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Council

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1316/87
of 11 May 1987
on the safeguard measures provided for in the Third ACP-EEC Convention

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the detailed rules for implementing the safeguard clauses provided for in Chapter 1 of Title I of Part 3 of the Third ACP-EEC Convention signed at Lomé on 8 December 1984 (hereinafter called 'the Convention') should be laid down in such a way as to enable the Community and the Member States to comply with the obligations they have assumed in this connection;

Whereas this Regulation lays down specific provisions in relation to the general rules provided for in particular in Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾ insofar as this is made necessary by the provisions of the Convention;

Whereas, when examining whether a safeguard measure should be introduced, account should be taken of the undertakings given in Article 139 (2), (3) and (4) and in Article 142 of the Convention;

Whereas the procedures concerning the safeguards clauses provided for in the Treaty establishing the European Economic Community and in the Regulations on the common organization of agricultural markets are also applicable;

Whereas these provisions replace those of Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the Second ACP-EEC Convention⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where a Member State asks the Commission to apply safeguard measures as provided for in Article 139 of

the Convention, the Commission shall inform the Council within three working days of the action which it intends to take on this request.

If the Commission decides not to apply safeguard measures, any Member State may refer this decision to the Council within 10 working days of notification of the Commission's position. The Council shall meet without delay. Acting by a qualified majority, it may amend the decisions taken by the Commission.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that safeguard measures as provided for in Article 139 of the Convention should be applied:

- it shall inform the Member States forthwith,
- at the same time it shall inform the African, Caribbean and Pacific States (ACP) and shall notify them of the opening of the consultations referred to Article 140 (1) of the Convention,
- at the same time it shall supply the ACP States with all the information necessary for these consultations.

3. The Commission shall be assisted during the consultations referred to in paragraph 2 by a Committee composed of representatives of the Member States and chaired by a Commission representative.

The consultations shall at all events be deemed completed after 21 days have succeeded the notification provided for in paragraph 2.

Following, the consultations, or as the case may be, on expiry of this period of 21 days, and if it has not been possible to conclude any other arrangement, the Commission may take appropriate measures to implement Article 139 of the Convention.

4. The measures referred to in paragraph 3 shall be notified immediately to the Member States and to the ACP States.

They shall be applicable immediately.

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 147, 13. 6. 1980, p. 4.

5. Any Member State may refer a Commission decision adopted pursuant to paragraph 3 to the Council within 10 working days of notification of these measures.

6. If the Commission has not taken a decision within 10 working days following the end of the consultations or, as the case may be, the end of the period of 21 days, any Member State which has referred the matter to the Commission in accordance with paragraph 1 may refer it to the Council.

7. In the cases referred to in paragraph 5 and 6 the Council shall meet without delay. Acting by a qualified majority, it may conform, amend or cancel the measures in question.

8. This Article shall apply without prejudice to Article 2 and 3.

Article 2

1. Should special factors arise within the meaning of Article 140 (3) of the Convention, the Commission may take, or may authorize a Member State to take, immediate safeguard measures.

2. If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 1 (5).

The measures taken by a Member State in implementation of the decision of the Commission or, as the case may be, of the Council, and any amendment which it makes thereto, shall be notified to the other Member States and to the Commission.

Article 3

1. Without prejudice to the application of Articles 1 and 2, the Member State or States concerned may, in an

emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure the Commission shall, within five working days following the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days following notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken the measures, the Commission's decision shall be suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

Article 4

This Regulation shall preclude the application of Regulations establishing a common organization of agricultural markets or of Community or national administrative provisions derived therefrom or of the specific rules adopted under Article 235 of the Treaty for processed agricultural products; it shall be implemented as a complement to those instruments.

Article 5

Community notifications, as provided for in Article 139 of the Convention, shall be made to the ACP-EEC Council of Ministers by the Commission.

Article 6

This Regulation shall enter into force on the day following that 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, 11 May 1987.

For the Council

The President

M. EYSKENS

COMMISSION REGULATION (EEC) No 1317/87

of 13 May 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⁾, as amended by Regulation (EEC) No 910/87⁽⁴⁾, 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⁽⁵⁾ 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 12 May 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 14 May 1987.

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

Done at Brussels, 13 May 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 88, 31. 3. 1987, p. 42.

⁽⁵⁾ OJ No L 17, 20. 1. 1987, p. 1.

ANNEX

to the Commission Regulation of 13 May 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	16,66	201,24
10.01 B II	Durum wheat	52,48	258,58 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	45,73	177,46 ⁽⁶⁾
10.03	Barley	44,00	195,86
10.04	Oats	102,29	155,93
10.05 B	Maize, other than hybrid maize for sowing	4,93	181,14 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	44,00	130,66
10.07 B	Millet	44,00	148,33 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	29,91	186,64 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	44,00	67,98 ⁽⁵⁾
11.01 A	Wheat or meslin flour	39,02	297,43
11.01 B	Rye flour	79,72	264,14
11.02 A I a)	Durum wheat groats and meal	95,18	414,63
11.02 A I b)	Common wheat groats and meal	39,18	319,01

⁽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 1318/87

of 13 May 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⁾, as amended by Regulation (EEC) No 910/87 ⁽⁴⁾, 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 ⁽⁵⁾ 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 12 May 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 14 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESSEN

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 88, 31. 3. 1987, p. 42.
⁽⁵⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 13 May 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 5	1st period 6	2nd period 7	3rd period 8
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	2,31	2,31	2,31
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
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 1319/87**of 12 May 1987****establishing unit values for the determination of the customs value of certain perishable goods**

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 May 1987.

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

Done at Brussels, 12 May 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 335, 13. 12. 1985, p. 9.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	07.01-13 } 07.01-15 }	07.01 A II	New potatoes	33,43	1 440	260,98	69,42	232,10	5 171	25,96	50 344	78,29	23,16
1.12	ex 07.01-21 } ex 07.01-22 }	ex 07.01 B I	Broccoli	128,69	5 546	1 004,65	267,26	893,48	19 907	99,95	193 799	301,39	89,15
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	41,22	1 772	322,69	85,59	285,00	6 316	32,06	61 054	96,57	29,13
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	75,62	3 259	590,36	157,04	525,03	11 698	58,73	113 881	177,10	52,39
1.20	07.01-31 } 07.01-33 }	07.01 D I	Cabbage lettuce	66,57	2 868	519,66	138,24	462,15	10 297	51,69	100 243	155,89	46,11
1.22	ex 07.01-36	ex 07.01 D II	Endives	40,67	1 748	318,40	84,46	281,22	6 232	31,63	60 243	95,28	28,74
1.28	07.01-41 } 07.01-43 }	07.01 F I	Peas	123,50	5 322	964,14	256,48	857,45	19 104	95,91	185 984	289,23	85,26
1.30	07.01-45 } 07.01-47 }	07.01 F II	Beans (of the species Phaseolus)	112,87	4 864	881,14	234,40	783,63	17 459	87,66	169 973	264,33	78,19
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	28,32	1 220	221,09	58,81	196,63	4 381	21,99	42 649	66,32	19,62
1.40	ex 07.01-54	ex 07.01 G II	Carrots	33,85	1 459	264,31	70,31	235,06	5 237	26,29	50 985	79,29	23,45
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	74,15	3 195	578,86	153,99	514,81	11 470	57,58	111 664	173,65	51,37
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	32,20	1 388	251,43	66,88	223,60	4 982	25,01	48 501	75,42	22,31
1.70	07.01-67	ex 07.01 H	Garlic	170,55	7 350	1 331,37	354,17	1 184,05	26 381	132,45	256 824	399,40	118,14
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	30,12	1 297	235,77	62,60	208,56	4 628	23,41	44 668	70,60	21,14
1.80		07.01 K	Asparagus :										
1.80.1	ex 07.01-71		— green	220,24	9 491	1 719,24	457,35	1 529,00	34 067	171,04	331 644	515,76	152,56
1.80.2	ex 07.01-71		— other	232,62	10 025	1 815,94	483,07	1 615,00	35 983	180,66	350 297	544,76	161,15
1.90	07.01-73	07.01 L	Artichokes	135,44	5 837	1 057,28	281,25	940,29	20 950	105,18	203 951	317,17	93,82
1.100	07.01-75 } 07.01-77 }	07.01 M	Tomatoes	86,88	3 744	678,26	180,43	603,21	13 439	67,47	130 838	203,47	60,19
1.110	07.01-81 } 07.01-82 }	07.01 P I	Cucumbers	53,92	2 323	420,92	111,97	374,34	8 340	41,87	81 196	126,27	37,35
1.112	07.01-85	07.01 Q II	Chantarelles	980,32	41 938	7 660,46	2 022,11	6 757,62	146 689	760,37	1 437 668	2 279,32	724,02
1.118	07.01-91	07.01 R	Fennel	31,34	1 350	245,33	65,13	217,02	4 816	24,36	46 478	73,46	21,99
1.120	07.01-93	07.01 S	Sweet peppers	120,93	5 212	944,07	251,14	839,60	18 706	93,92	182 112	283,21	83,77
1.130	07.01-97	07.01 T II	Aubergines	83,39	3 594	650,99	173,17	578,96	12 899	64,76	125 578	195,29	57,77
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	54,98	2 369	429,22	114,18	381,73	8 505	42,70	82 798	128,76	38,09
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	58,05	2 501	453,17	120,55	403,02	8 979	45,08	87 417	135,94	40,21
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	74,60	3 185	582,47	153,85	512,38	11 235	57,94	109 532	173,25	55,53
2.10	08.01-31	ex 08.01 B	Bananas, fresh	49,08	2 115	383,17	101,93	340,77	7 592	38,12	73 915	114,95	34,00
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	52,69	2 271	411,35	109,42	365,83	8 151	40,92	79 351	123,40	36,50
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	111,46	4 803	870,09	231,46	773,81	17 240	86,56	167 841	261,02	77,21
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	148,95	6 419	1 162,77	309,32	1 034,10	23 040	115,68	224 300	348,82	103,18
2.50		08.02 A I	Sweet oranges, fresh :										
2.50.1	08.02-02 } 08.02-06 } 08.02-12 } 08.02-16 }		— Sanguines and semi-sanguines	77,44	3 337	604,54	160,82	537,65	11 979	60,14	116 617	181,35	53,64

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	45,75	1 971	357,13	95,00	317,61	7 076	35,53	68 892	107,13	31,69
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	38,59	1 651	301,62	79,61	266,07	5 775	29,93	56 607	89,74	28,50
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :										
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	80,33	3 462	627,14	166,83	557,75	12 427	62,39	120 977	188,14	55,65
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	40,78	1 756	319,17	84,74	282,34	6 265	31,70	60 468	95,57	28,61
2.60.3	08.02-28	08.02 B I	— Clementines	54,64	2 354	427,66	113,54	378,31	8 395	42,47	81 021	128,06	38,34
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	51,81	2 233	404,47	107,60	359,72	8 014	40,24	78 024	121,34	35,89
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	39,94	1 721	311,85	82,95	277,34	6 179	31,02	60 156	93,55	27,67
2.80		ex 08.02 D	Grapefruit, fresh :										
2.80.1	ex 08.02-70		— white	35,44	1 527	276,71	73,61	246,09	5 483	27,52	53 378	83,01	24,55
2.80.2	ex 08.02-70		— pink	63,28	2 727	494,04	131,42	439,37	9 789	49,15	95 301	148,20	43,84
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	158,07	6 812	1 234,00	328,27	1 097,45	24 451	122,76	238 041	370,19	109,50
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	144,87	6 243	1 130,95	300,85	1 005,81	22 409	112,51	218 162	339,27	100,36
2.95	08.05-50	08.05 C	Chestnuts	101,92	4 360	796,49	210,24	702,62	15 251	79,05	149 480	236,99	75,27
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	62,20	2 680	485,57	129,17	431,84	9 621	48,30	93 667	145,66	43,09
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	69,47	2 994	542,32	144,26	482,31	10 746	53,95	104 614	162,69	48,12
2.120	08.07-10	08.07 A	Apricots	43,22	1 863	337,44	89,76	300,10	6 686	33,57	65 094	101,23	29,94
2.130	ex 08.07-32	ex 08.07 B	Peaches	47,05	2 027	367,33	97,71	326,68	7 278	36,54	70 859	110,19	32,59
2.140	ex 08.07-32	ex 08.07 B	Nectarines	50,69	2 185	395,77	105,28	351,97	7 842	39,37	76 344	118,72	35,12
2.150	08.07-51 08.07-55	08.07 C	Cherries	88,56	3 788	692,07	182,68	610,50	13 252	68,69	129 883	205,92	65,41
2.160	08.07-71 08.07-75	08.07 D	Plums	204,60	8 817	1 597,19	424,88	1 420,45	31 648	158,90	308 099	479,14	141,73
2.170	08.08-11 08.08-15	08.08 A	Strawberries	124,51	5 366	971,98	258,56	864,43	19 260	96,70	187 497	291,58	86,25
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	131,10	5 608	1 024,49	270,43	903,74	19 617	101,69	192 269	304,83	96,82
2.180	08.09-11	ex 08.09	Water melons	40,82	1 759	318,65	84,76	283,39	6 314	31,70	61 469	95,59	28,27
2.190		ex 08.09	Melons (other than water melons):										
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	135,81	5 853	1 060,20	282,03	942,88	21 008	105,47	204 514	318,05	94,08
2.190.2	ex 08.09-19		— other	121,54	5 238	948,79	252,40	843,80	18 800	94,39	183 024	284,63	84,19
2.195	ex 08.09-80	ex 08.09	Pomegranates	47,87	2 048	374,10	98,75	330,01	7 163	37,13	70 209	111,31	35,35
2.200	08.09-50	ex 08.09	Kiwis	260,16	11 212	2 030,87	540,25	1 806,15	40 241	202,04	391 758	609,24	180,22
2.202	ex 08.09-80	ex 08.09	Khakis	213,96	9 221	1 670,23	444,31	1 485,41	33 095	166,16	322 190	501,05	148,22
2.203	ex 08.09-80	ex 08.09	Lychees	255,87	10 997	1 998,23	531,12	1 767,36	38 873	198,85	377 418	599,90	181,98

COMMISSION REGULATION (EEC) No 1320/87

of 13 May 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore,

this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

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

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

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

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

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the 1 May

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

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

HAS ADOPTED THIS REGULATION :

Article 1

Article 2

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

This Regulation shall enter into force on 14 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 13 May 1987 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	45,04	
	(b) Other	44,41	
	(II) Flavoured or coloured sugar		0,4504
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	41,43 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4504
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	38,95 ⁽¹⁾	
	(d) Other raw sugar	⁽²⁾	

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

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

COMMISSION REGULATION (EEC) No 1321/87

of 12 May 1987

on the supply of various consignments of cereals to non-governmental organizations (NGOs) 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 19 March 1987 on the supply of food aid to NGOs, the Commission allocated to the latter organizations 10 087 tonnes of cereals to be supplied fob;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies specified in the Annexes 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 Annexes 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, 12 May 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 I

1. **Programme** : 1987 — Operations Nos 307/87 ⁽¹⁾ to 312/87 ⁽¹⁾
2. **Recipient** : NGO (Euronaid, PO Box 77, NL-2340 Oegstgeest (telex 30 223))
3. **Place or country of destination** : Chile
4. **Product to be mobilized** : common wheat flour
5. **Total quantity** : 7 240 tonnes (9 918 tonnes of cereals)
6. **Number of lots** : one (in six parts : A : 467 tonnes ; B : 374 tonnes ; C : 3 524 tonnes ; D : 2 835 tonnes ; E : 20 tonnes ; F : 20 tonnes)
7. **Intervention agency responsible for conducting the procedure** :
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris (telex OFIBLE 200 490 F)
8. **Method of mobilizing the product** : the Community market
9. **Characteristics of the goods** :
Flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum (N × 6,25 in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 220, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - Zeleny index of at least 20 (ICC No 116)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging** :
 - in new bags (composite sacks jute/polypropylene of a minimum weight of 335 grams)
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
 - A — 467 tonnes :
'ACCIÓN Nº 307/87 / HARINA DE TRIGO / CHILE / CÁRITAS GERMÁNICA / 70432 / ANTOFAGASTA / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
 - B — 374 tonnes :
'ACCIÓN Nº 308/87 / HARINA DE TRIGO / CHILE / CÁRITAS GERMÁNICA / 70433 / COQUIMBO / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
 - C — 3 524 tonnes :
'ACCIÓN Nº 309/87 / HARINA DE TRIGO / CHILE / CÁRITAS GERMÁNICA / 70434 / VALPARAÍSO / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
 - D — 2 835 tonnes :
'ACCIÓN Nº 310/87 / HARINA DE TRIGO / CHILE / CÁRITAS GERMÁNICA / 70435 / TALCAHUANO / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
 - E — 20 tonnes :
'ACCIÓN Nº 311/87 / HARINA DE TRIGO / CHILE / DHW / 72807 / SANTIAGO VÍA VALPARAÍSO / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
 - F — 20 tonnes :
'ACCIÓN Nº 312/87 / HARINA DE TRIGO / CHILE / PROSALUS / 75542 / CALAMA VÍA ANTOFAGASTA / DESTINADO A LA DISTRIBUCIÓN GRATUITA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA'
11. **Port of shipment** :
Any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the authorities attesting the existence of the service during the said period.

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

12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 26 May 1987
16. **Shipment period :** 10 to 30 June 1987
17. **Security :** 15 ECU per tonne

Notes :

1. 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'.
 2. 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.
 3. 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.
 4. The supplier should send a duplicate of the original invoice to:
M. De Keyzer and Schuetz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
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ANNEX II

1. **Programme :** 1987 — Operations Nos 334/87 ⁽¹⁾ to 337/87 ⁽¹⁾
2. **Recipient :** NGO (Euronaid, PO Box 77, NL-2340 Oegstgeest (telex 30 223))
3. **Place or country of destination :** Madagascar — Togo
4. **Product to be mobilized :** maize flour
5. **Total quantity :** 100 tonnes (169 tonnes of cereals)
6. **Number of lots :** one (in four parts : A : 20 tonnes ; B : 15 tonnes ; C : 50 tonnes ; D : 15 tonnes)
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt am Main (telex 411 475)
8. **Method of mobilizing the product :** on the Community market
9. **Characteristics of the goods :**
 - maize flour (11.01 E I) for human consumption, of sound merchantable quality, free of odour and pests,
 - moisture content : 13 % maximum
 - acidity : 0,6 % maximum.
10. **Packaging :**
 - in new bags (composite sacks jute/polypropylene of a minimum weight of 335 grams)
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
(in 20-foot containers 'FCL/LCL shipper's count-load and stowage'):
 - A — 20 tonnes :
'ACTION N° 334/87 / FARINE DE MAÏS / MADAGASCAR / AATM / 71734 / FIANARANTSOA VIA TOLIARY / POUR DISTRIBUTION GRATUITE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
 - B — 15 tonnes :
'ACTION N° 335/87 / FARINE DE MAÏS / MADAGASCAR / AATM / 71733 / TOLIARY / POUR DISTRIBUTION GRATUITE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
 - C — 50 tonnes :
'ACTION N° 336/87 / FARINE DE MAÏS / TOGO / AATM / 71734 / FIANARANTSOA VIA TOLIARY / POUR DISTRIBUTION GRATUITE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
 - D — 15 tonnes :
'ACTION N° 337/87 / FARINE DE MAÏS / MADAGASCAR / AATM / 71735 / TOAMASINA / POUR DISTRIBUTION GRATUITE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Port of shipment :**
Any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the authorities attesting the existence of the service during the said period.
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 26 May 1987
16. **Shipment period :** 10 to 30 June 1987
17. **Security :** 15 ECU per tonne

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

Notes:

1. 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'.
 2. 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.
 3. 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.
 4. The supplier should send a duplicate of the original invoice to:
M. De Keyzer and Schuetz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
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COMMISSION REGULATION (EEC) No 1322/87

of 12 May 1987

on the supply of common wheat flour to the United Nations High
Commissioner for Refugees (UNHCR) as food aid

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

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

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

Whereas, by its Decision of 10 December 1986 on the
supply of food aid to the UNHCR, the Commission allo-
cated to the latter organization 3 425 tonnes of cereals to
be supplied cif;

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

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

Article 2

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

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

Done at Brussels, 12 May 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** : 1985 — Operations No 410/87⁽¹⁾ and No 409/87⁽¹⁾
2. **Recipient** : UNHCR (Attn M. Coosemans, Palais des Nations, CH-1211 Genève 10 — Telex 27492)
3. **Place or country of destination** : Somalia
4. **Product to be mobilized** : common wheat flour
5. **Total quantity** : 2 500 tonnes (3 425 tonnes of cereals)
6. **Number of lots** : two
 - 1 : 1 400 tonnes — Mogadishu
 - 2 : 1 100 tonnes — Berbera
7. **Intervention agency responsible for conducting the procedure** :
OBEA, rue de Trèves 82, B-1040 Bruxelles (Telex : 24076)
8. **Method of mobilizing the product** : the Community market
9. **Characteristics of the goods** :
Flour 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 flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum (N × 6,25 in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 220, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - Zeleny index of at least 20 (ICC No 116)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging** :
 - 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 kilograms
 - marking on the bags in letters at least 5 cm high :
 - Lot 1 : 'ACTION No 410/87 / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNHCR PROGRAMME OF ASSISTANCE TO REFUGEES IN SOMALIA / FOR FREE DISTRIBUTION / MOGADISHU'
 - Lot 2 : 'ACTION No 409/87 / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNHCR PROGRAMME OF ASSISTANCE TO REFUGEES IN SOMALIA / FOR FREE DISTRIBUTION / BERBERA'
11. **Port of shipment** : a Community port
12. **Delivery stage** : cif
13. **Port of landing** :
 - 1 : 1 400 tonnes — Mogadishu
 - 2 : 1 100 tonnes — Berbera
14. **Procedure to be applied in order to determine supply costs** : tendering
15. **Deadline for the submission of tenders** : 12 noon on 27 May 1987
16. **Shipment period** : 15 June to 15 July 1987
17. **Security** : 15 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'.

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

3. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Somalia, Elio Germano, Commission Delegate, Via Makka Al Mukarram n° Z-A6/17, PO Box 943, Mogadiscio, Tel. 811 18/211 18/210 49, Telex 628 FED MOG SM - MOGA-DISCIO.
 4. At the request of the beneficiary, the successful tenderer shall deliver a certificate from an official entity certifying that the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
-

COMMISSION REGULATION (EEC) No 1323/87
of 12 May 1987

on the supply of milled long grain rice to the Republic of Cape Verde 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 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by Regulation (EEC) No 1449/86⁽³⁾, and in particular Article 25 thereof,

Whereas, by its Decision of 15 April 1987 on the supply of food aid to the Republic of Cape Verde the Commission allocated to this country 9 000 tonnes of cereals to be supplied cif;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 12 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽⁴⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

ANNEX

1. **Programme :** 1987 — Operation No 406/87 ⁽¹⁾
2. **Recipient :** Empresa Pública de Abastecimento (EMPA)
Praia : CP 104 (tel. 24 93 05 — telex : 54 EMPA CV)
Mindelo : CP 148, (tel. 23 69 27 81 — telegram : EMPA — S. Vicente)
3. **Place or country of destination :** Republic of Cape Verde
4. **Product to be mobilized :** wholly milled long-grain rice (non-parboiled)
5. **Total quantity :** 3 750 tonnes (9 000 tonnes of cereals)
6. **Number of lots :** two (1 : 2 500 tonnes ; 2 : 1 250 tonnes)
7. **Intervention agency responsible for conducting the procedure :**
Servicio Nacional de Productos Agrarios (SENPA), c/Beneficencia, 8, Madrid 28004 — Telex 23427 SENPA E
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
 - rice of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 %
 - broken rice : 5 % maximum
 - chalky grains : 5 % maximum
 - grains striated with red : 3 % maximum
 - spotted grains : 1,5 % maximum
 - stained grains : 1 % maximum
 - yellow grains : 0,050 % maximum
 - amber grains : 0,20 % maximum
10. **Packaging :**
 - in new bags : jute sacks of a minimum weight of 600 g
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
 - lot 1 : 'ACÇÃO Nº 406/87 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA À REPÚBLICA DE CABO VERDE / PRAIA'
 - lot 2 : 'ACÇÃO Nº 406/87 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA À REPÚBLICA DE CABO VERDE / MINDELO'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Mindelo (1 250 tonnes); Praia (2 500 tonnes)
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 25 May 1987
16. **Shipment period :** before 1 July 1987
17. **Security :** 15 ECU per tonne

Notes :

1. 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'.
2. At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
3. 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.
4. The successful tenderer shall send a copy of the shipping documents to the following address :
'Commission Delegation in Cape Verde, CP 122, Praia (tel. : 61 37 50, telex 6071 DELCE CV)'.

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

COMMISSION REGULATION (EEC) No 1324/87

of 12 May 1987

classifying goods in subheading 90.28 A II b) of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by Council Regulation (EEC) No 2055/84⁽²⁾, and in particular Article 3 thereof,

Whereas, in order to ensure that the nomenclature of the Common Customs Tariff is uniformly applied, provisions should be adopted for the tariff classification of digitizers for measuring geometrical dimensions (for example, surface areas, lengths) on graphic documents (for example, technical drawings, surveying documents, electronic circuit diagrams) via manual scanning using a detector which converts the analog values of the points or lines on the document into numerical coordinates, which are then transmitted, for their interpretation, to an automatic data processing machine linked with the digitizer;

Whereas they consist of the following:

- a pad (grid or tablet work surface) beneath the surface of which are attached two emitter coils and steel wires arranged horizontally (x—) and vertically (y—) at intervals of about 2 mm in order to form a grid constituting the coordinate system,
- an electronic control unit (controller) with microprocessor, PROMs and interface,
- a manual detector in the form of a scanner (pen cursor) comprising a receiver coil and a control keyboard;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽³⁾, as last amended by Regulation (EEC) No 750/87⁽⁴⁾, classifies, among other things, automatic data-processing machines and units thereof in heading No 84.53 and electrical measuring,

checking, analysing or automatically controlling instruments and apparatus in heading No 90.28;

Whereas both headings may be taken into consideration for the purposes of classifying the abovementioned devices;

Whereas, although the devices cannot operate unless connected to an automatic data-processing machine, they have an inherent function; whereas they do not therefore satisfy the criteria set out in note 3 (B) to Chapter 84;

Whereas the Explanatory Notes to the Customs Cooperation Council nomenclature exclude from heading No 84.53 machines working in conjunction with an automatic data-processing machine and performing a specific function; whereas, they should be classified on the basis of that inherent function;

Whereas the aforementioned electronic instrument must be classified in heading No 90.28 and, by virtue of Additional Note 2 to Chapter 90, under subheading 90.28 A II b);

Whereas the provisions of this Regulation are in conformity with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Digitizers consisting of the following:

- a pad (grid or tablet work surface) beneath the surface of which are attached two emitter coils and steel wires arranged horizontally (x—) and vertically (y—) at intervals of about 2 mm in order to form a grid constituting the coordinate system,
- an electronic control unit (controller) with microprocessor, PROMs and interface,
- a manual detector in the form of a scanner (pen cursor) comprising a receiver coil and a control keyboard,

that measure geometrical dimensions (for example, surface areas, lengths) on graphic documents (for example, technical drawings, surveying documents, electronic

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 191, 16. 7. 1984, p. 1.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 76, 18. 3. 1987, p. 1.

circuit diagrams) via manual scanning using a detector which converts the analog values of the points or lines on the document into numerical coordinates, which are then transmitted, for their interpretation, to an automatic data processing machine linked with the digitizer, shall be classified in the Common Customs Tariff in subheading :

90.28 Electrical measuring, checking, analysing or automatically controlling instruments and apparatus :

A. Electronic instruments and apparatus :

II. Other :

b) Other

Article 2

This Regulation shall enter into force on the 21st 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, 12 May 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1325/87

of 13 May 1987

amending Regulation (EEC) No 1528/78 laying down detailed rules for the application of the system of aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1985/86⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Article 8a of Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽³⁾, as last amended by Regulation (EEC) No 1173/87⁽⁴⁾, provides that purchases of fodder for drying from whom processing undertakings may obtain supplies must be officially recognized; whereas, in the event that processing undertakings obtain supplies from such recognized purchasers, the control procedures provided for in Article 20 of Commission Regulation (EEC) No 1528/78⁽⁵⁾; as last amended by Regulation (EEC) No 1210/87⁽⁶⁾, should be altered; whereas the conditions for recognising purchasers of fodder for drying should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1528/78 is hereby amended as follows:

1. In Article 20, the first subparagraphs are replaced by the following:

'Processing undertakings shall lodge with the authority responsible for controlling the entitlement to aid, not later than one month after the date on which they are concluded, the contracts as referred to in Article 7 of Regulation (EEC) No 1417/78 which they have concluded with the producers.

Where the processing undertaking obtains supplies from recognized purchasers, it shall lodge with the

authority responsible for controlling the entitlement to aid, not later than one month after the date on which the products in question are delivered, a declaration of the daily deliveries, including in particular the identity of the recognized purchasers in question and the quantities of fodder, received broken down according to the producers with whom contracts were concluded by the recognized purchasers.'

2. The following Article 21a is inserted:

Article 21a

1. For the purposes of recognition as provided for in Article 8a of Regulation (EEC) No 1417/78, a purchaser of fodder for drying must undertake to:

- lodge with the authority responsible for controlling the entitlement to aid, not later than one month after the date on which dried fodder is delivered to a processing undertaking, the contracts referred to in Article 7 of Regulation (EEC) No 1417/78,
- keep a register of the products in question, showing at least the daily purchases and sales of each product and, in respect of each batch, the quantity involved, a reference to the contract with the producer who delivered the product and, where appropriate, the processing undertaking for which the product is intended,
- keep his financial accounts available for inspection by the competent authority,
- facilitate the control procedures,

2. The recognized purchaser shall be given an identification number. The competent authority may grant provisional recognition to the purchaser concerned as soon as he presents his application for recognition. Such provisional recognition shall become definitive as soon as the Member State concerned is satisfied that the conditions for recognition have been met and, in any case, at the end of the sixth month following the month during which provisional recognition was granted.

3. Recognition shall be withdrawn if, except in cases of *force majeure*, any of the conditions for recognition referred to in paragraph 1 is no longer met.'

Article 2

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

It shall apply with effect from 1 May 1987.

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 171, 28. 6. 1986, p. 4.

⁽³⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁴⁾ OJ No L 113, 30. 4. 1987, p. 13.

⁽⁵⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁶⁾ OJ No L 115, 1. 5. 1987, p. 28.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1326/87

of 13 May 1987

fixing additional amounts for live and slaughtered poultry

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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Regulation (EEC) No 1475/86⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and geese origi-

nating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2164/72⁽⁸⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 18 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 39.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to live and slaughtered poultry and halves or quarters

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' B. Poultry cuts (excluding offals) : II. Unboned (bone-in) : a) Halves or quarters : 1. Of fowls	8,00 8,00 8,00 8,00	Origin : Romania, Hungary Origin : Romania, Hungary Origin : Romania, Hungary Origin : Romania, Hungary

COMMISSION REGULATION (EEC) No 1327/87**of 13 May 1987****fixing additional amounts for poultrymeat products**

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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by the Regulation (EEC) No 1475/86 ⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries ⁽³⁾, as last amended by Regulation (EEC) No 1527/73 ⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third coun-

tries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 18 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 39.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : B. Poultry cuts (excluding offals) : I. Boned or boneless : b) Of turkeys c) Of other poultry II. Unboned (bone-in) : d) Breasts and cuts of breast : 3. Of other poultry g) Other	8,00 7,00 6,00 4,00	Origin : Brazil Origin : Hungary, Yugoslavia Origin : Hungary Origin : Romania
16.02	Other prepared or preserved meat or meat offal : B. Other : I. Poultrymeat or offal : a) Containing 57 % or more by weight of poultrymeat (a) : 1. Containing uncooked meat or offal ; mixtures of cooked meat or offal and uncooked meat or offal : bb) Other	40,00	Origin : Hungary

(a) For the purpose of determining the percentage of poultrymeat, weight of any bones shall be disregarded.

COMMISSION REGULATION (EEC) No 1328/87

of 13 May 1987

introducing a countervailing charge on courgettes originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 831/87 of 23 March 1987 fixing for the 1987 marketing year the reference prices for courgettes⁽³⁾ fixed the reference price for products of class I for the month of May 1987 at 62,49 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation

(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for courgettes originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these courgettes;

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

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

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁷⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 14,78 ECU per 100 kilograms net is applied to courgettes (subheading 07.01 T I of the Common Customs Tariff) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 15 May 1987.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1329/87

of 13 May 1987

laying down detailed rules for the transfer to the Italian intervention agency of
butter held by the German intervention agency

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 12 (3) thereof,

Whereas Council Regulation (EEC) No 1341/86 of 6 May 1986 on the transfer to the Italian intervention agency of butter held by the intervention agencies of other Member States ⁽³⁾, as amended by Regulation (EEC) No 1246/87 ⁽⁴⁾, and in particular Article 1 (1) thereof, provides that 20 000 tonnes of butter held by the intervention agencies of other Member States must be made available to the Italian intervention agency and must be taken over before the date specified in Article 1 (2) of the Regulation; whereas detailed rules should be adopted for the implementation of that measure;

Whereas the intervention agencies responsible for making available the butter in question should be designated by reference to the stocks they hold; whereas the German intervention agency's stocks of butter are particularly large;

Whereas the butter to be transferred must fulfil the requirements of Council Regulation (EEC) No 985/68 ⁽⁵⁾, as last amended by Regulation (EEC) No 3790/85 ⁽⁶⁾;

Whereas it is appropriate that the butter should be transferred in lots determined by reference to the recipient storage depots designated by the Italian intervention agency; whereas the said storage depots must fulfil the conditions laid down in Article 7 of Commission Regulation (EEC) No 685/69 ⁽⁷⁾, as last amended by Regulation (EEC) No 3669/86 ⁽⁸⁾;

Whereas, in order that the most economical means of carrying out the operation may be ascertained, the transport of the butter to Italy should be put up for tender;

Whereas, having organized the transfer, the arrangements for the sale by the Italian intervention agency of the butter covered by the transfer should be specified; whereas, to this end, reference should be made to the provisions of Commission Regulation (EEC) No 262/79 ⁽⁹⁾, as last amended by Regulation (EEC) No

665/86 ⁽¹⁰⁾, Commission Regulation (EEC) No 3143/85 ⁽¹¹⁾, as last amended by Regulation (EEC) No 569/87 ⁽¹²⁾, and Commission Regulation (EEC) No 2409/86 ⁽¹³⁾, as last amended by Regulation (EEC) No 455/87 ⁽¹⁴⁾;

Whereas, in accordance with the second indent of Article 2 of Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency ⁽¹⁵⁾, no monetary compensatory amounts should be applied to this transfer; whereas, as regards the arrangements for dispatch, Articles 2 and 4 of Commission Regulation (EEC) No 1722/77 of 28 July 1977 laying down common detailed rules for the application of Regulation (EEC) No 1055/77 on the storage and movement of products bought in by an intervention agency ⁽¹⁶⁾, as last amended by Regulation (EEC) No 3826/85 ⁽¹⁷⁾, apply;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In accordance with Regulation (EEC) No 1341/86, the German intervention agency shall make available to the Italian intervention agency 20 000 tonnes of butter bought in in accordance with Article 6 (1) of Regulation (EEC) No 804/68 and taken into storage before 1 January 1986.

2. All the butter referred to in paragraph 1 shall be transferred by the German intervention agency in sufficient time to allow it to be taken over by the Italian intervention agency before the date specified in Article 1 (2) of Regulation (EEC) No 1341/86.

3. The list of supplying and recipient storage depots shall be drawn up by common agreement between the German and Italian intervention agencies.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 30.

⁽⁴⁾ OJ No L 118, 6. 5. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁶⁾ OJ No L 367, 31. 12. 1985, p. 5.

⁽⁷⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽⁸⁾ OJ No L 339, 2. 12. 1986, p. 16.

⁽⁹⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽¹⁰⁾ OJ No L 66, 8. 3. 1986, p. 38.

⁽¹¹⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽¹²⁾ OJ No L 57, 27. 2. 1987, p. 26.

⁽¹³⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽¹⁴⁾ OJ No L 46, 14. 2. 1987, p. 11.

⁽¹⁵⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽¹⁶⁾ OJ No L 189, 29. 7. 1977, p. 36.

⁽¹⁷⁾ OJ No L 371, 31. 12. 1985, p. 1.

The German intervention agency shall, within seven days of the entry into force of this Regulation, provide the Italian intervention agency with a list of the depots where the butter to be transferred is stored.

Within 15 days of the entry into force of this Regulation the Italian intervention agency shall provide the German intervention agency with a list of the depots, complying with Article 7 of Regulation (EEC) No 685/69, where the butter is to be stored.

4. 'Lot' shall be taken to mean the quantity to be transferred from a supplying to a recipient storage depot.

Article 2

1. The packages of butter made available by the supplying intervention agency shall bear in characters which must be clearly visible and legible, the following form of wording:

'destinato ad essere fornito all'organismo d'intervento italiano (regolamento (CEE) n. 1329/87)'.

2. After checking the quantity, quality and packaging of the butter, the Italian intervention agency shall take delivery thereof, free at destination.

3. On taking over the butter, the representative of the Italian intervention agency shall be given a certificate drawn up by the supplying intervention agency, declaring that the product conforms to the requirements set out in Regulation (EEC) No 685/69.

Article 3

1. The amount of the transport costs in respect of the lots referred to in Article 1 (4) shall be determined by the German intervention agency by means of a tendering procedure.

Such costs shall include:

- (a) transport, excluding loading and unloading, from the loading platform of the supplying storage depot to the unloading platform of the recipient storage depot;
- (b) insurance of the goods, at their value as determined on the basis of the intervention price for butter, until unloading at the platform of the recipient storage depot.

2. Payment of the costs referred to in paragraph 1 shall be made within six weeks of the day on which the following documents are submitted to the German intervention agency:

- (a) transport costs invoice;
- (b) certificate from each of the recipient storage depots declaring that the butter has been taken over, endorsed by the Italian intervention agency;

(c) transport document;

(d) copy of the insurance policy and, in the event of damage or loss, declaration in respect thereof and documents enabling the German intervention agency to obtain compensation;

(e) customs document issued on definitive importation into Italy of the butter.

3. The German intervention agency shall lay down the terms and conditions of the tendering procedure in accordance with the provisions of this Regulation. Such terms and conditions must provide in particular for the lodging of a security to guarantee fulfilment of the principal requirement relating to the transport of the butter as specified in paragraph 1 (a).

They must also ensure equality of access and treatment for all prospective tenderers wherever they may be established in the Community. To this end the German intervention agency shall communicate to the other intervention agencies and to the Commission the text of the invitation to tender, of which notice shall be given in the *Official Journal of the European Communities* at least eight days before the date set by the German intervention agency for submission of tenders.

4. The German intervention agency shall take the measures necessary to ensure that the first invitation to tender takes place 10 months or more before the date referred to in Article 1 (2).

5. Tenders submitted to the German intervention agency shall be made and accepted in German marks.

6. Each tender may relate to one lot only.

7. The contract for each lot shall be awarded to the tenderer who has offered the lowest amount.

However, if the tenders submitted do not correspond to normal prices and costs, no contracts shall be awarded.

8. The German authorities shall keep the Commission informed as to the progress of the tendering procedure and shall immediately communicate the results both to the Commission and to the Italian intervention agency.

Article 4

The Italian intervention agency shall sell the butter made available to it under this Regulation in accordance with the provisions of Regulations (EEC) No 262/79, (EEC) No 3143/85 and (EEC) No 2409/86.

Article 5

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

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1330/87

of 13 May 1987

fixing the amount of the subsidy on oil seeds

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 409/87⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increments in the target price for colza, rape and sunflower seed for the 1986/87 marketing year have been fixed in Regulations (EEC) No 1457/86⁽⁷⁾ and (EEC) No 1458/86⁽⁸⁾;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 577/87⁽⁹⁾, as last amended by Regulation (EEC) No 1280/87⁽¹⁰⁾;

Whereas, in the absence of the target price for the 1987/88 marketing year for colza, rape seed and sunflower seed, the amount of the subsidy in the case of advance fixing for July, August, September and October 1987 for colza and rape seed and for August and September 1987 for sunflower seed has been obtainable only provisionally on the basis of the target price and the new standard quality for sunflower seed proposed by the Commission to the Council for the marketing year 1987/88; whereas this amount may, therefore, be applied only on a temporary basis and should be confirmed or replaced when the indicative price of the 1987/88 marketing year is known;

Whereas estimated production of colza, rape seed and sunflower seed for the 1987/88 marketing year has not

been fixed; whereas the amount, where appropriate, to be deducted from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC could therefore be calculated only provisionally on the basis of the amounts in force for the 1986/87 marketing year; whereas the amounts of the subsidy should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for colza, rape seed and sunflower seed are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3776/86 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽¹¹⁾ shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 and Article 12 of Regulation (EEC) No 476/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain and Portugal.
3. The amount of the subsidy in the case of advance fixing for July, August, September and October 1987 for colza and rape seed and for August and September 1987 for sunflower seed will, however, be confirmed or replaced as from 14 May 1987 to take into account the target price, and like measures, which is fixed for these products for the 1987/88 marketing year.
4. However, the amount of the subsidy in the case of advance fixing for July, August, September and October 1987 for colza and rape seed and for August and September 1987 for sunflower seed will be confirmed or replaced as from 14 May 1987 to take into account, where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza, rape seed and sunflower seed.

Article 2

This Regulation shall enter into force on 14 May 1987.

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 44, 13. 2. 1987, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 146, 31. 5. 1986, p. 25.

⁽⁷⁾ OJ No L 133, 21. 5. 1986, p. 12.

⁽⁸⁾ OJ No L 133, 21. 5. 1986, p. 14.

⁽⁹⁾ OJ No L 57, 27. 2. 1987, p. 38.

⁽¹⁰⁾ OJ No L 120, 8. 5. 1987, p. 48.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kilograms)

	Current month	2nd month	3rd month (1)	4th month (1)	5th month (1)	6th month (1)
1. Gross aids (ECU):						
— Spain	0,610	0,610	0,100	0,100	0,100	0,100
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	35,542	35,389	29,217	28,863	28,709	28,556
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	85,78	85,43	70,78	70,07	69,71	69,68
— Netherlands (Fl)	96,65	96,25	79,74	78,93	78,53	78,45
— BLEU (Bfrs/Lfrs)	1 659,08	1 651,84	1 362,11	1 344,71	1 337,42	1 325,25
— France (FF)	242,36	241,18	196,47	193,24	192,04	191,54
— Denmark (Dkr)	299,12	297,77	244,77	241,64	240,28	237,10
— Ireland (£ Irl)	26,587	26,454	21,543	21,206	21,073	20,860
— United Kingdom (£)	20,030	19,911	15,896	15,620	15,500	15,254
— Italy (Lit)	52 716	52 459	42 703	42 242	41 985	41 473
— Greece (Dr)	3 315,35	3 266,65	2 463,60	2 386,67	2 359,44	2 263,89
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	88,94	88,94	14,58	14,58	14,58	14,58
— in another Member State (Pta)	4 117,81	4 092,83	3 257,23	3 163,01	3 137,27	3 081,44
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 989,73	4 957,35	3 959,46	3 884,02	3 855,93	3 782,86

(1) Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current month	2nd month	3rd month (¹)	4th month (¹)	5th month (¹)	6th month (¹)
1. Gross aids (ECU):						
— Spain	1,860	1,860	2,600	2,600	2,600	2,600
— Portugal	1,250	1,250	2,500	2,500	2,500	2,500
— Other Member States	36,792	36,639	31,717	31,363	31,209	31,056
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	88,77	88,41	76,75	76,03	75,68	75,64
— Netherlands (Fl)	100,02	99,62	86,46	85,65	85,25	85,17
— BLEU (Bfrs/Lfrs)	1 717,67	1 710,43	1 479,29	1 461,89	1 454,60	1 442,44
— France (FF)	251,24	250,05	214,22	210,99	209,79	209,30
— Denmark (Dkr)	309,80	308,45	266,13	263,00	261,64	258,46
— Ireland (£ Irl)	27,565	27,433	23,500	23,163	23,029	22,817
— United Kingdom (£)	20,814	20,695	17,464	17,188	17,068	16,822
— Italy (Lit)	54 641	54 383	46 551	46 090	45 833	45 321
— Greece (Dr)	3 461,20	3 412,50	2 755,28	2 678,36	2 651,13	2 555,58
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	271,19	271,19	379,07	379,07	379,07	379,07
— in another Member State (Pta)	4 300,06	4 275,08	3 621,73	3 527,51	3 501,77	3 445,94
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	189,77	189,77	379,54	379,54	379,54	379,54
— in another Member State (Esc)	5 179,50	5 147,12	4 338,99	4 263,55	4 235,47	4 162,39

(¹) Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month ⁽¹⁾	5th month ⁽¹⁾
1. Gross aids (ECU):					
— Spain	1,720	1,720	1,720	3,440	3,440
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	41,946	41,792	41,438	37,373	37,373
2. Final aids:					
(a) Seed harvested and processed in ⁽²⁾ :					
— Federal Republic of Germany (DM)	101,20	100,85	100,04	90,50	90,50
— Netherlands (Fl)	114,03	113,63	112,71	101,94	101,94
— BLEU (Bfrs/Lfrs)	1 958,23	1 950,94	1 934,19	1 742,71	1 742,71
— France (FF)	286,35	285,16	282,13	252,40	252,40
— Denmark (Dkr)	353,16	351,80	348,67	313,80	313,80
— Ireland (£ Irl)	31,416	31,283	30,974	27,716	27,716
— United Kingdom (£)	23,712	23,592	23,316	20,688	20,688
— Italy (Lit)	62 279	62 019	61 284	55 104	55 104
— Greece (Dr)	3 939,46	3 887,32	3 794,77	3 273,51	3 273,51
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	250,77	250,77	250,77	501,54	501,54
— in another Member State (Pta)	3 980,59	3 955,44	3 867,98	3 476,44	3 476,44
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 557,62	6 523,22	6 418,33	5 751,75	5 751,75
— in another Member State (Esc)	6 344,83	6 311,54	6 210,06	5 565,11	5 565,11
3. Compensatory aids:					
— in Spain (Pta)	3 929,81	3 904,67	3 814,68	3 423,14	3 423,14
— in Portugal (Esc)	6 313,47	6 280,18	6 177,13	5 532,19	5 532,19

⁽¹⁾ Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

⁽²⁾ For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0335380.

ANNEX IV

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

(value of 1 ECU)

	Current month	2nd month	3rd month	4th month	5th month	6th month
DM	2,076450	2,070990	2,065930	2,060900	2,060900	2,045860
Fl	2,340510	2,337510	2,334670	2,331880	2,331880	2,323100
Bfrs/Lfrs	43,109600	43,121200	43,130000	43,153200	43,153200	43,232800
FF	6,944930	6,954510	6,964970	6,976040	6,976040	7,009240
Dkr	7,813040	7,835030	7,854700	7,875860	7,875860	7,942800
£ Irl	0,776526	0,779240	0,780921	0,782465	0,782465	0,787227
£	0,695401	0,697041	0,698402	0,699713	0,699713	0,703197
Lit	1 497,59	1 501,67	1 505,88	1 509,24	1 509,24	1 521,14
Dr	154,66500	156,76100	158,55100	160,64500	160,64500	167,11300
Esc	161,24100	162,42800	163,64300	165,02800	165,02800	168,42700
Pta	145,64600	147,12200	148,24500	149,47500	149,47500	152,08000

COMMISSION REGULATION (EEC) No 1331/87

of 13 May 1987

fixing the maximum export refund for white sugar for the 48th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1659/86 of 29 May 1986 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EEC) No 1002/87 ⁽⁴⁾; requires partial invitations to tender to be issued for the export of this sugar;

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

Whereas, following an examination of the tenders submitted in response to the 48th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 48th partial invitation to tender for white sugar issued under amended Regulation (EEC) No 1659/86 is hereby fixed at 46,449 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ CJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 29.

⁽⁴⁾ OJ No L 94, 8. 4. 1987, p. 16.

COMMISSION REGULATION (EEC) No 1332/87

of 13 May 1987

fixing the maximum export refund for white sugar for the second partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1092/87

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

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

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

Whereas Commission Regulation (EEC) No 1092/87 of 15 April 1987 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1092/87, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the second partial invitation to tender for white sugar issued under Regulation (EEC) No 1092/87 is hereby fixed at 46,721 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 106, 22. 4. 1987, p. 9.

COMMISSION REGULATION (EEC) No 1333/87
of 13 May 1987
fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 1315/87 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 14 May 1987.

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

Done at Brussels, 13 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.
⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.
⁽⁴⁾ OJ No L 124, 13. 5. 1987, p. 30.

ANNEX

to the Commission Regulation of 13 May 1987 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	52,12
	B. Raw sugar	43,72 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 11 May 1987

concerning the conclusion of an Additional Protocol to the Agreement between the European Economic Community and the People's Republic of China on trade in textile products consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community

(87/265/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Additional Protocol to the Agreement between the European Economic Community and the People's Republic of China on trade in textile products⁽¹⁾ to take account of the accession to the Community of the Kingdom of Spain and the Portuguese Republic.

HAS DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Agreement between the European Economic Community and the People's Repu-

blic of China on trade in textile products consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council shall give the notification provided for in Article 4 of the Additional Protocol⁽²⁾.

Done at Brussels, 11 May 1987.

For the Council

The President

M EYSKENS

⁽¹⁾ OJ No L 389, 31. 12. 1986, p. 2.

⁽²⁾ The date of entry into force of the Additional Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

ADDITIONAL PROTOCOL

to the Agreement between the European Economic Community and the People's Republic of China on trade in textile products consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES

of the one part, and

THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

of the other part,

CONSIDERING the accession of the Kingdom of Spain and the Portuguese Republic to the European Communities on 1 January 1986,

HAVING REGARD to the Agreement between the European Economic Community and the People's Republic of China on trade in textile products initialled on 18 July 1979, as subsequently amended by the Protocol initialled on 13 November 1981 consequent on the accession of the Hellenic Republic to the European Communities and by the Supplementary Protocol initialled on 29 March 1984, and hereinafter referred to as the 'Agreement',

HAVE DECIDED to determine by common accord the adjustments and transitional measures to be incorporated in the Agreement by reason of the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community, and

TO CONCLUDE THIS ADDITIONAL PROTOCOL:

Article 1

The text of the Agreement as hereby amended, including its Annexes and Protocols, Exchange of Letters, Declarations and Agreed Minute, forming an integral part thereof, shall be drawn up in Spanish and Portuguese and those texts shall be authentic in the same way as the original texts.

Article 2

The Agreement is amended as follows:

1. The limits set out in Annex III are increased to the quantities set out in the Annex hereto.

2. The following paragraph is inserted into Article 6:

'2a. For the purposes of applying the provisions of paragraph 2 in 1986, the preceding year's total imports into the Community from all third countries shall be calculated on the basis of imports into the Community as constituted on 31 December 1985 and of imports into Spain and Portugal. Trade between the Community, Spain and Portugal, or between Spain and Portugal shall be excluded from this total.'

3. Protocol C is replaced by the following:

'Under Article 6 (6) of the Agreement, a quantitative limit may be fixed on a regional basis where imports of a given product into any region of the Community

in relation to the amounts determined in accordance with paragraphs 2 and 2a of the said Article 6 exceed the following regional percentage:

Germany	28,5 %,
Benelux	10,5 %,
France	18,5 %,
Italy	15 %,
Denmark	3 %,
Ireland	1 %,
United Kingdom	23,5 %,
Greece	2 %,
Spain	7,5 %,
Portugal	1,5 %.

4. The following paragraph is added to Article 6:

'12. For purposes of introducing Community quantitative limits or quantitative limits for regions of the Community other than Spain or Portugal, should the figures for the preceding year's total imports be unavailable, or should those figures be lower than those for imports into the Community as constituted prior to the accession of Spain and Portugal, the latter will exceptionally continue to be used for purposes of the calculation referred to in paragraphs 2 and 2.

For purposes of introducing regional limits for Spain and Portugal, should the import figures for 1985 be unavailable, the import total shall be established by the means set out in paragraph 2a but on the basis of 1984 import figures.'

5. The following shall be added to the second indent of the second subparagraph of Article 14 (2) of Protocol A to the Supplementary Protocol under the heading: '— two letters identifying country of destination as follows:'

ES—Spain
PT—Portugal.'

Article 3

The Annex to this Protocol shall form an integral part thereof. This Protocol shall form an integral part of the Agreement.

Article 4

1. This Protocol shall be approved by the contracting parties in accordance with their own procedures. It shall

enter into force on the first day of the month following the date on which the contracting parties notify each other that the procedures necessary to this end have been completed.

2. This Protocol shall be applicable with effect from 1 January 1986 and remain in force during the period of validity of the Agreement.

Article 5

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Chinese languages, each of those texts being equally authentic.

ANNEX

The product descriptions in this Annex are abbreviated ones ; the full product descriptions as well as the relevant NIMEXE positions are reproduced in Annex I to the Agreement.

The quantities for Spain and Portugal, within the Community limits listed below, are set out in a separate table.

Community limits

Category	Description	Units	Year	EEC quantitative limits
1	Cotton yarns, not for retail sale	tonnes	1986 1987 1988	2 938 2 956 2 973
2	Cotton fabrics, woven	tonnes	1986 1987 1988	20 805 20 909 21 013
3	Fabrics of discontinuous synthetic fibres, woven	tonnes	1986 1987 1988	3 996 4 115 4 240
4	Knitted shirts, singlets, T-shirts, etc.	1 000 pieces	1986 1987 1988	6 116 6 361 6 614
5	Jerseys, pullovers etc., knitted	1 000 pieces	1986 1987 1988	6 048 6 290 6 541
6	Men's and women's trousers and men's shorts and breeches, woven	1 000 pieces	1986 1987 1988	7 746 8 017 8 297
7	Women's woven and knitted blouses	1 000 pieces	1986 1987 1988	1 871 1 908 1 946
8	Men's woven shirts	1 000 pieces	1986 1987 1988	7 555 7 668 7 785
9	Woven cotton terry fabrics, toilet and kitchen linen thereof	tonnes	1986 1987 1988	3 043 3 226 3 419
20/39	Bed linen, toilet linen etc., woven	tonnes	1986 1987 1988	4 620 4 851 5 094
23	Yarn of discontinuous regenerated fibres, not for retail sale	tonnes	1986 1987 1988	5 479 5 753 6 041
32	Pile fabrics, woven and chenille fabrics	tonnes	1986 1987 1988	2 564 2 693 2 827
12	Knitted stockings and socks, other than women's stockings of synthetic yarn	1 000 pairs	1986 1987 1988	10 698 11 127 11 571
18	Men's woven underwear other than shirts	tonnes	1986 1987 1988	576 605 635

Category	Description	Units	Year	EEC quantitative limits
19	Handkerchiefs	1 000 pieces	1986 1987 1988	61 012 63 452 65 990
21	Anoraks, windcheaters, men's and women's, woven	1 000 pieces	1986 1987 1988	4 736 4 950 5 173
26	Dresses, woven and knitted	1 000 pieces	1986 1987 1988	2 557 2 660 2 766
73	Track suits, knitted	1 000 pieces	1986 1987 1988	1 620 1 684 1 752
76	Woven workwear, men's and women's	tonnes	1986 1987 1988	2 571 2 687 2 808
37	Fabrics of regenerated discontinuous fibres	tonnes	1986 1987 1988	6 806 7 213 7 647

Quantities attributed to Spain and Portugal within Community limits

Category	Unit	Year	Quantities	
			Spain	Portugal
1	tonnes	1986	115	40
		1987	116	40
		1988	116	40
2	tonnes	1986	125	75
		1987	126	75
		1988	126	76
2 A	tonnes	1986	13	8
		1987	13	8
		1988	13	8
3	tonnes	1986	75	75
		1987	77	77
		1988	80	80
3 A	tonnes	1986	8	8
		1987	8	8
		1988	8	8
4	1 000 pieces	1986	150	17
		1987	156	18
		1988	162	18
5	1 000 pieces	1986	85	14
		1987	88	15
		1988	92	15
6	1 000 pieces	1986	120	20
		1987	124	21
		1988	129	21

Category	Unit	Year	Quantities	
			Spain	Portugal
7	1 000 pieces	1986	40	10
		1987	41	10
		1988	42	10
8	1 000 pieces	1986	120	17
		1987	122	17
		1988	125	18
9	tonnes	1986	27	5
		1987	29	5
		1988	30	6
20/39	tonnes	1986	200 ⁽¹⁾	21
		1987	210 ⁽¹⁾	22
		1988	221 ⁽¹⁾	23
23	tonnes	1986	65	12
		1987	68	13
		1988	72	13
32	tonnes	1986	18	14
		1987	19	15
		1988	20	15
12	1 000 pairs	1986	250	65
		1987	260	68
		1988	270	70

⁽¹⁾ Sub limit for bed linen of category 20 :
1986 : 50 tonnes,
1987 : 53 tonnes,
1988 : 55 tonnes.

Category	Unit	Year	Quantities	
			Spain	Portugal
18	tonnes	1986	14	5
		1987	14	5
		1988	15	6
19	1 000 pieces	1986	800	75
		1987	832	78
		1988	865	81
21	1 000 pieces	1986	125	25
		1987	131	26
		1988	137	27
26	1 000 pieces	1986	88	20
		1987	92	21
		1988	95	22

Category	Unit	Year	Quantities	
			Spain	Portugal
73	1 000 pieces	1986	35	10
		1987	37	10
		1988	38	11
76	tonnes	1986	35	8
		1987	37	8
		1988	38	9
37	tonnes	1986	140	40
		1987	148	42
		1988	157	45
37 A	tonnes	1986	42	12
		1987	44	13
		1988	47	14

Joint Declaration

Referring to the Additional Protocol to the Agreement between the European Economic Community and the People's Republic of China on trade in textile products consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community and having regard particularly to the provisions of Protocol B of the Agreement itself, and especially to the confidential Exchange of Letters concerning paragraph 2 of the said Protocol B, the two parties agree that, if the Community so wishes, this confidential Exchange of Letters can be completed so as to cover equally imports of the products concerned into Spain and Portugal.

For this purpose, any quantitative limits that may be set will have to be based on a level not lower than past trade performance. The consultation procedure of the Agreement shall apply for the purpose of this Joint Declaration.

*Delegation of the
People's Republic of China*

*Delegation of the
European Economic Community*

Agreed Minute

In the course of the negotiations which led to the intalling of the Additional Protocol to the Agreement between the European Economic Community and the People's Republic of China on trade in textile products consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community, the Chinese delegation expressed the intention, should additional export opportunities arise, to seek adjustments in the quantitative limits set out in the Annex to the said Additional Protocol.

The delegation of the European Economic Community took note and confirmed that the Community will examine carefully and give all due consideration to any such request made by China, should there be a need for additional imports of products covered by the Annex to the said Additional Protocol.

*Head of Delegation of the
People's Republic of China*

*Head of Delegation of the
European Economic Community*

Declaration by the European Economic Community

The Community hereby declares tha China's trade in textile products with the Canary Islands, Ceuta and Melilla is not subject to the provisions of the Agreement between the Community and China on trade in textile products, nor those of its Additional Protocol initialled on 31 October 1986.
