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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 879/87**of 27 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 26 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 28 March 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 17, 20. 1. 1987, p. 1.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 27 March 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)	
		Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	11,71	196,10
10.01 B II	Durum wheat	46,77	259,60 ⁽¹⁾ ⁽²⁾
10.02	Rye	40,78	181,06 ⁽³⁾
10.03	Barley	39,05	190,00
10.04	Oats	97,34	160,95
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	60,78 ⁽⁵⁾
11.01 A	Wheat or meslin flour	31,55	289,70
11.01 B	Rye flour	72,25	268,65
11.02 A I a)	Durum wheat groats and meal	86,16	416,05
11.02 A I b)	Common wheat groats and meal	31,71	311,11

⁽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 880/87

of 27 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 26 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 28 March 1987.

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

Done at Brussels, 27 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 27 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
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 881/87
of 27 March 1987
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within subheading ex 10.06 B I or II of the Common Customs Tariff⁽³⁾, and in particular Article 8 thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1986/87 marketing year by Commission Regulation (EEC) No 2465/86⁽⁴⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁵⁾, as last amended by Regulation (EEC) No 2117/80⁽⁶⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances

on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76⁽⁷⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁸⁾, as last amended by Regulation (EEC) No 2249/85⁽⁹⁾, should be used where appropriate;

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

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

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 211, 1. 8. 1986, p. 12.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁶⁾ OJ No L 206, 8. 8. 1980, p. 15.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁸⁾ OJ No L 204, 24. 8. 1967, p. 1.

⁽⁹⁾ OJ No L 210, 7. 8. 1985, p. 13.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them must, pursuant to Council Regulation (EEC) No 486/85⁽¹⁾, as last amended by Regulation (EEC) No 73/87⁽²⁾, be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Articles 10 and 11 of Regulation (EEC) No 486/85 and in Commission Regulation (EEC) No 551/85⁽³⁾;

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

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

Whereas Council Regulation (EEC) No 3877/86⁽⁵⁾ defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 March 1987.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 11, 13, 1. 1987, p. 23.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 10.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁵⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 27 March 1987 fixing the import levies on rice and broken rice

(ECU / tonne)					
CCT heading No	Description	Portugal	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾	Basmati ⁽⁴⁾
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	—	344,78	168,79	—
	2. Long grain	—	373,03	182,91	279,77
	b) Husked rice :				
	1. Round grain	—	430,97	211,88	—
	2. Long grain	—	466,29	229,54	349,72
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	13,05	533,06	254,60	—
	2. Long grain	12,97	666,63	321,43	499,97
	b) Wholly milled rice :				
	1. Round grain	13,90	567,71	271,50	—
	2. Long grain	13,90	714,63	344,96	535,97
	III. Broken rice	82,92	213,85	103,92	—

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

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

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

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

⁽⁴⁾ This levy is applicable to Basmati rice covered by the arrangement provided for by Council Regulation (EEC) No 3877/86.

COMMISSION REGULATION (EEC) No 882/87
of 27 March 1987

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

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

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2684/86⁽³⁾, as last amended by Regulation (EEC) No 806/87⁽⁴⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 March 1987.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 246, 30. 8. 1986, p. 8.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 23.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 27 March 1987 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 3	1st period 4	2nd period 5	3rd period 6
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 883/87
of 27 March 1987

on the opening of a procedure for the supply of Common wheat to non-governmental organizations (NGO) 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 27 October 1986 on the supply of food aid to NGOs, the Commission allocated to the latter organizations 2 500 tonnes of cereals to be supplied fob; whereas since this is an emergency operation, a private contract procedure should be undertaken with a view to the supply at the earliest opportunity of the lot concerned;

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 said 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, 27 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 128/87⁽¹⁾
2. **Recipient :** Médecins du monde, 67, avenue de la République, F-75011 Paris (telex 216213F MED MOND)
3. **Place or country of destination :** Lebanon
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 2 500 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel de céréales (ONIC), 21, avenue Bosquet, F-75007 Paris (telex OFIBLE 200490 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 × 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 :**
 - new woven-polypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light
 - net weight of the bags : 50 kg — to be delivered on pallets
 - marking on the bags, in letters at least 5 cm high :
'ACTION N° 128/87 / FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'
11. **Port of shipment :** Marseille
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** private contract procedure
15. **Shipment period :** before 15 April 1987
16. **Security :** 10 ECU per tonne

Notes :

1. 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.
2. 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'.
3. At the request of the beneficiary the successful tenderer shall 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.

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

COMMISSION REGULATION (EEC) No 884/87

of 27 March 1987

amending Regulation (EEC) No 2664/86 and increasing to 290 000 tonnes the quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 124/87⁽⁴⁾,

Whereas Commission Regulation (EEC) No 2664/86⁽⁵⁾, as last amended by Regulation (EEC) No 708/87⁽⁶⁾, opened a standing invitation to tender for the export of 240 000 tonnes of rye held by the German intervention agency; whereas, in a communication of 19 March 1987, Germany informed the Commission of the intention of its intervention agency to increase by 50 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 290 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 2664/86 must therefore be amended;

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

Article 2 of Regulation (EEC) No 2664/86 is hereby replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 290 000 tonnes of rye to be exported to all third countries.
2. The regions in which the 290 000 tonnes of rye are stored are listed in Annex I hereto.

Article 2

Annex I to Regulation (EEC) No 2664/86 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 27 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 15, 17. 1. 1987, p. 9.

⁽⁵⁾ OJ No L 243, 28. 8. 1986, p. 17.

⁽⁶⁾ OJ No L 70, 13. 3. 1987, p. 8.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein / Hamburg	100 715
Niedersachsen / Bremen	95 173
Nordrhein-Westfalen	62 313
Hessen	7 823
Rheinland-Pfalz	11 789
Baden-Württemberg	6 138
Saarland	106
Bayern	5 919'

COMMISSION REGULATION (EEC) No 885/87

of 27 March 1987

amending Regulation (EEC) No 2632/86 and increasing to 125 000 tonnes the quantity of rye held by the Danish intervention agency for which a standing invitation to tender for export has been opened

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 124/87 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 2632/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 708/87 ⁽⁶⁾, opened a standing invitation to tender for the export of 75 000 tonnes of rye held by the Danish intervention agency; whereas, in a communication of 19 March 1987, Denmark informed the Commission of the intention of its intervention agency to increase by 50 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of rye held by the Danish intervention agency for which a standing invitation to tender for export has been opened should be increased to 125 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 2632/86 must therefore be amended;

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

Article 2 of Regulation (EEC) No 2632/86 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 125 000 tonnes of rye to be exported to all third countries.
2. The regions in which the 125 000 tonnes of rye are stored are listed in Annex I hereto.

Article 2

Annex I to Regulation (EEC) No 2632/86 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 27 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 15, 17. 1. 1987, p. 9.

⁽⁵⁾ OJ No L 237, 23. 8. 1986, p. 15.

⁽⁶⁾ OJ No L 70, 13. 3. 1987, p. 8.

*ANNEX**'ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Jylland	95 000
Sjælland	5 000
Fyn	25 000'

COMMISSION REGULATION (EEC) No 886/87

of 27 March 1987

on the notification by the Member States to the Commission of the information relating to imports of dessert apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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 38 (1) thereof,

Whereas, in view of the upward trend in imports of dessert apples into the Community and in view of the expected levels of such imports in 1987 which threaten to disrupt an already difficult market, the trend in imports from third countries should be monitored regularly and the information notified very promptly;

Whereas, pursuant to Articles 144 and 280 of the Act of Accession, Spain and Portugal may apply quantitative restrictions to imports from third countries of the products in question; whereas the provisions concerning notification of information should, therefore, not be applied in those countries;

Whereas the Belgo-Luxembourg Economic Union (BLEU) is considered, for statistical purposes, as a single territory; whereas, with regard to the information to be notified to the Commission, it should be considered as a single Member State;

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

Article 1

The Member States shall notify to the Commission:

the quantities and values of the dessert apples falling within heading No 08.06 A II of the Common Customs Tariff which have been released for free circulation,

— in accordance with the NIMEXE nomenclature and

— according to their country of origin.

The abovementioned information shall be notified at intervals as follows:

- every Friday in the case of dessert apples released for free circulation on Monday, Tuesday or Wednesday,
- every Tuesday in the case of dessert apples released for free circulation on Thursday, Friday, Saturday or Sunday of the previous week.

Where no apples have been released for free circulation during one of the aforesaid periods, the Member State concerned shall inform the Commission to that effect by telex sent on the days stated above.

Article 2

1. For the purposes of this Regulation, the Belgo-Luxembourg Economic Union shall be considered as a single Member State.
2. This Regulation shall not apply to Spain or Portugal.

Article 3

This Regulation shall enter into force on the eighth 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, 27 March 1987.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

COMMISSION REGULATION (EEC) No 887/87**of 27 March 1987****introducing the buying-in of beef in respect of certain Member States and
qualities and fixing the buying-in prices for beef**

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 6a (2) and (4) thereof,

Whereas the abovementioned Article 6a (2) lays down the conditions under which buying-in must be decided on; whereas the eligible products were determined by Commission Regulation (EEC) No 828/87 ⁽³⁾ and the detailed rules for intervention were laid down in Article 3 (2) of Commission Regulation (EEC) No 2226/78 of 25 September 1978 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽⁴⁾, as last amended by Regulation (EEC) No 827/87 ⁽⁵⁾; whereas the abovementioned provisions make it possible to introduce intervention measures for the Member States or regions of Member States and in respect of the qualities provided for in this Regulation;

Whereas the buying-in prices for the qualities concerned should also be fixed, pursuant to Article 6a (4) of Regulation (EEC) No 805/68 and to Regulation (EEC) No 827/87; whereas, moreover, the maximum and minimum limits within which the Member States may vary the buying-in prices should be laid down in respect of each of

those qualities so as to take account of the class subdivisions adopted pursuant to Article 3 (3) of Council Regulation (EEC) No 1208/81 of 28 April 1981 determining the Community scale for the classification of carcasses of adult bovine animals ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The intervention agencies of each Member State or region within a Member State which are specified in Annex I shall purchase the products specified in the Annex to Regulation (EEC) No 828/87 which belong to the groups of qualities set out in Annex I.
2. The buying-in prices, expressed in ECU per 100 kilograms carcass weight, are specified in Annex II.
3. The buying-in price for each quality, referred to in paragraph 2, may be increased by up to 2 ECU or reduced by a maximum of 5 ECU to take account of the possible subdivision of each classification under the Community scale referred to in Article 3 (3) of Regulation (EEC) No 1208/81.

Article 2

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, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 8.

⁽⁴⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁵⁾ OJ No L 80, 24. 3. 1987, p. 6.

⁽⁶⁾ OJ No L 123, 7. 5. 1981, p. 3.

ANNEX I

Member States or regions within a Member State and groups of qualities referred to in Article 1 (1)

Member State/Region	Groups of qualities (category and class)
a) Belgium	AU, AR, AO
Denmark	CR, CO
Germany	AU, AR
Spain	AO
France	CR
Ireland	CU, CR
Luxembourg	AR, AO, CO
Great Britain	CU, CR
Northern Ireland	CU, CR, CO
b) Belgium	CR
Denmark	AR, AO
Spain	AU, AR
France	AU, AR, AO, CU, CO
Ireland	CO
Italy	AU, AR, AO
Luxembourg	CR
The Netherlands	AR

ANNEX II

Buying-in price in ECU per 100 kilograms carcase weight

Quality (category and class)	Equivalent carcase price	Hindquarter price	
		straight cut (1)	pistola cut (2)
AU2	316,746	380,095	395,933
AU3	312,395	374,874	390,494
AR2	305,794	366,953	382,243
AR3	301,413	361,696	376,766
AO2	292,220	350,664	365,275
AO3	287,779	345,335	359,724
CU2	306,392	367,670	382,990
CU3	302,183	362,620	377,729
CU4	293,766	352,519	367,208
CR3	300,419	360,503	375,524
CR4	291,685	350,022	364,606
CO3	285,513	342,616	356,891

(1) Conversion coefficient 1,20.

(2) Conversion coefficient 1,25.

COMMISSION REGULATION (EEC) No 888/87

of 27 March 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 April 1987.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 27 March 1987 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)					
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
ex 10.06	Rice :				
	B. I. Paddy rice, husked rice :				
	a) Paddy rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Husked rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Wholly milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	III. Broken rice	—	—	—	—

COMMISSION REGULATION (EEC) No 889/87

of 27 March 1987

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1588/86⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 April 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 27 March 1987 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	160,93
11.07 A II b)	214,08
11.07 B	249,49

COMMISSION REGULATION (EEC) No 890/87

of 27 March 1987

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 April 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 27 March 1987 fixing the corrective amount applicable to the refund on malt

<i>(ECU/tonne)</i>						
CCT heading No	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	0
11.07 B	0	0	0	0	0	0

<i>(ECU/tonne)</i>						
CCT heading No	6th period 10	7th period 11	8th period 12	9th period 1	10th period 2	11th period 3
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	0
11.07 B	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 891/87

of 27 March 1987

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

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

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

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

Whereas it may be altered in the period between fixings;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 April 1987.

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

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 27 March 1987 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		4	5	6	7	8	9	10
10.01 B I	Common wheat and meslin	0	0	— 30,00	— 30,00	— 30,00	— 30,00	— 30,00
10.01 B II	Durum wheat	0	0	0	0	—	—	—
10.02	Rye	0	0	0	0	—	—	—
10.03	Barley	0	0	— 20,00	— 20,00	— 20,00	— 20,00	— 20,00
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing							
	for export to :							
	— zones I, II b), IV b), V a), VI and the German Democratic Republic	0	+ 20,00	+ 20,00	—	—	—	—
	— Other third countries	0	0	0	—	—	—	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.01 B	Rye flour	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.02 A I a)	Durum wheat groats and meal	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.02 A I b)	Common wheat groats and meal	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00

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

COMMISSION REGULATION (EEC) No 892/87

of 27 March 1987

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 63, 9. 3. 1983, p. 10.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 368, 31. 12. 1985, p. 16.

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 April 1987.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 27 March 1987 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund		
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I):			
		Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:			
	0510	— Exceeding 5 % but not exceeding 10 %	7,83 ⁽²⁾	8,40 ^{(2) (3)}	— ⁽⁴⁾
	1010	— Exceeding 10 % but not exceeding 20 %	15,66 ⁽²⁾	16,80 ^{(2) (3)}	— ⁽⁴⁾
	2010	— Exceeding 20 % but not exceeding 30 %	31,31 ⁽²⁾	33,59 ^{(2) (3)}	— ⁽⁴⁾
	3010	— Exceeding 30 % but not exceeding 40 %	46,97 ⁽²⁾	50,39 ^{(2) (3)}	— ⁽⁴⁾
	4010	— Exceeding 40 % but not exceeding 50 %	62,62 ⁽²⁾	67,19 ^{(2) (3)}	— ⁽⁴⁾
	5010	— Exceeding 50 % but not exceeding 60 %	78,28 ⁽²⁾	83,98 ^{(2) (3)}	— ⁽⁴⁾
	6010	— Exceeding 60 % but not exceeding 70 %	93,93 ⁽²⁾	100,78 ^{(2) (3)}	— ⁽⁴⁾
	7010	— Exceeding 70 %	102,47 ⁽²⁾	109,94 ^{(2) (3)}	— ⁽⁴⁾

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

(²) For exports to Zones A, B, C, D and E specified in Annex II to Regulation (EEC) No 1124/77.

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

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

(⁴) For export to other third countries.

COMMISSION REGULATION (EEC) No 893/87**of 27 March 1987****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 April 1987.

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

Done at Brussels, 27 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 27 March 1987 fixing the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	220,78
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	246,62
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽⁷⁾	217,98
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽⁷⁾	186,84
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II) ⁽⁷⁾	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	228,14
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	246,62
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ^{(1) (8)}	280,26
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ^{(1) (8)}	217,98
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1,3 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ^{(1) (8)}	186,84
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ⁽²⁾	220,78
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (<i>ECU/tonne</i>)
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of tegument content not exceeding 0,5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	219,22
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	220,78
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	232,92
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 B II c) (1)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('Gruetze' or 'Grutten') ^{(2) (6)}	233,55
11.02 B II c) (2)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ('Gruetze' or 'Grutten') ^{(2) (6)}	179,06
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽²⁾	294,38
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽²⁾	235,50
11.02 C IV	Pearled oats ⁽²⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	127,00
11.02 D II	Rye not otherwise worked than kibbled	129,00
11.02 E I b) 1 (aa)	Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	220,78
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	274,02
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	219,22
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	249,12

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	202,41
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	36,11
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	38,92
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	257,09
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	262,00
11.08 A I	Maize starch (*)	226,53
11.08 A II	Rice starch (*)	309,70
11.08 A III	Wheat starch (*)	273,75
11.08 A IV	Potato starch (*)	226,53
11.08 A V	Starches other than maize, rice, wheat, or potato starch (*)	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6,25$)	333,48
17.02 B II a)	Glucose and malto-dextrine, other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated (*)	295,47
17.02 B II b)	Malto-dextrine and malto-dextrine syrup; glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated (*)	226,53
17.02 F II a)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, in the form of powder, whether or not agglomerated	309,54
17.02 F II b)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, other than in the form of powder	215,27
21.07 F II	Flavoured or coloured glucose syrup, and malto-dextrine syrup	226,53
23.02 A I a)	Brans sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	35,79
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	35,79
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1,5 % by weight	35,79
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	35,79
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6,25$)	112,56

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

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 19 March 1987

amending Directive 82/501/EEC on the major-accident hazards of certain industrial activities

(87/216/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 19 of Council Directive 82/501/EEC ⁽⁴⁾ requires the Council to review, on a proposal from the Commission, Annexes I, II and III thereof;

Whereas the protection of man and the environment and safety and health protection at work call for the provisions of Directive 82/501/EEC to be strengthened with regard to some industrial activities which involve, or may involve, particularly dangerous substances;

Whereas for some particularly toxic substances it is necessary to lower the threshold quantities set out in Annexes II and III in order that all industrial activities which involve, or may involve, these substances in quantities equal to or above the given threshold levels are covered by Article 5 of Directive 82/501/EEC, with a view to

reducing the hazards of major accidents and enabling the necessary steps to be taken to reduce their consequences;

Whereas it is necessary to cover the industrial activities which involve, or may involve, sulphur trioxide and liquid oxygen and the isolated storage of sulphur trioxide, as they may have serious consequences for man and the environment in the event of a major accident;

Whereas the industrial activities involving sulphur dioxide can pose a greater hazard than the isolated storage of sulphur dioxide;

Whereas it is necessary to define more closely some substances or groups of substances and to amend the corresponding threshold quantities in order to reflect the different range of hazards posed by the different forms and types of these substances or groups of substances;

Whereas it is appropriate that the industrial activities involving ammonium nitrate, sodium chlorate and liquid oxygen and the storage of these substances fall within the scope of Annexes II and III to Directive 82/501/EEC, whenever the respective threshold quantities set out in these Annexes are exceeded;

Whereas it is appropriate that certain amendments should be made to Annex I to Directive 82/501/EEC;

Whereas it is necessary to make it clear that the list of processes set out in Annex I (1) to Directive 82/501/EEC is not exhaustive, but merely gives examples of some important operations, and that all other operations which could be used for the production, processing or treatment of organic or inorganic chemicals are also covered by this Annex;

⁽¹⁾ OJ No C 305, 26. 11. 1985, p. 9.

⁽²⁾ OJ No C 76, 23. 3. 1987.

⁽³⁾ OJ No C 101, 28. 4. 1986, p. 10.

⁽⁴⁾ OJ No L 230, 5. 8. 1982, p. 1.

Whereas the Advisory Committee on Safety, Hygiene and Health Protection at Work, set up by Council Decision 74/325/EEC⁽¹⁾, has been consulted,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I, II and III to Directive 82/501/EEC shall be amended in accordance with the Annex hereto.

Article 2

1. In the case of existing industrial activities which will be subject to the provisions of Directive 82/501/EEC for the first time following adoption of this amendment, the declaration provided for in Article 9 (3) of the said Directive shall be submitted to the competent authority within 24 months of notification of this Directive.

2. In these cases also, the supplementary declaration provided for in Article 9 (4) of Directive 82/501/EEC

shall be submitted to the competent authority within five years of notification of this Directive.

Article 3

1. Member States shall take the measures necessary to comply with this Directive not later than 18 months after notification of the Directive. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 19 March 1987.

For the Council

The President

M. SMET

⁽¹⁾ OJ No L 185, 9. 7. 1974, p. 15.

ANNEX

1. Annex I

Industrial installations within the meaning of Article 1

- (a) In point 1, first indent, 'Installations for the production or processing of organic or inorganic chemicals using for this purpose, in particular:' is replaced by the following:

'Installations for the production, processing or treatment of organic or inorganic chemicals using for this purpose, amongst others:';

- (b) In point 1, second indent, 'Installations for the processing of organic and inorganic chemical substances, using for this purpose, in particular:' is deleted, and the rest of this indent becomes part of the first indent.

- (c) Point 4, 'Installations for the production or processing of energy gases, for example, LPG, LNG, SNG' is replaced by the following:

'Installations for the production, processing or treatment of energy gases, for example, LPG, LNG, SNG'.

2. Annex II

Storage at installations other than those covered by Annex I ('isolated storage')

- (a) Footnotes 1 and 2 are deleted, together with the references to them in the text itself.

- (b) The quantities of the substance chlorine are replaced by the following:

Quantities (tonnes) $\geq$	
For application of Articles 3 and 4	For application of Article 5
10	75

- (c) The designation and the quantities of the substance ammonium nitrate are replaced by the following:

	Quantities (tonnes) $\geq$	
	For application of Articles 3 and 4	For application of Article 5
7. (a) Ammonium nitrate ⁽¹⁾	350	2 500
7. (b) Ammonium nitrate in the form of fertilizers ⁽²⁾	1 250	10 000

⁽¹⁾ This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is $> 28\%$ by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is $> 90\%$ by weight.

⁽²⁾ This applies to straight ammonium nitrate fertilizers which comply with Directive 80/876/EEC and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is $> 28\%$ by weight (a compound fertilizer contains ammonium nitrate together with phosphate and/or potash).

- (d) The following substance is added:

	Quantities (tonnes) $\geq$	
	For application of Articles 3 and 4	For application of Article 5
10. Sulphur trioxide	15	100

3. Annex III

List of substances for the application of Article 5

- (a) Footnote 1 is deleted.
- (b) The quantity of substance No 15 'Carbonyl chloride (Phosgene)' is replaced by the following quantity :
750 kilograms
- (c) The quantity of substance No 16 'Chlorine' is replaced by the following quantity :
25 tonnes
- (d) The quantity of substance No 36 'Methyl isocyanate' is replaced by the following quantity :
150 kilograms
- (e) The designation and quantity of substance No 118 'Cobalt (powders and compounds)' are replaced by the following :

Name	Quantity (≥)
118. Cobalt metal, oxides, carbonates, sulphides, as powders	1 tonne

- (f) The designation and quantity of substance No 119 'Nickel (powders and compounds)' are replaced by the following :

Name	Quantity (≥)
119. Nickel metal, oxides, carbonates, sulphides, as powders	1 tonne

- (g) The designation and quantity of substance No 146 'Ammonium nitrate' are replaced by the following :

Name	Quantity (≥)
146. (a) Ammonium nitrate ⁽¹⁾	2 500 tonnes
146. (b) Ammonium nitrate in the form of fertilizers ⁽²⁾	5 000 tonnes

⁽¹⁾ This applies to ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate is > 28 % by weight and aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is > 90 % by weight.

⁽²⁾ This applies to straight ammonium nitrate fertilizers which comply with Directive 80/876/EEC and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is > 28 % by weight (a compound fertilizer contains ammonium nitrate together with phosphates and/or potash).

- (h) The quantity of substance No 148 'Sulphur dioxide' is replaced by the following quantity :
250 tonnes

- (i) The following substance is added :

Name	Quantities (≥)	CAS No	EEC No
179. Liquid oxygen	2 000 tonnes	7 782-44-7	008-001-00-8

- (j) The following substance is added :

Name	Quantity (≥)	CAS No	EEC No
180. Sulphur trioxide	75 tonnes	7 446-11-9	

COUNCIL DIRECTIVE
of 19 March 1987
on the prevention and reduction of environmental pollution by asbestos

(87/217/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas successive action programmes of the European Communities ⁽⁴⁾ on the environment emphasize the importance of preventing and reducing environmental pollution; whereas in this context asbestos has been listed among the first-category pollutants to be investigated on the grounds of their toxicity and of their potentially serious effects on human health and the environment;

Whereas Council Directive 83/478/EEC ⁽⁵⁾ inserted in Directive 76/769/EEC ⁽⁶⁾, as last amended by Directive 85/467/EEC ⁽⁷⁾, provisions restricting the marketing and use of crocidolite (blue asbestos) and products containing crocidolite fibres and special provisions concerning the labelling of products containing asbestos;

Whereas Council Directive 83/477/EEC ⁽⁸⁾ lays down provisions on the protection of workers from the risks related to exposure to asbestos at work;

Whereas Directive 84/360/EEC ⁽⁹⁾, lays down provisions on the combating of air pollution from industrial plants;

Whereas Member States should take the measures necessary to ensure that asbestos emissions into the air, asbestos discharges into the aquatic environment, and solid asbestos-waste are, as far as possible, reduced at source or prevented;

Whereas it is appropriate to allow a sufficient period of time for the application of these measures to existing plants;

Whereas Member States should have the possibility, whilst respecting the provisions of the Treaty, to intro-

duce more stringent provisions in order to protect health and the environment;

Whereas disparities between the provisions in force or being amended in the Member States as regards the control of pollution from industrial plants can create unequal conditions of competition and thereby directly affect the functioning of the common market; whereas it is therefore necessary to approximate legislation in this field pursuant to Article 100 of the Treaty;

Whereas reducing pollution by asbestos serves to further one of the Community's objectives regarding the protection and improvement of the environment; whereas, however, specific powers for this purpose are not expressly provided for in the Treaty and Article 235 must therefore also be invoked,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The objective of this Directive is to lay down measures and to supplement provisions already in force, with a view to preventing and reducing pollution by asbestos in the interests of the protection of human health and the environment.

2. This Directive shall be applied without prejudice to the provisions laid down by Directive 83/477/EEC.

Article 2

For the purpose of this Directive:

1. *Asbestos* means the following fibrous silicates:

- crocidolite (blue asbestos),
- actinolite,
- anthophyllite,
- chrysotile (white asbestos),
- amosite (brown asbestos),
- tremolite.

2. *Raw asbestos* means:

the product resulting from the primary crushing of asbestos ore.

3. *Use of asbestos* means:

activities which involve the handling of a quantity of more than 100 kilograms of raw asbestos per year and which concern:

⁽¹⁾ OJ No C 349, 31. 12. 1985, p. 27.

⁽²⁾ Opinion delivered on 9 March 1987 (not yet published in the Official Journal)

⁽³⁾ OJ No C 207, 18. 8. 1986, p. 21.

⁽⁴⁾ OJ No C 112, 20. 12. 1973, p. 1, OJ No C 139, 13. 6. 1977, p. 1 and OJ No C 46, 17. 2. 1983, p. 1.

⁽⁵⁾ OJ No L 263, 24. 9. 1983, p. 33.

⁽⁶⁾ OJ No L 262, 27. 9. 1976, p. 201.

⁽⁷⁾ OJ No L 269, 11. 10. 1985, p. 56.

⁽⁸⁾ OJ No L 263, 24. 9. 1983, p. 25.

⁽⁹⁾ OJ No L 188, 16. 7. 1984, p. 20.

- (a) the production of raw asbestos ore excluding any process directly associated with the mining of the ore, and/or
 - (b) the manufacturing and industrial finishing of the following products using raw asbestos: asbestos cement or asbestos-cement products, asbestos friction products, asbestos filters, asbestos textiles, asbestos paper and card, asbestos jointing, packaging and reinforcement materials, asbestos floor coverings, asbestos fillers.
4. *Working of products containing asbestos* means: activities other than the use of asbestos, which are liable to release asbestos into the environment.
5. *Waste* means: any substance or object as defined in Article 1 of Directive 75/442/EEC⁽¹⁾.

Article 3

1. Member States shall take the measures necessary to ensure that asbestos emissions into the air, asbestos discharges into the aquatic environment, and solid asbestos waste are, as far as reasonably practicable, reduced at source and prevented. In the case of the use of asbestos, these measures should entail using the best available technology not entailing excessive cost, including where appropriate recycling or treatment.
2. In the case of existing plants, the requirement in paragraph 1 that best available technology not entailing excessive costs be used to reduce and eliminate emissions of asbestos into the air shall be applied taking into account the elements set out in Article 13 of Directive 84/360/EEC.

Article 4

1. Without prejudice to Article 3, Member States shall take the measures necessary to ensure that the concentration of asbestos emitted through the discharge ducts into the air during use of asbestos does not exceed a limit value of 0,1 mg/m³ (milligrams of asbestos per m³ of air discharged).
2. Member States may exempt from the obligation referred to in paragraph 1 the plants emitting less than 5 000 m³/hour total gaseous discharges, where the discharge of asbestos into the air is not more than 0,5 grams per hour at any time under normal operating conditions.

When this exemption applies, the competent authorities of Member States shall take appropriate measures in order to ensure that the thresholds referred to in the first subparagraph are not exceeded.

Article 5

Member States shall take the measures necessary to ensure that:

- (a) all aqueous effluent arising in the manufacture of asbestos cement is recycled. Where such recycling is

not economically feasible, Member States shall take the measures necessary to ensure that the disposal of liquid waste containing asbestos does not result in pollution of the aquatic environment and other sectors including the air.

To this end:

- the limit value of 30 grams of total suspended matter per m³ of aqueous effluent discharged shall apply,
- the competent authorities of Member States shall, for each plant concerned, specify the volume of discharges into water of the total quantity of suspended matter discharged per tonne of product taking account of the specific situation of the plant.

These limits shall apply at the point where the waste waters leave the industrial plant.

- (b) All aqueous effluent arising in the manufacture of asbestos paper or board is recycled.

However, the discharge of aqueous effluent containing not more than 30 grams of suspended matter per m³ of water may be authorized during routine cleaning or maintenance of the plant.

Article 6

1. Member States shall take the measures necessary to ensure that measurements are taken at regular intervals of emissions into the air and of discharges of aqueous effluent from facilities to which the limit values provided for in Articles 4 and 5 apply.
2. For the purposes of checking compliance with the said limit values the sampling and analysis procedures and methods shall be in conformity with those described in the Annex or with any other procedure or method which gives equivalent results.
3. Member States shall notify to the Commission the procedures and methods they are using together with the information relevant to assess the pertinence of such procedures and methods. On the basis of this information, the Commission will keep under review the equivalence of the different procedures and methods and report to the Council five years after notification of the Directive.

Article 7

Member States shall take the measures necessary to ensure that:

- activities involving the working of products containing asbestos do not cause significant environmental pollution by asbestos fibres or dust,
- the demolition of buildings, structures and installations containing asbestos and the removal therefrom of asbestos or materials containing asbestos involving the release of asbestos fibres or dust do not cause

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 47.

significant asbestos environmental pollution; to that end they shall satisfy themselves that the plan of work provided for in Article 12 of Directive 83/477/EEC prescribes the introduction of all the necessary preventive measures to this end.

Article 8

Without prejudice to Directive 78/319/EEC⁽¹⁾, as last amended by the 1985 Act of Accession, Member States shall take the measures necessary to ensure that:

- in the course of the transport and deposition of waste containing asbestos fibres or dust, no such fibres or dust are released into the air and no liquids which may contain asbestos fibres are spilled,
- where waste containing asbestos fibres or dust is land-filled at sites licensed for the purpose, such waste is so treated, packaged or covered, with account being taken of local conditions, that the release of asbestos particles into the environment is prevented.

Article 9

A Member State may, in order to protect health and the environment, introduce provisions which are more stringent than those of this Directive, in compliance with the conditions laid down by the Treaty.

Article 10

The procedure provided for in Articles 11 and 12 is established for the adaptation of the Annex to technical progress and shall be followed for any modification of the methods of sampling and analysis mentioned in the Annex. This adaptation must not result in any direct or indirect modification of the limit values indicated in Articles 4 and 5.

Article 11

A Committee for the adaptation of this Directive to scientific and technical progress, hereinafter called 'the Committee', consisting of representatives of the Member States and chaired by a representative of the Commission, is hereby set up.

The Committee shall draw up its rules of procedure.

Article 12

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Committee, either on his own initiative or at the request of the representative of a Member State.
2. The representative of the Commission shall submit to the Committee a draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by a majority of 54 votes, the votes of the

Member States being weighted as provided for in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. (a) The Commission shall adopt the intended measures when they are in accordance with the Committee's opinion.

- (b) Where the intended measures are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of three months from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately.

Article 13

1. The Commission shall periodically make a comparative assessment of the application of this Directive by Member States. Member States shall supply the Commission with all information relevant to this end. The confidential nature of any information supplied should be respected.

2. Where necessary, in the light of the evolution of knowledge in the medical field and that of technological progress, the Commission shall submit further proposals aimed at preventing and reducing pollution by asbestos in the interests of the protection of human health and the environment.

Article 14

1. Subject to paragraph 2, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 December 1988. They shall forthwith inform the Commission thereof.

2. Member States shall adopt and publish the provisions necessary to comply with Articles 4 and 5 as soon as possible and in any case not later than 30 June 1991 for plants built or authorized before the date given in paragraph 1.

3. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 15

This Directive is addressed to the Member States.

Done at Brussels, 19 March 1987.

For the Council
The President
M. SMET

⁽¹⁾ OJ No L 84, 31. 3. 1978, p. 43.

ANNEX

METHODS OF SAMPLING AND ANALYSES

A. DISCHARGE OF AQUEOUS EFFLUENT

The reference method of analysis to determine total suspended matter (filterable matter from the non precipitated sample) as expressed in mg/l shall be filtering through a 0,45 µm filter membrane, drying at 105 °C and weighing⁽¹⁾.

Samples must be taken in such a way as to be representative of the discharge over a 24-hour period.

This determination must be conducted to a precision⁽²⁾ of $\pm 5\%$ and an accuracy⁽²⁾ of $\pm 10\%$.

B. SPECIFICATIONS TO BE MET WHEN SELECTING A METHOD FOR MEASURING EMISSIONS INTO THE AIR

I. Gravimetric method

1. The method selected shall be a gravimetric method which is capable of measuring the total quantities of dust emitted through the discharge ducts.

Account shall be taken of the concentration of asbestos in dust. When concentration measurements are required, the concentration of asbestos in dust shall be measured or evaluated. The controlling authority shall decide on the periodicity of such measure, according to the characteristics of the plant and of its production, but this should be initially at least every six months. If a Member State has established that the concentration does not display any significant variation, the frequency of measurement may be reduced. Where periodical measures are not taken, the limit value specified in Article 4 of the Directive applies to the total dust emissions.

Sampling shall be conducted before any dilution of the flow to be measured.

2. The sampling must be conducted to a precision of $\pm 40\%$ and an accuracy of $\pm 20\%$ at the limit value. The limit of detection must be 20 %. At least two measurements under the same conditions shall be made in order to check the compliance with the limit value.

3. *Operation of the installation*

Measurements shall only be valid if sampling takes place while the installation is operating normally.

4. *Selecting the sampling point*

Sampling shall take place at a point where there is a laminar flow of air. As far as possible, care shall be taken to avoid turbulence, and obstacles which might disrupt the flow of air.

5. *Modifications required for sampling*

Suitable apertures shall be made in ducts where sampling is to take place and proper platforms shall be provided.

6. *Measurements to be taken before sampling*

Before sampling commences, it is first necessary to measure air temperature and pressure and the velocity of flow in the duct. Air temperature and pressure shall normally be measured along the sampling line at normal flow rates. Under exceptional conditions, it is also necessary to measure the water vapour concentration so that the results can be amended accordingly.

7. *General requirements of the sampling procedure*

The procedure requires a sample of air from a duct carrying the emissions of asbestos dust to be drawn through a filter, and the asbestos content of the dust retained in the filter to be measured.

- 7.1. The sampling line shall first be checked to ensure that it is airtight and that there are no leaks which might give rise to measurement errors. The sampler head shall be carefully sealed off and the sampler pump started up. The rate of leakage shall not exceed 1 % of the normal sampling flow.

⁽¹⁾ See Annex III to Directive 82/883/EEC (OJ No L 378, 31. 12. 1982, p. 1).

⁽²⁾ These items are defined in Article 2 of Directive 79/869/EEC (OJ No L 271, 29. 10. 1979, p. 44) as amended by Directive 81/855/EEC (OJ No L 319, 7. 11. 1981, p. 16).

- 7.2. Normally sampling shall be conducted under isokinetic conditions.
- 7.3. Duration of sampling shall depend on the type of process being monitored and the sampling line used and the sampling period shall be sufficient to ensure that an adequate quantity of material is collected for weighing. It shall be representative of the full process being monitored.
- 7.4. When the sampler filter is not in the immediate proximity of the sampler head, it is essential to recover materials deposited in the sampling probe.
- 7.5. The sampler head and the number of points where samples must be taken shall be determined in accordance with the national standard adopted.
8. *Nature of the sampler filter*
 - 8.1. The filter appropriate to the technique of analysis used shall be chosen. For the gravimetric method, glassfibre filters are preferable.
 - 8.2. A minimum filtration efficiency of 99 % is required, as defined with reference to the DOP test using an aerosol with particles of 0,3 µm diameter.
9. *Weighing*
 - 9.1. An appropriate high precision balance shall be used.
 - 9.2. In order to achieve the accuracy required for weighing it is essential to condition filters thoroughly before and after sampling.
10. *Expression of results*

In addition to measurement data, results shall record temperature, pressure and flow data and shall include all relevant information, such as a simple diagram showing the location of sampling points, the dimensions of ducts, the volumes sampled and the method of calculation used to obtain the results. These results shall be expressed at normal temperature (273 K) and pressure (101,3 kPa).

II. Countable fibres method

Where fibre counting procedures are used for the purpose of checking compliance with the limit value in Article 4 of the Directive, subject to the provisions of Article 6 (3) of the Directive, a conversion factor of two fibres/ml to 0,1 mg/m³ of asbestos dust may be used.

For the purposes of the Directive a fibre is defined as any object of length greater than 5 µm, breadth less than 3 µm, and having a length/breadth ratio greater than 3/1, which is countable by phase contrast optical microscopy using the European reference method defined in Annex I of Directive 83/477/EEC.

A fibre counting method shall meet the following specifications :

1. The method shall be capable of measuring the concentration of countable fibres in the emitted gases.

The controlling authority shall decide on the periodicity of such measures, according to the characteristics of the plant and of its production, but this should be at least every six months. Where periodical measures are not taken, the limit value specified in Article 4 applies to the total dust emission.

Sampling shall be conducted before any dilution of the flow to be measured.
2. *Operation of the installation*

Measurement shall only be valid if sampling takes place while the installation is operating normally.
3. *Selecting the sampling point*

Sampling shall take place at a point where there is a laminar flow of air. As far as possible, care shall be taken to avoid turbulence and obstacles which might disrupt the flow of air.
4. *Modifications required for sampling*

Suitable apertures shall be made in ducts where sampling is to take place, and proper platforms shall be provided.
5. *Measurements to be taken before sampling*

Before sampling commences, it is first necessary to measure air temperature and pressure, and the velocity of flow in the duct. Air temperature and pressure shall normally be measured along the sampling line at normal flow rates. Under exceptional conditions, it is also necessary to measure the water vapour concentration so that the results can be amended accordingly.

6. *General requirements of the sampling procedure*

The procedure requires a sample of air from a duct carrying the emissions of asbestos dust to be drawn through a filter, and the countable asbestos fibres in the dust retained on the filter to be measured.

- 6.1. The sampling line shall first be checked to ensure that it is airtight, and that there are no leaks which might give rise to measurement errors. The sampling head shall be carefully sealed off and the sampling pump started up. The rate of leakage shall not exceed 1 % of the normal sampling flow.
- 6.2. Sampling of the emitted gases shall be conducted inside the emission duct under isokinetic conditions.
- 6.3. Duration of sampling shall depend on the type of process being monitored and the size of the sampling nozzle used. The sampling period shall be sufficient to ensure that the sample collection filter carries between 100-600 countable asbestos fibres/mm². It shall be representative of the full process being monitored.
- 6.4. The sampling head and the number of points where samples must be taken shall be determined in accordance with the national standard adopted.

7. *Nature of the sampling collection filter*

- 7.1. The filter appropriate to the technique of measurement shall be chosen. For the countable fibre method, membrane filters (mixed esters of cellulose or cellulose nitrate) of nominal pore size 5 µm, with printed squares and a diameter of 25 mm shall be used.
- 7.2. The sample collection filter shall have a minimum filtration efficiency of 99 % with respect to countable asbestos fibres.

8. *Counting of fibres*

The fibre counting method shall conform to the European reference method, as set out in Annex I of Directive 83/477/EEC.

9. *Expression of results*

In addition to measurement data, results shall record temperature, pressure and flow data and shall include all relevant information, such as a simple diagram showing the location of sampling points, the dimensions of ducts, the volumes sampled and the method of calculation used to obtain the results. These results shall be expressed at normal temperature (273 K) and pressure (101,3 kPa).

COUNCIL DECISION

of 19 March 1987

amending Decision 83/641/EEC adopting joint research programmes and programmes for coordinating agricultural research

(87/218/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Commission has stressed that current trends in respect of many agricultural products are inevitably tending to boost surpluses at heavy cost to the budget ;

Whereas this situation entails an unjustified waste of resources and is generating a climate of uncertainty hampering the work and the decisions of Community farmers ;

Whereas, accordingly, the Commission has stated its intention to step up sharply its commitment with regard to the promotion and coordination of agricultural research and experimenting, with a strengthening of the policy on agricultural research and more efficient organization of the transfer of technology ;

Whereas these measures are contemplated as the best means of encouraging changes in production on the farm prompted by changes in the common agricultural policy ;

Whereas, in this connection, farmers must be helped to adapt, by switching to other products, to the new conditions resulting from the surpluses combined with a policy of restrictive pricing ;

Whereas, in this connection, production should be adapted to the qualities required by the markets and the consumers ;

Whereas the efficiency of farms should be improved, given the need to control production and cut prices ;

Whereas proper protection of the environment and the preservation of the countryside by conservation of soil and water resources must be ensured ;

Whereas prompt and effective dissemination of information on research to farm counsellors and farmers is needed ;

Whereas, however, present research, already contributing wholly or in part to the new approach, and which, of its nature, can be applied immediately in farming, should be continued ;

Whereas the proposal with regard to agricultural research fits into the framework programme on scientific and technical activities of the Community ;

Whereas coordination with the biotechnology programmes underway and being prepared on the agriculture/industry interface is fully ensured ;

Whereas the aim is to supplement present research by pinpointing sectors in which a special effort is necessary for the development and pursuit of the policy ;

Whereas the amount for the Community financial participation in the implementation of the said programmes, as provided for in Decision 83/641/EEC ⁽⁴⁾, should be adapted because of the increased need to use research and technical and technological development to provide a response to the challenges that the Community now has to contend with in the socio-economic field,

HAS DECIDED AS FOLLOWS :

Sole Article

Decision 83/641/EEC is hereby amended as follows :

1. in Article 1 (3), '30 million ECU' is replaced by '50 million ECU' ;
2. the Annex is amended in accordance with the Annex hereto.

Done at Brussels, 19 March 1987.

*For the Council**The President*

M. SMET

⁽¹⁾ OJ No C 273, 29. 10. 1986, p. 12.⁽²⁾ OJ No C 227, 8. 9. 1986, p. 110.⁽³⁾ OJ No C 328, 22. 12. 1986, p. 37.⁽⁴⁾ OJ No L 358, 22. 12. 1983, p. 36.

ANNEX

1. Section 'I. UTILIZATION AND CONSERVATION OF AGRICULTURAL RESOURCES' is amended as follows :

(a) In the second subparagraph of paragraph 1 :

(i) point (b), first indent, is replaced by the following :

— Cropping techniques, work methods and adaptation of machinery to requirements with a view to reducing production costs.';

(ii) point (c), first and second indents, are replaced by the following :

— Use of crops having great economic and industrial value to produce energy from the biomass and provide a response to specific requirements of industry

— More efficient use of crop subproducts for better use of the total biomass.';

(b) In the second subparagraph of paragraph 2 :

(i) point (c), first and second indents, are replaced by the following :

— Optimum use of land and water resources for the production of food and low-cost energy crops.

— Comparison of farming methods involving low inputs with traditional intensive farming methods with a view to an improvement in the income of farmers and improved product quality.';

(ii) point (d), second indent, is replaced by the following :

— Computerization of data on soil use with a view to optimum and rational use of agricultural resources.'

2. Section 'II. STRUCTURAL PROBLEMS' is amended as follows :

In the second subparagraph of paragraph 3, points (c) and (d) are replaced by the following :

(c) Market and marketing aspects connected with the quality of the final product in the light of consumer concerns, particularly in the field of typical regional products.

(d) Research will concern new products and new techniques for the use of agricultural products that can replace or improve food products.'

3. Section 'III. IMPROVEMENT OF ANIMAL AND PLANT PRODUCTIVITY' is amended as follows :

(a) In the second subparagraph of paragraph 1 :

(i) point (b), fourth indent, is replaced by the following :

— Alternative production systems with a view to quality production.';

(ii) point (c), second and third indents, are replaced by the following :

— Rumen function and feeding standards allowing for the reduced use of feed additives.

— Improvement of biological and economic efficiency by identification of the most profitable stockfarming systems.';

b) In paragraph 2 :

(i) the second subparagraph, points (a) and (b), are amended as follows :

(a) Continued plant breeding for improved disease resistance, better quality products and stable yields, with proper regard to the conservation of the genetic stock of the species.

(b) Improvement in agricultural methods and techniques in terms of the physiological requirements of plants, having due regard to the cost of production techniques and the scope for extensification.';

(ii) the third subparagraph is replaced by the following :

'Special attention will be given to fodder crops, crops for which the Community suffers a deficit, crops of special regional interest and crops that can be used as new sources of energy or to meet the requirements of industry in accordance with the wishes expressed by the European Parliament concerning an intensification of research into plant proteins.'

4. The following subparagraph is added to Section 'IV. COORDINATION OF RESEARCH' :

'The programme will also establish methods for the dissemination of information deriving from the results of research, so that such information can be promptly made available and easily grasped by the farmers.'

COMMISSION OF THE EUROPEAN COMMUNITIES

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