

Official Journal

of the European Communities

ISSN 0378-6978

L 251

Volume 30

2 September 1987

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2648/87**of 1 September 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⁾ 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 31 August 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 2 September 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, 1 September 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 1 September 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	—	180,96
10.01 B II	Durum wheat	37,29	244,54 ⁽¹⁾ ⁽²⁾
10.02	Rye	26,86	153,27 ⁽⁶⁾
10.03	Barley	14,32	178,98
10.04	Oats	79,33	131,60
10.05 B	Maize, other than hybrid maize for sowing	5,29	182,04 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	14,32	117,97
10.07 B	Millet	14,32	111,54 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	29,71	185,98 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	14,32	34,40 ⁽⁵⁾
11.01 A	Wheat or meslin flour	—	266,79
11.01 B	Rye flour	13,44	228,74
11.02 A I a)	Durum wheat groats and meal	13,17	392,20
11.02 A I b)	Common wheat groats and meal	—	287,65

⁽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 2649/87

of 1 September 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⁾ 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 31 August 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 coming from 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 coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 September 1987.

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

Done at Brussels, 1 September 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 1 September 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 9	1st period 10	2nd period 11	3rd period 12
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0,48	0,48	0
10.02	Rye	0	1,56	1,56	1,56
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	1,36	1,36	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	8,57	8,56	8,57
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

CCT heading No	Description	(ECU/tonne)				
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2650/87

of 31 August 1987

re-establishing the levying of the customs duties on stearic acid, falling within subheading 15.10 A of the Common Customs Tariff, originating in Malaysia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3926/86 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3926/86 of 16 December 1986, applying generalized tariff preferences for 1987⁽¹⁾, in respect of certain agricultural products originating in developing countries, notably under Article 33,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3926/86, stearic acid, falling within subheading 15.10 A of the Common Customs Tariff, originating in Malaysia, is permitted to be imported into the Community exempt from duty; whereas, by the terms of Article 32 of the said Regulation, the customs duties applied in the Community can be re-established if imports of the abovementioned product the Community in such quantities or at such prices that they bring or threaten to bring a serious prejudice against producers in the Community of similar or directly competitive products;

Whereas preferential imports of stearic acid from Malaysia into the Community are being made at prices which place Community producers of this product at a serious disadvantage,

HAS ADOPTED THIS REGULATION:

Article 1

From 3 September 1987 the levying of customs duties suspended pursuant to Council Regulation (EEC) No 3926/86 shall be re-established for the imports into the Community of the following product originating in Malaysia.

CCT heading No	Description
15.10 A	Stearic acid

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, 31 August 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 126.

COMMISSION REGULATION (EEC) No 2651/87

of 31 August 1987

on arrangements for imports to France of certain textile products (category 75)
originating in Thailand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries⁽¹⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into France of textile products of category 75 specified in the Annex hereto and originating in Thailand exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, Thailand was notified on 19 June 1987 of a request for consultations; whereas, as a result of these consultations, it was agreed to make the textile products in question subject to quantitative limits for the years 1987 to 1991;

Whereas paragraph 13 of the said Article 11 provides for compliance with the quantitative limits to be ensured by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 4136/86;

Whereas the products in question exported from Thailand between 1 January 1987 and the date of entry into force of this Regulation must be set off against the quantitative limit for the year 1987;

Whereas this quantitative limit should not prevent the importance of products covered by it shipped from Thailand before the date of entry into force of this Regulation;

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

Article 1

Without prejudice to the provisions of Article 2, imports into France of the category of products originating in Thailand and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

1. Products as referred to in Article 1, shipped from Thailand to France before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place before that date.

2. Imports of such products shipped from Thailand to France after the entry into force of this Regulation shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of products shipped from Thailand to France on or after 1 January 1987 and released for free circulation, shall be deducted from the quantitative limit laid down. This limit shall not, however, prevent the importation of products covered by it but shipped from Thailand before the date of entry into force of this Regulation.

Article 3

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

It shall apply until 31 December 1991.

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

Done at Brussels, 31 August 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

ANNEX

Category	CCT heading No (1987)	NIMEXE code (1987)	Description	Third country	Units	Member State	Quantitative limits from 1 January to 31 December
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
75	60.05 A II b) 4 ff)	60.05-66, 68	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres excluding ski suits	Thailand	pieces	France	1987 (!): 280 000 1988 : 297 000 1989 : 315 000 1990 : 333 000 1991 : 353 000

(!) For 1987 a special supplementary quantity of 25 000 pieces has been agreed.

COMMISSION REGULATION (EEC) No 2652/87
of 1 September 1987
introducing a countervailing charge on certain varieties of plum originating in
Yugoslavia

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 2275/87⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2491/87⁽³⁾, amended by Regulation (EEC) No 2541/87⁽⁴⁾, introduced a countervailing charge on certain varieties of plum originating in Yugoslavia;

Whereas for these varieties of plum originating in Yugoslavia there were no prices for six consecutive working

days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of certain varieties of plum originating in Yugoslavia can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2491/87 is hereby repealed.

Article 2

This Regulation shall enter into force on 2 September 1987.

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

Done at Brussels, 1 September 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 209, 31. 7. 1987, p. 4.

⁽³⁾ OJ No L 231, 18. 8. 1987, p. 8.

⁽⁴⁾ OJ No L 241, 25. 8. 1987, p. 9.

COMMISSION REGULATION (EEC) No 2653/87

of 1 September 1987

abolishing the countervailing charge on fresh lemons 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 2275/87 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 2196/87 ⁽³⁾, as last amended by Regulation (EEC) No 2552/87 ⁽⁴⁾ introduced a countervailing charge on fresh lemons originating in Spain (except the Canary Islands);Whereas the present trend of prices for these products on the representative markets referred to in Commission Regulation (EEC) No 2118/74 ⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85 ⁽⁶⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicates that the application of the first subparagraph of Article 26 (1) of Regulation (EEC) No 1035/72 would result in the countervailing charge being

fixed at zero; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

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,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2196/87 is hereby repealed.

Article 2

This Regulation shall enter into force on 2 September 1987.

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

Done at Brussels, 1 September 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 209, 31. 7. 1987, p. 4.⁽³⁾ OJ No L 203, 24. 7. 1987, p. 35.⁽⁴⁾ OJ No L 242, 26. 8. 1987, p. 27.⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 2654/87

of 1 September 1987

introducing a countervailing charge on tomatoes originating in Romania

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 2275/87⁽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 829/87 of 23 March 1987 fixing for the 1987 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at 41,05 ECU per 100 kilograms net for the period 11 July to 31 August 1987;

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 tomatoes originating in Romania 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 tomatoes;

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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 7,29 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Romania.

Article 2

This Regulation shall enter into force on 3 September 1987.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 209, 31. 7. 1987, p. 4.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 12.

⁽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.

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

Done at Brussels, 1 September 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2655/87
of 1 September 1987
correcting the monetary compensatory amounts

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 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 9 (2) thereof,

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 2594/87 ⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 3155/85 of 11 November 1985 providing for the advance fixing of monetary compensatory amounts ⁽⁵⁾, as amended by Regulation (EEC) No 1002/87 ⁽⁶⁾;

Whereas the monetary amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1956/87 ⁽⁷⁾, as amended by Regulation (EEC) No 2588/87 ⁽⁸⁾;

Whereas a check has shown that an error was made in Part 8 of Annex I to Regulation (EEC) No 2588/87; whereas that Regulation in question should be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

Part 8 of Annex I to Regulation (EEC) No 2588/87 is corrected as follows:

1. Subheadings 18.06 C I, 18.06 C II a) 1 and 18.06 C II a) 2 are deleted;
2. In the column headed Spain the figure '0' is inserted against subheadings:
 - 21.07 D I a) 1;
 - 21.07 D I a) 2;
 - 21.07 D I b) 1;
 - 21.07 D I b) 2;
 - 21.07 D I b) 3;
 - 21.07 G II a) 1;
 - 21.07 G III a) 1;
 - 21.07 G IV a) 1;
 - 21.07 G V a) 1.

Article 2

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

At the request of the interested parties it shall be applicable with effect from 31 August 1987.

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

Done at Brussels, 1 September 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 245, 29. 8. 1987, p. 11.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽⁶⁾ OJ No L 93, 8. 4. 1986, p. 8.

⁽⁷⁾ OJ No L 186, 6. 7. 1987, p. 3.

⁽⁸⁾ OJ No L 247, 31. 8. 1987, p. 1.

COMMISSION REGULATION (EEC) No 2656/87
of 1 September 1987
concerning the application of Article 7 of Council Regulation (EEC) No 1999/85
on inward processing relief arrangements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1999/85 of 16 July 1985 on inward processing relief arrangements⁽¹⁾, and in particular Article 31 thereof,

Whereas Regulation (EEC) No 1999/85 provides in Article 7 thereof the possibility to determine cases other than those set out in Article 6 of the said Regulation in which the economic conditions may be considered as being fulfilled;

Whereas for reasons of commercial policy, it is desirable to consider the economic conditions as being fulfilled as regards durum wheat when pasta resulting from the processing of durum wheat is to be exported to the United States of America for home use there;

Whereas Regulation (EEC) No 2657/87 of 1 September 1987 derogating from the prohibition on the use of equivalent compensation for durum wheat⁽²⁾, provides for the use of a 'Certificate for IPR exports of pasta to the USA' so that the holder of the processing authorization allowing use of equivalent compensation for durum wheat may furnish proof that the pasta has been entered for home use in the United States of America;

Whereas those procedures should also be applied when the inward processing relief arrangements are used without recourse to equivalent compensation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for Customs Procedures with Economic Impact,

HAS ADOPTED THIS REGULATION:

Article 1

In respect of the application of Article 7 of Regulation (EEC) No 1999/85, the economic conditions shall be considered as being fulfilled, as regards durum wheat coming under subheading 10.01 B II of the Common Customs Tariff, where the inward processing arrangements concern processing into pasta products under subheadings 19.03 A and B of the said tariff + sho to exported to the United States of America for home use there.

Article 2

Article 2 (2) and Articles 3 to 6 of Regulation (EEC) No 2657/87 shall apply *mutatis mutandis* where the processing operations referred to in Article 1 of this Regulation are carried out without equivalent compensation as regards durum wheat.

Article 3

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

It shall apply with effect from 1 September 1987.

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

Done at Brussels, 1 September 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 188, 20. 7. 1985, p. 1.

⁽²⁾ See page 14 of this Official Journal.

COMMISSION REGULATION (EEC) No 2657/87

of 1 September 1987

derogating from the prohibition on the use of equivalent compensation for durum wheat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1999/85 of 16 July 1985 on inward processing relief arrangements ⁽¹⁾,

Having regard to Council Regulation (EEC) No 3677/86 of 24 November 1986 laying down provisions for the implementation of Regulation (EEC) No 1999/85 on inward processing relief arrangements ⁽²⁾, as last amended by Commission Regulation (EEC) No 2412/87 ⁽³⁾, and in particular Annex IV thereto,

Whereas Annex IV to Regulation (EEC) No 3677/86 provides for the possibility of derogations from the prohibition on the use of equivalent compensation for certain kinds of common and durum wheat;

Whereas for commercial policy reasons provisions should be adopted derogating from the said prohibition in the case of durum wheat where equivalent compensation is used to produce pasta products for export to the United States of America for home use there;

Whereas, pursuant to the provisions of Annex IV to Regulation (EEC) No 3677/86, a group of experts composed of representatives of the Member States was consulted on 13 August 1987 within the Committee for Customs Procedures with Economic Impact,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the prohibition contained in Annex IV to Regulation (EEC) No 3677/86, equivalent compensation may be used between durum wheat falling within subheading 10.01 B II of the Common Customs Tariff which meets the requirements of Article 9 of the Treaty and imported wheat falling within the same subheading of the Common Customs Tariff, provided it is used to produce pasta products falling within subheadings 19.03 A or B of the Common Customs Tariff and the said products are exported to the United States of America and cleared for home use there.

⁽¹⁾ OJ No L 188, 20. 7. 1985, p. 1.

⁽²⁾ OJ No L 351, 12. 12. 1986, p. 1.

⁽³⁾ OJ No L 219, 8. 8. 1987, p. 30.

1. Customs authorities shall permit the derogation provided for in Article 1 at the request of the person concerned, who shall undertake to meet the requirement provided for in that Article. Such derogation shall be granted for a limited period not exceeding six months. During that period the import goods may be placed under inward processing arrangements or, where prior exportation is used, the compensating products may be exported. This derogation may also be granted in the form of an adjustment to an authorization which has already been issued.

2. Inward processing authorizations granting the derogation provided for in Article 1 shall also require the holder to provide evidence showing that the processed pasta products have been cleared for home use in the United States of America.

That evidence shall be in the form of the original of a 'Certificate for IPR exports of pasta to the USA' herein after referred to as 'Certificate P 1', endorsed by the competent customs office in the Community where the export formalities were completed and by the competent authorities in the United States of America.

The 'Certificate P 1', which shall consist of one original and two copies, shall be drawn up on a form corresponding to the model and provisions contained in the Annex.

Article 3

1. Export declarations relating to pasta products produced under inward processing arrangements with recourse to equivalent compensation as referred to in Article 1 shall state that the products are being exported to the United States of America.

The 'Certificate P 1' shall be presented when the export declaration is lodged.

2. The customs office which has accepted the export declaration shall endorse Box 9 of both the original and the copies of the 'Certificate P 1' shall retain the copy No 2 and return the original and copy No 1 to the person making the declaration.

3. The original of the 'Certificate P 1' endorsed by the competent customs authorities of the United States of America, shall be presented to the customs office in the Community which endorsed it no later than three months after the date on which the export declaration for the pasta products was accepted.

4. In the event of theft, loss or destruction of the 'Certificate P 1', the holder of the authorization may ask the customs office which endorsed it for a duplicate to be issued. The duplicate so issued shall bear one of the following indications :

- DUPLICADO
- DUPLIKAT
- DUPLIKAT
- ΑΝΤΙΓΡΑΦΟ
- DUPLICATE
- DUPLICATA
- DUPLICATO
- DUPLICAAT
- SEGUNDA VIA

Article 4

Except where the compensating products are subject to prior exportation, acceptance of the export declaration shall be subject to the lodging of a guarantee of 6 ECU per tonne of durum wheat used in the manufacture of the quantity of pasta products exported.

That guarantee shall be forfeited where the evidence referred to in Article 2 (2) is not produced within the period provided for in Article 3 (3).

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

Done at Brussels, 1 September 1987.

Article 5

Where prior exportation is used in the conditions referred to in Article 1, acceptance of the declaration placing the durum wheat under the processing arrangements shall be subject to provision of the evidence referred to in Article 2 (2).

Article 6

At the end of each month the customs authorities of the Member States shall send the Commission statistical data concerning the quantities of pasta products, broken down by tariff subheading, which have been produced under the inward processing arrangements with recourse to equivalent compensation and for which 'Certificates P 1' have been endorsed during the preceding month by the customs offices where the export formalities were completed.

Article 7

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 September 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

ANNEX

Provisions concerning the 'Certificate P 1'

1. The form on which the 'Certificate P 1' is drawn up shall be printed on white paper containing no mechanical pulp, dressed for writing purposes and weighing between 40 and 65 grammes per square metre.
2. The format of the form shall be 210 by 297 millimetres.
3. The Member States shall arrange for the forms to be printed. Each form shall bear a serial number distinguishing it from all others.
4. The form shall be printed and completed in English, either typed or by hand ; in the latter case it shall be completed in ink and in capital letters.

1 Exporter (Name and full address, including Member State)		No 000000	CERTIFICATE FOR IPR EXPORTS OF PASTA TO THE USA	P 1 ORIGINAL
2 Consignee (Name and full address)				
		3 Member State of export		
		4 Country of destination		
NOTES				
A. The original and the two copies of this form, boxes 1 to 8 of which must be completed by the exporter, must be lodged in support of the export declaration with the competent customs office in the Member State of export.				
B. The original and copy 1 with the endorsement of the competent customs office in the Community must be presented to the competent customs authorities in the United States of America where the goods are entered for consumption.				
C. The original with the endorsement of the competent customs authorities in the United States of America must be returned to the customs office in the Community which has accepted the export declaration.				
5 Marks and numbers — Number and kind of packages — Description of goods			6 Gross mass (kg)	
			7 Net mass (kg)	
8 Inward processing authorization				
9 ENDORSEMENT BY COMPETENT CUSTOMS OFFICE IN THE COMMUNITY				
This is to certify that customs export formalities for the goods shown above have been carried out.				
Export document : Type :		Number :	Date of acceptance of declaration :	
Customs office :		Member State :		
Date :	Signature :		Stamp :	
10 ENDORSEMENT BY COMPETENT CUSTOMS AUTHORITIES IN THE UNITED STATES				
This is to certify that the goods shown above have been entered for consumption in the United States of America.				
Place and date :		Signature :		Stamp :

EUROPEAN COMMUNITY

1 Exporter (Name and full address, including Member State)	No 000000 CERTIFICATE FOR IPR EXPORTS OF PASTA TO THE USA P 1 COPY No 1	
2 Consignee (Name and full address)	3 Member State of export	4 Country of destination
NOTES A. The original and the two copies of this form, boxes 1 to 8 of which must be completed by the exporter, must be lodged in support of the export declaration with the competent customs office in the Member State of export. B. The original and copy 1 with the endorsement of the competent customs office in the Community must be presented to the competent customs authorities in the United States of America where the goods are entered for consumption. C. The original with the endorsement of the competent customs authorities in the United States of America must be returned to the customs office in the Community which has accepted the export declaration.		
5 Marks and numbers — Number and kind of packages — Description of goods	6 Gross mass (kg)	
	7 Net mass (kg)	
8 Inward processing authorization		
9 ENDORSEMENT BY COMPETENT CUSTOMS OFFICE IN THE COMMUNITY This is to certify that customs export formalities for the goods shown above have been carried out. Export document: Type: Number: Date of acceptance of declaration: Customs office: Member State: Date: Signature: Stamp:		
10 ENDORSEMENT BY COMPETENT CUSTOMS AUTHORITIES IN THE UNITED STATES This is to certify that the goods shown above have been entered for consumption in the United States of America. Place and date: Signature: Stamp:		

EUROPEAN COMMUNITY

1 Exporter (Name and full address, including Member State)	No 000000 CERTIFICATE FOR IPR EXPORTS OF PASTA TO THE USA P 1 COPY No 2	
2 Consignee (Name and full address)		
	3 Member State of export	
	4 Country of destination	
NOTES A. The original and the two copies of this form, boxes 1 to 8 of which must be completed by the exporter, must be lodged in support of the export declaration with the competent customs office in the Member State of export. B. The original and copy 1 with the endorsement of the competent customs office in the Community must be presented to the competent customs authorities in the United States of America where the goods are entered for consumption. C. The original with the endorsement of the competent customs authorities in the United States of America must be returned to the customs office in the Community which has accepted the export declaration.		
5 Marks and numbers — Number and kind of packages — Description of goods	6 Gross mass (kg)	
	7 Net mass (kg)	
8 Inward processing authorization		
9 ENDORSEMENT BY COMPETENT CUSTOMS OFFICE IN THE COMMUNITY This is to certify that customs export formalities for the goods shown above have been carried out. Export document: Type: Number: Date of acceptance of declaration: Customs office: Member State: Date: Signature: Stamp:		
10 ENDORSEMENT BY COMPETENT CUSTOMS AUTHORITIES IN THE UNITED STATES This is to certify that the goods shown above have been entered for consumption in the United States of America. Place and date: Signature: Stamp:		