

Official Journal

of the European Communities

ISSN 0378-6978

L 187

Volume 30

7 July 1987

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1978/87 of 6 July 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1979/87 of 6 July 1987 fixing the premiums to be added to the import levies on cereals, flour and malt	3
* Commission Regulation (EEC) No 1980/87 of 6 July 1987 amending Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for oil seeds	5
* Commission Regulation (EEC) No 1981/87 of 6 July 1987 amending Regulation No 282/67/EEC on detailed rules for intervention for oil seeds	6
Commission Regulation (EEC) No 1982/87 of 6 July 1987 issuing the standing invitation to tender provided for in Council Regulation (EEC) No 777/87	7
Commission Regulation (EEC) No 1983/87 of 6 July 1987 on a special intervention measure for barley in Spain	9
Commission Regulation (EEC) No 1984/87 of 6 July 1987 amending Regulation (EEC) No 1814/87 introducing a countervailing charge on aubergines originating in Spain (except the Canary Islands)	12
* Commission Regulation (EEC) No 1985/87 of 6 July 1987 concerning the stopping of fishing for cod by vessels flying the flag of Portugal	13

Important announcement (third page of cover)

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1978/87

of 6 July 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 1900/87⁽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 last amended by Regulation (EEC) No 1636/87⁽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 1944/87⁽⁵⁾;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 3 July 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 1944/87 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 7 July 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 38.

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 6 July 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	—	178,20
10.01 B II	Durum wheat	28,00	229,93 ⁽¹⁾ ⁽²⁾
10.02	Rye	23,74	151,33 ⁽²⁾
10.03	Barley	22,03	173,16
10.04	Oats	70,15	128,56
10.05 B	Maize, other than hybrid maize for sowing	2,38	177,56 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	22,03	113,38
10.07 B	Millet	22,03	123,34 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	27,10	184,69 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	(7)	(7)
10.07 D II	Canary seed; other cereals	22,03	29,33 ⁽²⁾
11.01 A	Wheat or meslin flour	6,27	261,57
11.01 B	Rye flour	46,24	224,87
11.02 A I a)	Durum wheat groats and meal	56,40	369,39
11.02 A I b)	Common wheat groats and meal	6,78	282,50

⁽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 Council 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 1979/87

of 6 July 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 1900/87⁽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 last amended by Regulation (EEC) No 1636/87⁽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 1945/87⁽⁵⁾;

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

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

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 3 July 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 7 July 1987.

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 41.

ANNEX

to the Commission Regulation of 6 July 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	4,72
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1980/87

of 6 July 1987

amending Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for oil seeds

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

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 (5) thereof,

Whereas the characteristic feature of double zero rape seed is the lower glucosinolate content, which facilitates its incorporation in feedingstuffs; whereas the first subparagraph of Article 2 (4) of Commission Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 532/87⁽⁴⁾, lays down a maximum authorized content of 20 micromoles per gram of seed of that description; whereas, however, the second subparagraph of that paragraph provides for a temporary derogation until the end of the 1987/88 marketing year to enable operators to adjust to the new quality requirements; whereas experience has shown that a further marketing year would be necessary for such an adjust-

ment; whereas the maximum permissible glucosinolate content of double zero rape seed of 35 micromoles per gram of seed should consequently be extended until the end of the 1988/89 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 2 (4) of Regulation (EEC) No 2681/83, '1986/87 and 1987/88 marketing years' is hereby replaced by '1986/87, 1987/88 and 1988/89 marketing years'.

Article 2

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

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 54, 24. 2. 1987, p. 8.

COMMISSION REGULATION (EEC) No 1981/87

of 6 July 1987

amending Regulation No 282/67/EEC on detailed rules for intervention for oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1986 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 24a (3) thereof,

Whereas the characteristic feature of double zero rape seed is a lower glucosinolate content, which facilitates its incorporation in feedingstuffs; whereas the first subparagraph of Article 3 (4) of Commission Regulation No 282/67/EEC on detailed rules for intervention for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 1808/85⁽⁴⁾, lays down a maximum authorized content of 20 micromoles per gram of seed of that description; whereas, however, the second subparagraph of that paragraph provides for a temporary derogation until the end of the 1987/88 marketing year to enable operators to adjust to the new quality requirements; whereas experience has shown that a further marketing year would be necessary for such an adjustment; whereas the

maximum permissible glucosinolate content in double zero rape seed of 35 micromoles per gram of seed should consequently be extended until the end of the 1988/89 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 3 (4) of Regulation No 282/67/EEC, '1986/87 and 1987/88 marketing years' is hereby replaced by '1986/87, 1987/88 and 1988/89 marketing years'.

Article 2

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

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No 151, 13. 7. 1967, p. 1/67.

⁽⁴⁾ OJ No L 169, 29. 6. 1985, p. 76.

COMMISSION REGULATION (EEC) No 1982/87

of 6 July 1987

issuing the standing invitation to tender provided for in Council Regulation (EEC) No 777/87

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 the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87 of 16 March 1987 modifying the intervention arrangements for butter and skimmed-milk powder⁽³⁾ lays down the criteria on which basis, until the end of the fifth 12-month period of the application of the supplementary levy arrangements provided for in Article 5c of Regulation (EEC) No 804/68, the buying in of butter by the intervention agencies may be suspended or must be re-established;

Whereas purchases of butter under Article 6 (1) of Regulation (EEC) No 804/68 have been suspended by Commission Regulation (EEC) No 1772/87⁽⁴⁾;

Whereas Article 1 (3) (a) of Regulation (EEC) No 777/87 provides that, where buying in is suspended throughout

the Community or in part thereof, buying in may be carried out under a standing invitation of tender; whereas Commission Regulation (EEC) No 1589/87⁽⁵⁾ lays down the rules for the application of the tendering procedure; whereas the tendering procedure should be initiated;

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

The intervention agencies referred to in the notice of standing invitation to tender which appears in the Annex to this Regulation shall buy in butter in accordance with the provisions of Regulation (EEC) No 1589/87.

Article 2

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

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 167, 26. 6. 1987, p. 47.

⁽⁵⁾ OJ No L 146, 6. 6. 1987, p. 27.

*ANNEX***Notice of standing invitation to tender for the sale by tender of butter to intervention agencies**

The intervention agencies mentioned below issue a standing invitation for the buying in of butter in accordance with Regulation (EEC) No 1589/87.

The time limit for the submission of tenders for the first individual award procedure shall be 14 July 1987 at 12 noon. The detailed conditions for this procedure have been fixed by the intervention agencies in question to whom the interested parties within the Community may address further queries concerning these matters at one of the following addresses:

- Office belge de l'économie et de l'agriculture, secteur produits agricoles et alimentaires, rue de Trèves 82, B-1040 Bruxelles,
 - EF-direktoratet Frederiksborggade 18, DK-1360 København K, telex 15 137 EFDIR-DK,
 - Bundesanstalt für landwirtschaftliche Marktordnung (BALM), D-6000 Frankfurt am Main, Adickesalle 40, telex 04 11 727. Tenders delivered by hand should be delivered to: BALM, Block B, Zimmer 056,
 - Service for the Management of Agricultural Products (YDAGEP), 5, Aharnon Street, Athens,
 - Servicio Nacional des Productors Agrarios (SENPA), Calle de Beneficiencia 8, 28004 Madrid,
 - Société Interlait: 28, boulevard de Grenelle, F-75737 Paris Cedex 15,
 - Department of Agriculture, Dairying (trade) Division, Agriculture House, Kildare Street, IRL-Dublin 2,
 - Azienda di Stato per gli interventi nel mercato agricolo (AIMA), Via Palestro 81, I-00198 Roma,
 - Service d'économie rurale, section de l'économie laitière, 115, rue de Hollerich, L-1741 Luxembourg, telex 2 537 AGRIM LU,
 - Voedselvoorzienings In- en Verkoopbureau, Burg. Kessenplain 3, NL-6431 KM-Hoensbroek, using the form obtainable on request, telex 56 396,
 - Internal Market Division, Intervention Board for Agricultural Produce, Fountain House, 2 West Mall, UK-Reading, Berks RG1 7QW, telex 848 302.
-

COMMISSION REGULATION (EEC) No 1983/87
of 6 July 1987
on a special intervention measure for barley in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1900/87 ⁽²⁾, and in particular Article 8 (4) thereof,

Whereas production of barley in Spain exceeds that country's requirements;

Whereas the possibility of that surplus being absorbed by the Community market is slight;

Whereas the Spanish market can be relieved by the export of part of this surplus quantity of barley to non-member countries; whereas, in view of world market prices for barley, export is possible only with the aid of a refund;

Whereas, however, the refund arrangements laid down in Article 16 of Regulation (EEC) No 2727/75 apply to export from any Member State; whereas such arrangements, therefore, are not only unsuitable for solving the problem in question but may also favour the export of barley from Member States where the market situation is different from that in Spain;

Whereas, in the absence of adequate measures, massive quantities of barley may be expected to enter intervention storage in Spain during the marketing year in accordance with Article 7 of Regulation (EEC) No 2727/75, the only possibility of disposal being in any case export to non-member countries; whereas, to avoid the abovementioned intervention, a special intervention measure intended to relieve the Spanish market should be taken under Article 8 of the said Regulation; whereas, furthermore, such a measure should take the form of a direct export incentive, which would avoid the high cost to the Community budget of buying in and storing products which would in any case then have to be exported; whereas the granting of a refund, the amount of which would be determined by tendering and which would apply only to products exported from Spain, would be an appropriate measure for this purpose;

Whereas the purpose of the measure is such that refunds should be granted only on barley of the quality required

for acceptance for intervention, as defined in Commission Regulation (EEC) No 1569/77 ⁽³⁾, as last amended by Regulation (EEC) No 417/87 ⁽⁴⁾; whereas the competent agency must make certain barley exported is of this standard;

Whereas the nature and objectives of the said measures make it appropriate to apply in respect of it *mutatis mutandis* Article 16 of Regulation (EEC) No 2727/75 and the Regulations adopted for the application thereof, in particular Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application on the system of tendering for export refunds on cereals ⁽⁶⁾, as last amended by Regulation (EEC) No 2788/86 ⁽⁷⁾;

Whereas, since the interested parties are already aware of the terms of the invitation, a derogation may be made from the provisions of Regulation (EEC) No 279/75 on the period that must elapse between the date of publication and the first closing date for the submission of tenders;

Whereas, under the abovementioned Regulation (EEC) No 279/75, the commitments on the part of the tenderer include the obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment of all concerned, it is necessary to make provision for the licences issued to have an identical period of validity;

Whereas, in order to ensure the smooth operation of the export tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁴⁾ OJ No L 42, 12. 2. 1987, p. 24.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 257, 10. 9. 1986, p. 32.

HAS ADOPTED THIS REGULATION:

Article 1

1. A special intervention measure in the form of an export refund shall be applied in respect of 500 000 tonnes of barley exported from Spain.

Article 16 of Regulation (EEC) No 2727/75 and the provisions adopted for the application of that Article shall apply *mutatis mutandis* to the said refund.

2. The Spanish intervention agency shall be responsible for implementing the measure referred to in paragraph 1.

Article 2

1. Tenders shall be invited in order to determine the amount of the refund referred to in Article 1.

2. The invitation to tender shall relate to the quantity of barley referred to in Article 1 (1) for export to the countries in zones I to VIII listed in Annex I to Commission Regulation (EEC) No 1124/77⁽¹⁾, the Germany Democratic Republic and the Canary Islands.

3. The invitation shall remain open until 24 September 1987. During the period of its validity weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

By way of derogation from Article 1 (2) of Regulation (EEC) No 279/75, the time limit for submission of tenders under the first partial invitation to tender shall expire on 9 July 1987.

4. Tenders must be submitted to the Spanish intervention agency named in the notice of invitation.

5. The tendering procedure shall take place in accordance with this Regulation and Regulation (EEC) No 279/75.

Article 3

A tender shall be valid only if:

- it relates to not less than 1 000 tonnes,
- it is accompanied by:
 - advance fixing of the Spanish monetary compensatory amount valid on each closing date for the submission of tenders,
 - the undertaking provided for in Article 2 (3) (b) of Regulation (EEC) No 279/75 that the export licence will be applied for in Spain.

Article 4

The security referred to in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

Article 5

1. By way of derogation from Article 21 (1) of Commission Regulation (EEC) No 3183/80⁽²⁾, as last amended by Regulation (EEC) No 3913/86⁽³⁾, export licences issued in accordance with Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the second month following that of the issue.

Article 6

1. The Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, either:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

3. A refund awarded shall not be paid unless the barley exported is of at least intervention quality as defined in Article 2 (2) of Regulation (EEC) No 1569/77.

The competent agency shall have an analysis made, by an approved body or company, of the landed goods and shall hold at the Commission's disposal an additional sample from each consignment taken and sealed in the presence of the tenderer or his representative.

Sampling and analysis costs shall be met by the tenderer.

Article 7

Tenders submitted must reach the Commission through the intervention of the Spanish intervention agency at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, the Spanish intervention agency shall inform the Commission of this within the period indicated in the first paragraph.

The times fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽²⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽³⁾ OJ No L 364, 23. 12. 1986, p. 31.

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Weekly tender for the refund for the export of barley to countries in zones I to VIII, the German Democratic Republic and the Canary Islands

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in ECU per tonne
1		
2		
3		
etc.		

COMMISSION REGULATION (EEC) No 1984/87

of 6 July 1987

amending Regulation (EEC) No 1814/87 introducing a countervailing charge on aubergines originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1814/87⁽³⁾, introduced a countervailing charge on aubergines originating in Spain (except the Canary Islands);

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1814/87 '7,29 ECU' is hereby replaced by '1,28 ECU'.

Article 2

This Regulation shall enter into force on 7 July 1987.

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

Done at Brussels, 6 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 170, 30. 6. 1987, p. 31.

⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 1985/87

of 6 July 1987

concerning the stopping of fishing for cod by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 4027/86 ⁽²⁾, and in particular Article 10 (3) thereof,Whereas Council Regulation (EEC) No 4034/86 of 22 December 1986 fixing, for certain fish stocks and groups of fish stocks, total allowable catches for 1987 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 1880/87 ⁽⁴⁾, provides for cod quotas for 1987;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels, flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES

division II b by vessels flying the flag of Portugal or registered in Portugal have reached the quota allocated for 1987,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division II b by vessels flying the flag of Portugal or registered in Portugal are deemed to have exhausted the quota allocated to Portugal for 1987.

Fishing for cod in the waters of ICES division II b by vessels flying the flag of Portugal or registered in Portugal is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force on this Regulation.

*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 4 July 1987.

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

Done at Brussels, 6 July 1987.

For the Commission

António CARDOSO E CUNHA

Member of the Commission⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.⁽²⁾ OJ No L 376, 31. 12. 1986, p. 4.⁽³⁾ OJ No L 376, 31. 12. 1986, p. 39.⁽⁴⁾ OJ No L 179, 3. 7. 1987, p. 4.