

Official Journal

of the European Communities

ISSN 0378-6978

L 39

Volume 31

12 February 1988

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 388/88

of 8 February 1988

amending Regulation (EEC) No 458/80 on collective projects for the restructuring of vineyards

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas Article 9 (1) of Regulation (EEC) No 458/80⁽²⁾, as last amended by Regulation (EEC) No 3827/85⁽³⁾, provides for a common measure lasting seven wine-growing years from the date of application of that Regulation and whereas Article 14 thereof provides that it shall apply from 1 September 1980;

Whereas Articles 8 and 9 of Regulation (EEC) No 458/80 provide that 34 000 hectares should be added for Spain, at an estimated cost of 26 500 000 ECU;

Whereas the interval between the date of Spain's accession to the Community and the end of the period of application of the Regulation in question is particularly short;

Whereas, in order to enable Spain to achieve the objectives laid down in Regulation (EEC) No 458/80, the period of application of that Regulation for Spanish projects should be extended to 31 March 1988;

Whereas, in order to avoid an increase in the volume of production, the possibility of aid for new planting should be discontinued and collective restructuring should be restricted to vineyards in zones producing quality wines psr, priority being granted to conversion from production of table wines to that of quality wine psr in vineyards located at the same time in less-favoured areas as defined

in Council Directive 86/466/EEC of 14 July 1986 concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Spain)⁽⁴⁾;

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 of Regulation (EEC) No 458/80 is hereby amended as follows:

1. Paragraph 1 is replaced by the following:

'1. The period envisaged for implementing the common measure shall be seven wine-growing years from the date of application of this Regulation, except in the case of Spain, where the period envisaged shall end on 31 March 1988.'

2. The following paragraph is added:

'1a. As regards the extension period for Spain, the second and third subparagraphs of Article 2 (1) and the second and third subparagraphs of Article 5 (2) shall not apply.

By way of derogation:

- from Article 2 (3), a collective restructuring project must be located in a zone producing a quality wine psr and in a less-favoured area within the meaning of Article 3 of Directive 75/268/EEC, and
- from Article 5 (2), "2 418 and 3 022 ECU" is replaced by "2 000 and 2 500 ECU".

3. The following is added at the end of paragraph 2:

'including 9 million ECU reserved for Spain for the extension period referred to in paragraph 1.'

Article 2

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

⁽¹⁾ Opinion delivered on 22 January 1988 (not yet published in the Official Journal).

⁽²⁾ OJ No L 57, 29. 2. 1980, p. 27.

⁽³⁾ OJ No L 372, 31. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 273, 24. 9. 1986, p. 104.

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

Done at Brussels, 8 February 1988.

For the Council

The President

I. KIECHLE

COMMISSION REGULATION (EEC) No 389/88

of 11 February 1988

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) 3989/87⁽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 4047/87⁽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 10 February 1988;

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 4047/87 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 12 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 99.

ANNEX

to the Commission Regulation of 11 February 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	10,36	167,15
0712 90 19	10,36	167,15
1001 10 10	65,54	251,67 ⁽¹⁾ ⁽²⁾
1001 10 90	65,54	251,67 ⁽¹⁾ ⁽²⁾
1001 90 91	5,23	186,80
1001 90 99	5,23	186,80
1002 00 00	45,58	162,40 ⁽³⁾
1003 00 10	39,26	178,73
1003 00 90	39,26	178,73
1004 00 10	95,79	141,12
1004 00 90	95,79	141,12
1005 10 90	10,36	167,15 ⁽³⁾ ⁽²⁾
1005 90 00	10,36	167,15 ⁽³⁾ ⁽²⁾
1007 00 90	33,88	175,96 ⁽⁴⁾
1008 10 00	39,26	97,89
1008 20 00	39,26	107,32 ⁽⁴⁾
1008 30 00	39,26	57,96 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	39,26	57,96
1101 00 00	21,87	276,82
1102 10 00	78,36	241,90
1103 11 10	115,18	403,68
1103 11 90	21,93	297,28

⁽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 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 390/88

of 11 February 1988

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 3989/87⁽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 4048/87⁽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 10 February 1988;

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 12 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 102.

ANNEX

to the Commission Regulation of 11 February 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	1,45
1001 10 90	0	0	0	1,45
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 391/88**of 11 February 1988****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector 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 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 3994/87⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 798/87⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 799/87⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 800/87⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 8 and 9 February 1988 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁴⁾ introduces from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the previous nomenclature;

Whereas the import levy on olives falling within subheadings 0709 90 39 and 0711 20 90 and on products falling within subheadings 1522 00 31, 1522 00 39 and 2306 90 19 of the combined nomenclature must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 12 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	62,00 ⁽¹⁾
1510 00 90	100,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : 0,60 ECU/100 kg ;

(b) Turkey : 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this subheading :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this subheading :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	13,64
0711 20 90	13,64
1522 00 31	31,00
1522 00 39	49,60
2306 90 19	4,96

COMMISSION REGULATION (EEC) No 392/88

of 11 February 1988

amending Regulation (EEC) No 1599/84 laying down detailed rules for the application of the system of production aid for products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3909/87 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Article 4a of Commission Regulation (EEC) No 1599/84 ⁽³⁾, as last amended by Regulation (EEC) No 3951/86 ⁽⁴⁾, provides in respect of tomatoes for a preliminary contract between the producer and the processor to be concluded by 16 February 1988 at the latest; whereas, in view of the fact that the Community has yet to lay down rules applicable for tomatoes for processing as from the 1988/89 marketing year, the date of conclusion of the contracts in question and the date of the notifications to be made pursuant to Article 2 (1) and (2) of the above-mentioned Regulation should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1599/84 is hereby amended as follows:

1. Article 2 (3) is replaced by the following:

'3. The date laid down in paragraphs 1 and 2 shall be replaced by 11 March 1988 for the 1988/89 marketing year.'

2. Article 4a (5) is replaced by the following:

'5. For the 1988/89 marketing year, the dates laid down in paragraphs 1 and 2 shall be 18 March 1988 and 25 March 1988 respectively.'

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, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 20.

⁽³⁾ OJ No L 152, 8. 6. 1984, p. 16.

⁽⁴⁾ OJ No L 365, 24. 12. 1986, p. 46.

COMMISSION REGULATION (EEC) No 393/88

of 11 February 1988

laying down certain provisions relating to the issue of STM certificates for seed potatoes

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, and in particular Article 85 (3) thereof,

Whereas by Regulation (EEC) No 220/88 ⁽¹⁾ the Commission adopted interim protective measures relating to the suspension of the issue of STM certificates applications for which were submitted after 27 January 1988; whereas that suspension should be extended; whereas that Regulation also provided that STM certificates applied for in the period 23 to 26 January 1988 could be issued for a percentage to be determined; whereas, in view of the quantities applied for and the quantities available, it should be decided that quantities applied for be reduced by applying a percentage; whereas that percentage should be fixed at the level given below;

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Seed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The issuing of STM certificates for certified seed potatoes falling within subheading 0701 10 00 of the combined nomenclature is hereby suspended until 30 September 1988.

2. STM certificates applied for and notified to the Commission for the products mentioned in the preceding paragraph in the period 23 to 26 January 1988 shall be issued in respect of 64,94 % of the quantity applied for.

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, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 21, 27. 1. 1988, p. 27.

COMMISSION REGULATION (EEC) No 394/88

of 11 February 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 25 to 31 January 1988

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

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁴⁾ introduces from 1 January 1988 a new combined nomencla-

ture meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the previous nomenclature;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 25 to 31 January 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 25 to 31 January 1988 shall be those set out in the Annex.

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 25 January 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 25 to 31 January 1988

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 11	26,26474
0201 20 19	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽¹⁾	29,94180
1602 50 10 ⁽²⁾	21,01179

⁽¹⁾ Containing 80 % or more by weight of beef meat.
⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 395/88
of 11 February 1988
fixing the import levies on milk and milk 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 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 3904/87 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 4041/87 ⁽³⁾, as last amended by Regulation (EEC) No 242/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4041/87 to the prices

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

1. The import levies referred to in Article 14 (2) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 16 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 1.

⁽³⁾ OJ No L 378, 31. 12. 1987, p. 82.

⁽⁴⁾ OJ No L 24, 29. 1. 1988, p. 37.

ANNEX

to the Commission Regulation of 11 February 1988 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		18,46
0401 10 90		17,25
0401 20 11		25,75
0401 20 19		24,54
0401 20 91		31,89
0401 20 99		30,68
0401 30 11		82,89
0401 30 19		81,68
0401 30 31		160,21
0401 30 39		159,00
0401 30 91		269,48
0401 30 99		268,27
0402 10 11		130,07
0402 10 19		122,82
0402 10 91	(¹)	1,2282/kg + 32,16
0402 10 99	(¹)	1,2282/kg + 24,91
0402 21 11		195,22
0402 21 17		189,97
0402 21 19		189,97
0402 21 91		236,50
0402 21 99		229,25
0402 29 11	(¹) (³)	1,8997/kg + 32,16
0402 29 15	(¹)	1,8997/kg + 32,16
0402 29 19	(¹)	1,8997/kg + 24,91
0402 29 91	(¹)	2,2925/kg + 32,16
0402 29 99	(¹)	2,2925/kg + 24,91
0402 91 11		30,88
0402 91 19		30,88
0402 91 31		38,60
0402 91 39		38,60
0402 91 51		160,21
0402 91 59		159,00
0402 91 91		269,48
0402 91 99		268,27
0402 99 11		53,76
0402 99 19		53,76
0402 99 31	(¹)	1,5658/kg + 28,54
0402 99 39	(¹)	1,5658/kg + 27,33
0402 99 91	(¹)	2,6585/kg + 28,54
0402 99 99	(¹)	2,6585/kg + 27,33

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 11		28,16
0403 10 13		34,30
0403 10 19		85,30
0403 10 31	(¹)	0,2212/kg + 30,95
0403 10 33	(¹)	0,2826/kg + 30,95
0403 10 39	(¹)	0,7926/kg + 30,95
0403 90 11		130,07
0403 90 13		195,22
0403 90 19		236,50
0403 90 31	(¹)	1,2282/kg + 32,16
0403 90 33	(¹)	1,8997/kg + 32,16
0403 90 39	(¹)	2,2925/kg + 32,16
0403 90 51		28,16
0403 90 53		34,30
0403 90 59		85,30
0403 90 61	(¹)	0,2212/kg + 30,95
0403 90 63	(¹)	0,2826/kg + 30,95
0403 90 69	(¹)	0,7926/kg + 30,95
0404 10 11		24,34
0404 10 19	(¹)	0,2434/kg + 24,91
0404 10 91	(²)	0,2434/kg
0404 10 99	(²)	0,2434/kg + 24,91
0404 90 11		130,07
0404 90 13		195,22
0404 90 19		236,50
0404 90 31		130,07
0404 90 33		195,22
0404 90 39		236,50
0404 90 51	(¹)	1,2282/kg + 32,16
0404 90 53	(¹)	1,8997/kg + 32,16
0404 90 59	(¹)	2,2925/kg + 32,16
0404 90 91	(¹)	1,2282/kg + 32,16
0404 90 93	(¹)	1,8997/kg + 32,16
0404 90 99	(¹)	2,2925/kg + 32,16
0405 00 10		278,26
0405 00 90		339,48
0406 10 10		286,99
0406 10 90		333,62
0406 20 10	(³)	397,57
0406 20 90		397,57
0406 30 10	(³)	221,01
0406 30 31	(³)	215,52
0406 30 39	(³)	221,01
0406 30 90	(³)	317,73
0406 40 00	(³)	157,44
0406 90 11	(³)	254,48

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 90 13	(³)	250,70
0406 90 15	(³)	250,70
0406 90 17	(³)	250,70
0406 90 19	(³)	397,57
0406 90 21	(³)	254,48
0406 90 23	(³)	236,90
0406 90 25	(³)	236,90
0406 90 27	(³)	236,90
0406 90 29	(³)	236,90
0406 90 31	(³)	236,90
0406 90 33		236,90
0406 90 35	(³)	236,90
0406 90 37	(³)	236,90
0406 90 39	(³)	236,90
0406 90 50	(³)	236,90
0406 90 61		397,57
0406 90 63		397,57
0406 90 69		397,57
0406 90 71		286,99
0406 90 73		236,90
0406 90 75		236,90
0406 90 77		236,90
0406 90 79		236,90
0406 90 81		236,90
0406 90 83		236,90
0406 90 85		236,90
0406 90 89	(³)	236,90
0406 90 91		286,99
0406 90 93		286,99
0406 90 97		333,62
0406 90 99		333,62
1702 10 90	(⁴)	42,54
2106 90 51		42,54
2309 10 15		94,54
2309 10 19		122,78
2309 10 39		115,73
2309 10 59		97,06
2309 10 70		122,78
2309 90 35		94,54
2309 90 39		122,78
2309 90 49		115,73
2309 90 59		97,06
2309 90 70		122,78

-
- (1) The levy on 100 kg of product falling within this subheading is equal to the sum of the following:
 - (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
 - (2) The levy on 100 kg of product falling within this subheading is equal to:
 - (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
 - (3) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
 - (4) Lactose and lactose syrup falling within subheading 1702 10 10 are subject, pursuant to Regulation (EEC) No 2730/75, to the same levy as that applicable to lactose falling within subheading 1702 10 90.
-

COMMISSION REGULATION (EEC) No 396/88
of 11 February 1988
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 3993/87 ⁽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 2054/87 ⁽³⁾, as last amended by Regulation (EEC) No 384/88 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ introduced from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the previous nomenclature;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the information 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 12 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 192, 11. 7. 1987, p. 38.

⁽⁴⁾ OJ No L 38, 11. 2. 1988, p. 26.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 11 February 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	41,26 ⁽¹⁾
1701 11 90	41,26 ⁽¹⁾
1701 12 10	41,26 ⁽¹⁾
1701 12 90	41,26 ⁽¹⁾
1701 91 00	50,59
1701 99 10	50,59
1701 99 90	50,59

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

COMMISSION REGULATION (EEC) No 397/88

of 11 February 1988

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 3994/87⁽²⁾, and in particular Article 27 (4) 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 3882/87⁽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 1869/87⁽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 1987/88 marketing year have been fixed in Council Regulations (EEC) No 1917/87⁽⁷⁾ and (EEC) No 1918/87⁽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 4018/87⁽⁹⁾, as last amended by Regulation (EEC) No 336/88⁽¹⁰⁾;

Whereas it follows from applying the detailed rules contained in amended Regulation (EEC) No 4018/87 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;

Whereas, in the absence of the target price for the 1988/89 marketing year for colza and rape seed, the abatement of the subsidy from the system of maximum guaranteed quantities, the amount of the subsidy in the case of advance fixing for this period for colza and rape seed has been obtainable only provisionally on the basis of the target price and the abatement of the subsidy for the marketing year 1987/88; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative prices of the 1988/89 marketing year are known,

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 Council Regulation (EEC) No 475/86⁽¹²⁾ shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹³⁾ for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1987/88 marketing year for colza and rape will be confirmed or replaced as from 12 February to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 12 February 1988.

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 365, 24. 12. 1987, p. 13.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 176, 1. 7. 1987, p. 30.

⁽⁷⁾ OJ No L 183, 3. 7. 1987, p. 14.

⁽⁸⁾ OJ No L 183, 3. 7. 1987, p. 16.

⁽⁹⁾ OJ No L 378, 31. 12. 1987, p. 27.

⁽¹⁰⁾ OJ No L 33, 5. 2. 1988, p. 20.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹³⁾ OJ No L 183, 3. 7. 1987, p. 18.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

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

(amounts per 100 kilogram)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period (1) 7
Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	22,531	22,686	23,383	22,899	22,899	20,120
Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,86	55,25	56,91	55,92	55,92	48,31
— Netherlands (Fl)	60,84	61,26	63,12	61,97	61,97	54,32
— BLEU (Bfrs/Lfrs)	1 079,31	1 086,71	1 120,28	1 096,12	1 096,12	957,27
— France (FF)	162,22	163,29	168,34	163,85	163,85	143,85
— Denmark (Dkr)	194,36	195,68	201,83	197,44	197,44	171,15
— Ireland (£ Irl)	18,029	18,147	18,737	18,261	18,261	15,862
— United Kingdom (£)	12,727	12,798	13,293	12,866	12,866	10,902
— Italy (Lit)	34 306	34 527	35 532	34 473	34 473	29 814
— Greece (Dr)	1 949,98	1 928,66	2 027,12	1 875,72	1 875,72	1 441,78
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Pta)	3 395,70	3 419,03	3 497,71	3 405,91	3 405,91	2 943,95
(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)	4 345,31	4 361,33	4 483,08	4 363,78	4 363,78	3 806,67

subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period (1) 7
1. Gross aids (ECU):						
— Spain	2,500	2,500	2,500	2,500	2,500	2,500
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	25,031	25,186	25,883	25,399	25,399	22,620
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	60,83	61,21	62,87	61,88	61,88	54,21
— Netherlands (Fl)	67,53	67,95	69,80	68,66	68,66	60,94
— BLEU (Bfrs/Lfrs)	1 199,48	1 206,88	1 240,44	1 216,28	1 216,28	1 077,44
— France (FF)	180,91	181,98	187,03	182,54	182,54	162,54
— Denmark (Dkr)	216,25	217,56	223,72	219,33	219,33	193,04
— Ireland (£ Irl)	20,107	20,226	20,815	20,340	20,340	17,941
— United Kingdom (£)	14,367	14,439	14,933	14,506	14,506	12,543
— Italy (Lit)	38 299	38 520	39 524	38 466	38 466	33 806
— Greece (Dr)	2 270,83	2 249,51	2 347,97	2 196,57	2 196,57	1 762,63
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	385,53	385,53	385,53	385,53	385,53	385,53
— in another Member State (Pta)	3 781,23	3 804,56	3 883,24	3 791,44	3 791,44	3 329,49
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	429,31	429,31	429,31	429,31	429,31	429,31
— in another Member State (Esc)	4 774,62	4 790,64	4 912,39	4 793,09	4 793,09	4 235,98

(1) Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1. Gross aids (ECU):					
— Spain	3,440	3,440	3,440	3,440	3,440
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	32,590	32,918	33,245	33,718	33,573
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	78,95	79,74	80,54	81,79	81,45
— Netherlands (Fl)	87,79	88,67	89,55	90,93	90,55
— BLEU (Bfrs/Lfrs)	1 562,51	1 578,25	1 593,93	1 615,93	1 608,92
— France (FF)	236,92	239,31	241,41	244,39	243,25
— Denmark (Dkr)	282,19	285,04	287,88	292,02	290,72
— Ireland (£ Irl)	26,334	26,601	26,863	27,220	27,093
— United Kingdom (£)	19,160	19,357	19,553	19,864	19,751
— Italy (Lit)	50 234	50 741	51 095	51 643	51 404
— Greece (Dr)	3 164,52	3 168,89	3 192,86	3 214,61	3 187,12
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	530,49	530,49	530,49	530,49	530,49
— in another Member State (Pta)	3 753,87	3 804,11	3 820,62	3 878,98	3 855,91
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 465,98	6 514,46	6 565,45	6 628,18	6 599,54
— in another Member State (Esc)	6 278,83	6 325,91	6 375,42	6 436,33	6 408,52
3. Compensatory aids:					
— in Spain (Pta)	3 705,39	3 760,04	3 776,55	3 838,21	3 815,14
4. Special aid:					
— in Portugal (Esc)	6 278,83	6 325,91	6 375,42	6 436,33	6 408,52

(1) 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 1,029807.

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 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
DM	2,065510	2,060980	2,055900	2,051010	2,051010	2,036210
Fl	2,320880	2,316930	2,312730	2,308530	2,308530	2,295750
Bfrs/Lfrs	43,204600	43,209200	43,209400	43,199300	43,199300	43,178800
FF	6,972320	6,980620	6,990700	7,002930	7,002930	7,041190
Dkr	7,896030	7,912290	7,930460	7,946040	7,946040	7,995180
£Irl	0,775512	0,776809	0,778296	0,779301	0,779301	0,783318
£	0,693666	0,695187	0,696831	0,698342	0,698342	0,703021
Lit	1 520,33	1 525,31	1 530,82	1 536,24	1 536,24	1 551,71
Dr	164,83600	166,45100	168,37300	169,95500	169,95500	175,64300
Esc	168,55400	169,92700	171,18000	172,51900	172,51900	175,52100
Pta	138,78800	139,48000	140,15500	140,78100	140,78100	142,56300

COMMISSION REGULATION (EEC) No 398/88

of 11 February 1988

fixing the export refunds 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 3989/87 ⁽²⁾, and in particular the fourth subparagraph
of Article 16 ⁽²⁾,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account when
the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat
and rye flour, groats and meal are concerned, in Article 4
of Regulation (EEC) No 2746/75; whereas furthermore,
when the refund on these products is being calculated,
account must be taken of the quantities of cereals

required for their manufacture; whereas these quantities
were fixed in Commission Regulation No 162/67/EEC ⁽⁴⁾,
as amended by Regulation (EEC) No 1607/71 ⁽⁵⁾;

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

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

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 rela-
tion 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 Regula-
tion (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1636/87 ⁽⁷⁾;
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded over a given period in rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

Whereas, following the introduction of the "combined
nomenclature" by Council Regulation (EEC) No
2658/87 ⁽⁸⁾, the nomenclature applicable from 1 January
1988 to export refunds on agricultural products was esta-
blished by Regulation (EEC) No 3846/87 ⁽⁹⁾;

Whereas it follows from applying the detailed rules set
out above to the present situation on the market in
cereals, and in particular to quotations or prices for these
products within the Community and on the world
market, that the refunds should be as set out in the
Annex hereto;

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

⁽¹⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽²⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

The refund on export to Portugal has not been fixed.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 February 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	80,00
1001 10 90 000	04	30,00 (2)
	05	25,00 (2)
	02	20,00 (2)
1001 90 91 000	01	80,00
1001 90 99 000	03	90,00
	02	0
	08	105,00
	10	107,00
1002 00 00 000	03	90,00
	06	20,00
	07	15,00
	02	25,00
	09	100,00
1003 00 10 000	01	80,00
1003 00 90 000	03	95,00
	02	25,00
1004 00 10 000	01	50,00
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	107,00
	02	0
	10	117,00
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	150,00
1101 00 00 120	01	150,00
1101 00 00 130	01	131,00
1101 00 00 150	01	122,00
1101 00 00 170	01	113,00
1101 00 00 180	01	102,00
1101 00 00 190	—	—
1101 00,00 900	—	—
1102 10 00 100	01	150,00
1102 10 00 200	01	150,00
1102 10 00 300	01	150,00
1102 10 00 500	01	150,00
1102 10 00 900	—	—
1103 11 10 100	01	292,00
1103 11 10 200	01	276,00
1103 11 10 500	01	246,00
1103 11 10 900	01	232,00
1103 11 90 100	01	150,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Zones II and III,
- 05 Algeria,
- 06 Japan,
- 07 South Korea,
- 08 Ceuta and Melilla,
- 09 Zone II (b),
- 10 Zone VIII.

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis) ; 7 % maximum of which 5 % of soft wheat or other cereals.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988).

COMMISSION REGULATION (EEC) No 399/88

of 11 February 1988

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3989/87 ⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

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

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices

and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

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

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

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

Whereas it may be altered in the period between fixings;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽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 preceding indent and the aforesaid coefficient;

Whereas, following the introduction of the "combined nomenclature" by Council Regulation (EEC) No 2658/87 ⁽⁹⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽¹⁰⁾;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹⁰⁾ OJ No L 366, 24. 12. 1987, p. 1.

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

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

This Regulation shall enter into force on 12 February 1988.

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

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 February 1988 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (*)	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	- 20,00	- 20,00	- 20,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	- 1,00	- 3,00	- 5,00	- 10,00	- 10,00	- 10,00
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	- 5,00	- 10,00	- 10,00	- 10,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	- 20,00	- 20,00	- 20,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	- 20,00	- 20,00
1101 00 00 120	01	0	0	0	0	0	- 20,00	- 20,00
1101 00 00 130	01	0	0	0	0	0	- 20,00	- 20,00
1101 00 00 150	01	0	0	0	0	0	- 20,00	- 20,00
1101 00 00 170	01	0	0	0	0	0	- 20,00	- 20,00
1101 00 00 180	01	0	0	0	0	0	- 20,00	- 20,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	0	- 20,00	- 20,00
1103 11 90 900	—	—	—	—	—	—	—	—

N. B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988).

(*) For the following destinations:

01 All third countries,

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL**

of 8 February 1988

establishing the arrangements to be applied to imports into Spain and Portugal of products within the province of the ECSC Treaty, originating in Austria, Finland, Norway, Sweden or Switzerland and covered by the Agreements between the Community and those countries

(88/78/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Whereas the Member States have concluded the Treaty establishing the European Coal and Steel Community;

Article 1

Whereas on 1 January 1986 the Kingdom of Spain and the Portuguese Republic acceded to that Community;

1. For products within the province of the ECSC Treaty originating in Austria, Finland, Norway, Sweden and Switzerland (hereinafter referred to as the EFTA countries), customs duties on imports into Spain, including the Canary Islands and Ceuta and Melilla, shall be progressively abolished in accordance with the following timetable:

Whereas the Additional Protocols to the Agreements concluded between the Member States of the European Coal and Steel Community and that Community, on the one hand, and the Republic of Austria, the Republic of Finland, the Kingdom of Norway and the Kingdom of Sweden, on the other, consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community and also the Additional Protocols to the Agreements concluded between the Member States of the said Community, on the one hand, and the Swiss Confederation and the Republic of Iceland, on the other, must be approved by each contracting party in accordance with its own procedures;

- on 1 January 1988, each duty shall be reduced to 62,5 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 47,5 % of the basic duty,
- on 1 January 1990, each duty shall be reduced to 35,0 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 22,5 % of the basic duty,
- on 1 January 1992, each duty shall be reduced to 10,0 % of the basic duty.

The last reduction of 10 % shall be made on 1 January 1993.

Whereas the procedures for ratifying the said Additional Protocols have not yet been completed and it is necessary concomitantly to implement on a unilateral basis the obligations resulting for 1988 to 1993 from those Protocols, as regards customs duties on imports; whereas, however, such obligations do not exist as far as Iceland is concerned;

2. Customs duties on imports into Portugal shall be progressively abolished according to the following timetable:

- on 1 January 1988, each duty shall be reduced to 65 % of the basic duty,
- on 1 January 1989, each duty shall be reduced to 50 % of the basic duty,

- on 1 January 1990, each duty shall be reduced to 40 % of the basic duty,
- on 1 January 1991, each duty shall be reduced to 30 % of the basic duty.

The other two reductions of 15 % each shall be made on 1 January 1992 and 1 January 1993.

3. The basic duties shall be the duties actually applied on 1 January 1985, except for imports into Portugal of sheets, clad, coated or otherwise surface-treated, falling within subheading ex 7210 70 19 and 7212 40 91 of the combined nomenclature, for which the basic duty shall be 20 %.

4. However, if after 1 January 1985 and before 1 January 1986 a tariff reduction was applied, such reduced duty shall be considered as the basic duty.

5. If, during the period 1988 to 1992, the Kingdom of Spain or the Portuguese Republic suspends in whole or in part the customs duties applicable to products imported from the Community as constituted on 31 December 1985, it shall also suspend or reduce, by the same percentage, the duties applicable to products originating in the EFTA countries.

Article 2

1. Products covered by the Agreements concluded with the EFTA countries and originating therefrom, when imported into the Canary Islands or into Ceuta and Melilla, shall enjoy in all respects the same customs regime as that which is applied to products originating in the customs territory of the Community, including the *arbitrio insular* charge applied in the Canary Islands.

2. The EFTA countries shall grant to imports of products covered by the Agreements referred to in paragraph 1 and originating in the Canary Islands and in Ceuta and Melilla the same customs regime as that which is granted to products imported from and originating in Spain.

Article 3

1. If the Kingdom of Spain opens to third countries tariff quotas actually applied on 1 January 1985, products originating in the EFTA countries shall be subject to the same treatment as products imported from the Community as constituted on 31 December 1985, whilst such quotas remain open.

2. If the Kingdom of Spain does not open the quotas referred to in paragraph 1, it shall apply to products imported from and originating in the EFTA countries the duties applied in the event of such quotas being opened. The quantities or values subject to those duties shall be limited to the amounts actually imported from those countries under the same quotas opened on 1 January 1985.

Article 4

1. The *ad valorem* charge of 0,2 % applied by the Portuguese Republic to goods imported temporarily, goods reimported (excluding containers) and goods imported under the inward processing arrangements, characterized by the rebate of duties levied on the import of goods used after export of the products obtained (draw-back) shall be abolished on 1 January 1988.

2. The *ad valorem* charge of 0,9 % applied by Portugal to goods imported for home use shall be reduced to 0,6 % on 1 January 1989, reduced to 0,3 % on 1 January 1990 and abolished on 1 January 1991.

Article 5

Any amendments to the origin rules made necessary by the accession of the Kingdom of Spain and the Portuguese Republic and made by the Joint Committees provided for in the Agreements between the Community and the EFTA countries shall apply to the products referred to in this Decision.

Article 6

This Decision shall apply until the entry into force of the Additional Protocols to the Agreements between the Member States of the European Coal and Steel Community and that Community, on the one hand, and the EFTA countries, on the other, but not later than 31 December 1992.

Article 7

The Member States shall take the measures necessary to implement this Decision.

Done at Brussels, 8 February 1988.

The President

I. KIECHLE

Information concerning the date of entry into force of the third EEC-Algeria Financial Protocol (1)

Notification of the completion of the procedures necessary for the entry into force of the Protocol having been given on 29 January 1988, the Protocol will enter into force, pursuant to Article 21 (2) thereof, on 1 March 1988.

(1) OJ No L 22, 27. 1. 1988, p. 2.