 137 465 units in 1985, i.e. by 7,4 %. Consequently, the market share in the Community held by outboard motors imported from Japan, having fallen from 41,7 % in 1983 to 36,5 % in 1984, went up again to 41,2 % in 1985.
- (17) The market share held by Community producers of outboard motors during that three-year period went up from 50,3 % to 53,4 %, but decreased again to 53,2 %.
- (18) With regard to the prices at which the dumped imports from Japan were sold within the Community during the investigation period, clear cases of price undercutting were found in some instances only. It was found that, in view of the fact that imports from Japan were regaining market share, the Community industry was unable to raise its prices above the price levels set out in the undertakings accepted in 1983. From 1984, however, these prices proved to be insufficient to substantially remedy the injury suffered by the Community producers.
- (19) As a consequence, the Community outboard motor industry continued to incur losses, which increased, in particular, in 1985. Furthermore, employment in this industry decreased by another 7 % from 1983 to 1985 and declined by another 20 % due to dismissals already notified to personnel during the investigation period.
- (20) The Commission considered whether injury has been caused by other factors, in particular the volume of imports of outboard motors from other third countries. It was found, however, that those imports declined from 12 964 units in 1983 to 7 612 units in 1985, with a consequent reduction in market share from 8 % to 5,6 %. The Commission, therefore, determines that the effects of the

dumped imports of outboard motors originating in Japan, taken in isolation, have to be considered as constituting material injury to the Community industry concerned.

H. Community interest

- (21) During the course of its investigation, the Commission received submissions from two associations representing boat builders in two of the Member States. Those submissions warned, in general terms, against the negative effects on the boat-building industry of any price increase for outboard motors.
- (22) The Commission asked both associations to substantiate further their arguments, in particular with regard to exact figures relating, for example, to price increases for boats, the development of price ratios between boats and outboard motors, as well as financial losses and reduction in employment. The subsequent replies did not provide such figures, but only reiterated the general concern and pointed to the adverse effect of protective measures on importers and dealers of outboard motors.
- (23) The Commission has weighed these arguments, which remained unsubstantiated for the most part, against the serious difficulties still facing the Community outboard-motor industry and has come to the conclusion that it is in the Community's interest that action be taken.

I. Undertakings

- (24) The exporters concerned were informed of the main findings of the investigation and commented on them. Undertakings were subsequently offered by Honda Motor Co., Suzuki Motor Co., Tohatsu Corporation, including undertakings offered by Marine Power Europe Inc. and Nissan Motor Nederland BV on behalf of Tohatsu Corporation, and Yamaha Motor Co., including an undertaking by Marine Power Europe Inc. on behalf of Yamaha Motor Co.
- (25) The effect of the said undertakings will be to ensure that export prices to the Community will be at a level sufficient to eliminate injury to the Community industry. The price increases foreseen in these undertakings in no case exceed the dumping margins found in the investigation. Moreover, it appears that correct operation of these undertakings can be effectively monitored, in particular since the Commission during its investigation did not observe any violations of the undertakings previously in force.

- (26) In these circumstances, the undertakings offered are considered acceptable and the investigation with regard to these exporters may, therefore, be terminated without the imposition of anti-dumping duties.
- (27) No objection to this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The undertakings given by Honda Motor Co., Tokyo, Suzuki Motor Co., Hamamatsu, Tohatsu Corporation, Tokyo, including the undertakings given by Marine Power Europe Inc., Belgium, and Nissan Motor Nederland BV, Netherlands on behalf of Tohatsu Corporation, and

Yamaha Motor Co., Hamamatsu, including the undertaking given by Marine Power Europe Inc. on behalf of Yamaha Motor Co., in connection with the anti-dumping proceeding concerning imports of outboard motors falling within Common Customs Tariff subheading ex 84.06 B, corresponding to NIMEXE codes 84.06-10 and ex 84.06-12, originating in Japan, are hereby accepted.

Article 2

The anti-dumping investigation referred to in Article 1 is hereby terminated.

Done at Brussels, 23 March 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION OF THE EUROPEAN COMMUNITIES

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