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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 653/88****of 11 March 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<sup>(1)</sup>, as last amended by Regulation (EEC) 3989/87<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> 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 March 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 March 1988.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 378, 31. 12. 1987, p. 99.

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

Done at Brussels, 11 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

# ANNEX

to the Commission Regulation of 11 March 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 | 12,29          | 172,39                               |
| 0712 90 19 | 12,29          | 172,39                               |
| 1001 10 10 | 68,97          | 257,44 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 68,97          | 257,44 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 7,16           | 188,89                               |
| 1001 90 99 | 7,16           | 188,89                               |
| 1002 00 00 | 47,51          | 167,70 <sup>(6)</sup>                |
| 1003 00 10 | 41,19          | 175,61                               |
| 1003 00 90 | 41,19          | 175,61                               |
| 1004 00 10 | 97,72          | 140,56                               |
| 1004 00 90 | 97,72          | 140,56                               |
| 1005 10 90 | 12,29          | 172,39 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 12,29          | 172,39 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 35,81          | 178,76 <sup>(4)</sup>                |
| 1008 10 00 | 41,19          | 99,23                                |
| 1008 20 00 | 41,19          | 155,46 <sup>(4)</sup>                |
| 1008 30 00 | 41,19          | 62,25 <sup>(5)</sup>                 |
| 1008 90 10 | <sup>(7)</sup> | <sup>(7)</sup>                       |
| 1008 90 90 | 41,19          | 62,25                                |
| 1101 00 00 | 26,15          | 279,21                               |
| 1102 10 00 | 81,28          | 249,54                               |
| 1103 11 10 | 120,58         | 412,71                               |
| 1103 11 90 | 26,31          | 299,62                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

<sup>(2)</sup> 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'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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.

<sup>(7)</sup> The levy applicable to rye shall be charged on imports of the product falling within subheading 1008 90 10 (triticale).

## COMMISSION REGULATION (EEC) No 654/88

of 11 March 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3989/87<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> 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 March 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 March 1988.

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

Done at Brussels, 11 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 378, 31. 12. 1987, p. 102.

## ANNEX

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

## A. Cereals and flour

| CN code    | Current | 1st period | 2nd period | 3rd period |
|------------|---------|------------|------------|------------|
|            | 3       | 4          | 5          | 6          |
| 0709 90 60 | 0       | 0          | 0          | 0          |
| 0712 90 19 | 0       | 0          | 0          | 0          |
| 1001 10 10 | 0       | 0          | 0          | 0          |
| 1001 10 90 | 0       | 0          | 0          | 0          |
| 1001 90 91 | 0       | 0,36       | 0,36       | 0,36       |
| 1001 90 99 | 0       | 0,36       | 0,36       | 0,36       |
| 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       | 0,50       | 0,50       | 0,50       |

## B. Malt

| CN code    | Current | 1st period | 2nd period | 3rd period | 4th period |
|------------|---------|------------|------------|------------|------------|
|            | 3       | 4          | 5          | 6          | 7          |
| 1107 10 11 | 0       | 0,64       | 0,64       | 0,64       | 0,64       |
| 1107 10 19 | 0       | 0,48       | 0,48       | 0,48       | 0,48       |
| 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 655/88**  
**of 11 March 1988**  
**fixing the import levies on rice and broken rice**

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87<sup>(2)</sup>, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within subheading 1006 10, 1006 20 and 1006 30 of the combined nomenclature<sup>(3)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 4042/87<sup>(4)</sup>, as last amended by Regulation (EEC) No 605/88<sup>(5)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4042/87 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 14 March 1988.

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

Done at Brussels, 11 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 378, 31. 12. 1987, p. 88.

<sup>(5)</sup> OJ No L 60, 5. 3. 1988, p. 5.

## ANNEX

to the Commission Regulation of 11 March 1988 fixing the import levies on rice and broken rice

(ECU/tonne)

| CN Code    | Portugal | Third countries<br>(except ACP or OCT)<br>( <sup>1</sup> ) | ACP or OCT<br>( <sup>1</sup> ) ( <sup>2</sup> ) ( <sup>3</sup> ) | Arrangement<br>in Regulation (EEC)<br>No 3877/86 |
|------------|----------|------------------------------------------------------------|------------------------------------------------------------------|--------------------------------------------------|
| 1006 10 91 | —        | 318,11                                                     | 155,45                                                           | —                                                |
| 1006 10 99 | —        | 288,29                                                     | 140,54                                                           | 216,22                                           |
| 1006 20 10 | —        | 397,64                                                     | 195,22                                                           | —                                                |
| 1006 20 90 | —        | 360,36                                                     | 176,58                                                           | 270,27                                           |
| 1006 30 11 | 13,05    | 525,13                                                     | 250,64                                                           | —                                                |
| 1006 30 19 | 12,97    | 589,11                                                     | 282,67                                                           | 441,83                                           |
| 1006 30 91 | 13,90    | 559,27                                                     | 267,28                                                           | —                                                |
| 1006 30 99 | 13,90    | 631,53                                                     | 303,41                                                           | 473,65                                           |
| 1006 40 00 | 0,00     | 162,06                                                     | 78,03                                                            | —                                                |

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

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

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

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

**COMMISSION REGULATION (EEC) No 656/88****of 11 March 1988****fixing the premiums to be added to the import levies on rice and broken rice**

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87<sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2604/87<sup>(3)</sup>, as last amended by Regulation (EEC) No 606/88<sup>(4)</sup>;

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

Whereas Council Regulation (EEC) No 2658/87<sup>(5)</sup> 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,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

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

*Article 2*

This Regulation shall enter into force on 14 March 1988.

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

Done at Brussels, 11 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 245, 29. 8. 1987, p. 39.

<sup>(4)</sup> OJ No L 60, 5. 3. 1988, p. 7.

<sup>(5)</sup> OJ No L 256, 7. 9. 1987, p. 1.

*ANNEX*

to the Commission Regulation of 11 March 1988 fixing the premiums to be added to the import levies on rice and broken rice

| CN Code    | (ECU/tonne)  |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|
|            | Current<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 |
| 1006 10 91 | 0            | 0               | 0               | —               |
| 1006 10 99 | 0            | 0               | 0               | —               |
| 1006 20 10 | 0            | 0               | 0               | —               |
| 1006 20 90 | 0            | 0               | 0               | —               |
| 1006 30 11 | 0            | 0               | 0               | —               |
| 1006 30 19 | 0            | 0               | 0               | —               |
| 1006 30 91 | 0            | 0               | 0               | —               |
| 1006 30 99 | 0            | 0               | 0               | —               |
| 1006 40 00 | 0            | 0               | 0               | 0               |

## COMMISSION REGULATION (EEC) No 657/88

of 11 March 1988

altering the specific agricultural conversion rates applicable in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(1)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(2)</sup>, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture<sup>(3)</sup>, as last amended by Regulation (EEC) No 1889/87<sup>(4)</sup>, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86<sup>(5)</sup>, as last amended by Regulation (EEC) No 607/88<sup>(6)</sup>, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85<sup>(7)</sup> as last amended by Regulation (EEC) No 3770/87<sup>(8)</sup>;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the pound sterling recorded in accordance with Regulation (EEC) No 3153/85 during the period 2 to 8 March 1988, requires the specific agricultural conversion rate applicable for the United Kingdom to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 14 March 1988.

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

Done at Brussels, 11 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 6.

<sup>(4)</sup> OJ No L 182, 3. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 304, 30. 10. 1986, p. 25.

<sup>(6)</sup> OJ No L 60, 5. 3. 1988, p. 9.

<sup>(7)</sup> OJ No L 310, 21. 11. 1985, p. 4.

<sup>(8)</sup> OJ No L 355, 17. 12. 1987, p. 16.

**ANNEX****Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

|       |       |          |
|-------|-------|----------|
| 1 ECU | =Bfs  | 48,2869  |
|       | =DM   | 2,34113  |
|       | =Dkr  | 8,93007  |
|       | =Dr   | 186,735  |
|       | =Pta  | 156,526  |
|       | =FF   | 7,85183  |
|       | =£Irl | 0,873900 |
|       | =Lit  | 1 704,94 |
|       | =Fl   | 2,63785  |
|       | =£    | 0,772286 |

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**COMMISSION REGULATION (EEC) No 658/88**  
**of 11 March 1988**

**amending Regulation (EEC) No 453/88 on the supply of refined sunflower oil to the  
Republic of São Tomé and Príncipe as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as amended by Regulation (EEC) No 3785/87 <sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas, by Regulation (EEC) No 453/88 <sup>(3)</sup>, the Commission issued an invitation to tender for the supply of 100 tonnes of refined sunflower oil free at port of landing; whereas, with a view to the second submission of tenders the closing date for which is 22 March 1988, the conditions for the supply should be reviewed and the Annex to that Regulation should be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Point 10 in the Annex to Regulation (EEC) No 453/88 is hereby replaced by the following:

‘10. Packaging and marking:

See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III B):

- rectangular plastic containers with a handle, holding five litres or five kilograms (jerrycans),
- the containers must be packed in cartons, with four cans per carton,
- the containers must carry the following wording:  
“Acção N° 48/88 / óleo vegetal / donativo da Comunidade Económica Europeia à  
República Democrática de São Tomé e Príncipe”

*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 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 356, 18. 12. 1987, p. 8.

<sup>(3)</sup> OJ No L 46, 19. 2. 1988, p. 13.

## COMMISSION REGULATION (EEC) No 659/88

of 11 March 1988

altering the import levies on products processed from cereals and rice

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 3989/87 <sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Regulation (EEC) No 3990/87 <sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to Council Regulation 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 <sup>(5)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(6)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,  
Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 516/88 <sup>(7)</sup>, as last amended by Regulation (EEC) No 628/88 <sup>(8)</sup>;

Whereas Council Regulation (EEC) No 1906/87 <sup>(9)</sup> as amended by Council Regulation (EEC) No 2744/75 <sup>(10)</sup> as regards products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature;

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 over 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 March 1988;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 <sup>(11)</sup> the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 516/88 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 12 March 1988.

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

Done at Brussels, 11 March 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(7)</sup> OJ No L 53, 27. 2. 1988, p. 9.

<sup>(8)</sup> OJ No L 62, 8. 3. 1988, p. 19.

<sup>(9)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(10)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(11)</sup> OJ No L 168, 25. 6. 1974, p. 7.

## ANNEX

to the Commission Regulation of 11 March 1988 altering the import levies on products processed from cereals and rice

(ECU/tonne)

| CN code                                     | Import levies                              |            |
|---------------------------------------------|--------------------------------------------|------------|
|                                             | Third countries<br>(other than ACP or OCT) | ACP or OCT |
| 1103 19 10 <sup>(?)</sup>                   | 307,38                                     | 301,34     |
| 1103 29 10 <sup>(?)</sup>                   | 307,38                                     | 301,34     |
| 1104 19 30 <sup>(?)</sup>                   | 307,38                                     | 301,34     |
| 1104 29 10*20 <sup>(?)</sup> <sup>(?)</sup> | 225,68                                     | 222,66     |
| 1104 29 30*20 <sup>(?)</sup> <sup>(?)</sup> | 270,88                                     | 267,86     |
| 1104 29 95 <sup>(?)</sup>                   | 173,78                                     | 170,76     |

<sup>(?)</sup> For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewert polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.

<sup>(?)</sup> Taric code: rye.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 11 December 1987

on the multiannual guidance programme for the fishing fleet (1987 to 1991)  
forwarded by the Federal Republic of Germany pursuant to Regulation (EEC) No  
4028/86

(Only the German text is authentic)

(88/139/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector<sup>(1)</sup>, and in particular Article 4 thereof,

Whereas, on 28 April 1987, the German Government forwarded to the Commission a multiannual guidance programme for the fishing fleet, hereinafter referred to as 'the programme'; whereas it forwarded at a later date additional information concerning the programme;

Whereas it is necessary to consider whether, having regard to the foreseeable trend in fishery resources, the market for fishery and aquaculture products, the measures adopted under the common fisheries policy and the guidelines for the latter, the programme fulfills the conditions laid down in Article 2 of Regulation (EEC) No 4028/86 and constitutes a suitable framework for Community and national financial aid for the sector concerned;

Whereas a Community system for the conservation and management of fishery resources was introduced by Council Regulation (EEC) No 170/83<sup>(2)</sup>;

Whereas Regulation (EEC) No 4028/86 is aimed at facilitating the structural development of the fisheries sector within the framework of the guidelines of the common

fisheries policy; whereas such structural development may be encouraged by appropriate measures supported with Community financial aid;

Whereas such measures should help to create a fishing fleet that is adapted to likely medium-term catch opportunities in both Community and non-Community waters; whereas these measures should, in particular, be based on an attempt to ensure balanced exploitation of internal resources in Community waters;

Whereas the measures implemented under the Community rules adopted for the decade from 1987 to 1997 are a continuation of the efforts made since 1983 to improve the structural situation up to 31 December 1986 through common measures to restructure, modernize and develop the fisheries sector; whereas, therefore, the objectives of the previous programme approved by Commission Decisions 85/277/EEC<sup>(3)</sup> and 87/37/EEC<sup>(4)</sup> constitute the reference basis for assessing the actual development recorded and the effort still needed to ensure that the Community objectives are achieved;

Whereas the objectives of the guidance programme for 1986 have not been fully achieved; whereas the current or likely situation as regards availabilities in conjunction with the activities of the fleet concerned do not allow for any adjustment of the forecast on the basis of which these objectives were determined and approved; whereas the efforts made to adapt the fleet should therefore be sustained and strengthened over the period 1987 to 1991;

<sup>(1)</sup> OJ No L 376, 31. 12. 1986, p. 7.

<sup>(2)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(3)</sup> OJ No L 157, 15. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 17, 20. 1. 1987, p. 25.

Whereas these forecasts could be reviewed were there to be any significant change in availabilities, backed up by scientific evidence, and in the light of the development of international fishery relations between the Community and coastal third States;

Whereas, in addition, the scope of the planned modernization efforts implies a substantial improvement in the overall performance of the fleet concerned which should be taken into account when assessing the relationship to be achieved by the end of the programme period between fishing capacities and availabilities;

Whereas the desired structural adjustments should be implemented on a gradual and continuing basis to reduce the economic and social impact they may have to a minimum;

Whereas the development recorded should be monitored on a regular basis so as to improve or adjust the fishery support measures that accompany the implementation of the programme;

Whereas any development that does not comply with the programme objectives would run counter to the objectives of the common fisheries policy; whereas, therefore, certain specific measures undertaken under this programme may not warrant public financial assistance; whereas, in this context, approval of the programme should only be effective where the limitations and conditions upon which such approval was made conditional are complied with;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The multiannual guidance programme for the fishing fleet (1987 to 1991), as forwarded by the German Government on 28 April 1987 and as later supplemented by that Government, is hereby approved subject to the limitations and conditions set out in this Decision and

provided that those limitations and conditions are complied with.

#### *Article 2*

Each year, at the latest by 15 February and the 31 July, Germany shall forward to the Commission, in respect of each category of vessels defined in the programme, information on the number of vessels commissioned and withdrawn and on the tonnage and engine power added and withdrawn during the six-month period ending on the preceding 31 December or 30 June.

#### *Article 3*

The approval referred to in Article 1 shall only be effective where the development of the fleet complies with the objectives of the programme as set out in the Annex hereto.

The Commission shall, on the basis of its assessment of the information provided on a regular basis as specified in Article 2 or, where this information is repeatedly not supplied, notify the Member State, at the end of two consecutive six-month periods, that it has been found that the conditions to which approval of the programme was made subject have not been fulfilled.

#### *Article 4*

This Decision shall be without prejudice to any Community financial aid that may be granted to individual investment projects.

#### *Article 5*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 11 December 1987.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

## ANNEX

## Multiannual guidance programme for the German fishing fleets (1987 to 1991)

## I. GENERAL REMARKS

The programme covers the whole of the German fishing fleet and covers the entire territory of this Member State.

## II. OBJECTIVES

1. The aims of the programme fishing capacity and available fish stocks are in line, the aims of the programme should be :
  - (a) to reduce the distant-water fleet to the level of 27 700 GRT and 46 000 kW ;
  - (b) a partial redeployment of fishing activities by the distant-water fleet in non-Community waters towards Community waters ;
  - (c) to reduce the inshore (cutter) fleet to 20 500 GRT and 86 000 kW
  - (d) to modernize existing vessels in both the distant-water fleet and the cutter fleet.
2. The following limitations should apply to the development of the fleet during the period covered by the programme :

(Tonnage (GRT))

|                        | Objective of programme 2908/83 | Situation at 1. 1. 1987 (1) | Objective at 31. 12. 1991 (1) |
|------------------------|--------------------------------|-----------------------------|-------------------------------|
| 1. Distant-water fleet | 55 179                         | 28 400                      | 27 700                        |
| (a) Deepwater (2)      | —                              | (23 000)                    | (22 300)                      |
| (b) Mid-water (2)      | —                              | (5 400)                     | (5 100)                       |
| 2. Cutter Fleet        | 23 300                         | 21 500                      | 20 500                        |
| Total                  | 78 479                         | 49 900                      | 48 200                        |

(Engine power (kW))

|                        | Objective of programme 2908/83 | Situation at 1. 1. 1987 (1) | Objective at 31. 12. 1991 (1) |
|------------------------|--------------------------------|-----------------------------|-------------------------------|
| 1. Distant-water fleet | 68 758                         | 47 000                      | 46 000                        |
| (a) Deepwater (2)      | —                              | (31 000)                    | (30 000)                      |
| (b) Mid-water (2)      | —                              | (16 000)                    | (16 000)                      |
| 2. Cutter Fleet        | 92 736                         | 90 000                      | 86 000                        |
| Total                  | 161 494                        | 137 000                     | 132 000                       |

(1) Estimates ; within six months of this Decision, Germany must confirm or modify these estimates, in agreement with the Commission. In case of modification, the objectives of 31 December 1991 will be adapted

(2) Deepwater fleet : vessels of more than 33 metres pp or more than 450 GRT without any limitation of the fishing area.  
Mid-water fleet : vessels of more than 24 metres and less than 33 metres or less than 450 GRT with certain limitations of the fishing area.

## III. PLANNED MEASURES

The following measures should be implemented to achieve the objectives set out above :

## 1. Distant-water fleet

- (a) Partial redeployment of this fleet from non-Community waters towards Community waters taking account of other types of vessel and of changes in the fishing pattern.
- (b) Modernization of the distant-water fleet, in particular to take account of changes in fishing in non-Community waters.

*2. Cutter and coastal fleet*

- (a) Reduction in the cutter fleet, in particular to take account of the partial redeployment of the distant-water fleet.
- (b) Modernization and continuation of diversification measures.

## IV. COMMENTS

1. The objectives set out in the above table in respect of the two categories of the fleet may only be revised on the basis of detailed scientific assessments that show the existence of stocks which are not fully exploited at present.
  2. At least 20 % of the programme objectives should be achieved by the end of 1988 and at least 80 % by the end of 1990.
  3. The Commission recalls that any structural financial measures taken by the national, regional or local authorities in respect of the sector concerned must henceforth lie within the scope of this programme.
-

## COMMISSION DECISION

of 11 December 1987

on the multiannual guidance programme for the fishing fleet (1987 to 1991)  
forwarded by Italy pursuant to Regulation (EEC) No 4028/86

(Only the Italian text is authentic)

(88/140/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector<sup>(1)</sup>, and in particular Article 4 thereof,

Whereas, on 29 April 1987, the Italian Government forwarded to the Commission a multiannual guidance programme for the fishing fleet, hereinafter referred to as 'the programme'; whereas it forwarded at a later date additional information concerning the programme;

Whereas it is necessary to consider whether, having regard to the foreseeable trend in fishery resources, the market for fishery and aquaculture products, the measures adopted under the common fisheries policy and the guidelines for the latter, the programme fulfills the conditions laid down in Article 2 of Regulation (EEC) No 4028/86 and constitutes a suitable framework for Community and national financial aid for the sector concerned;

Whereas a Community system for the conservation and management of fishery resources was introduced by Council Regulation (EEC) No 170/83<sup>(2)</sup>;

Whereas Regulation (EEC) No 4028/86 is aimed at facilitating the structural development of the fisheries sector within the framework of the guidelines of the common fisheries policy; whereas such structural development may be encouraged by appropriate measures supported with Community financial aid;

Whereas such measures should help to create a fishing fleet that is adapted to likely medium-term catch opportunities in both Community and non-Community waters; whereas these measures should, in particular, be based on an attempt to ensure balanced exploitation of internal resources in Community waters;

Whereas the measures implemented under the Community rules adopted for the decade from 1987 to 1997 are a continuation of the efforts made since 1983 to improve the structural situation up to 31 December 1986 through common measures to restructure, modernize and

develop the fisheries sector; whereas, therefore, the objectives of the previous programme approved by Commission Decision 85/287/EEC<sup>(3)</sup> constitute the reference basis for assessing the actual development recorded and the effort still needed to ensure that the Community objectives are achieved;

Whereas the objectives of the guidance programme for 1986 have not been fully achieved; whereas the current or likely situation as regards availabilities in conjunction with the activities of the fleet concerned do not allow for any adjustment of the forecast on the basis of which these objectives were determined and approved; whereas the efforts made to adapt the fleet should therefore be sustained and strengthened over the period 1987 to 1991;

Whereas these forecasts could be reviewed were there to be any significant change in availabilities, backed up by scientific evidence, and in the light of the development of international fishery relations between the Community and coastal third States;

Whereas, in addition, the scope of the planned modernization efforts implies a substantial improvement in the overall performance of the fleet concerned which should be taken into account when assessing the relationship to be achieved by the end of the programme period between fishing capacities and availabilities;

Whereas the desired structural adjustments should be implemented on a gradual and continuing basis to reduce the economic and social impact they may have to a minimum;

Whereas the development recorded should be monitored on a regular basis so as to improve or adjust the fishery support measures that accompany the implementation of the programme;

Whereas any development that does not comply with the programme objectives would run counter to the objectives of the common fisheries policy; whereas, therefore, certain specific measures undertaken under this programme may not warrant public financial assistance; whereas, in this context, approval of the programme should only be effective where the limitations and conditions upon which such approval was made conditional are complied with;

<sup>(1)</sup> OJ No L 376, 31. 12. 1986, p. 7.

<sup>(2)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(3)</sup> OJ No L 157, 15. 6. 1985, p. 29.

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

*Article 1*

The multiannual guidance programme for the fishing fleet (1987 to 1991), as forwarded by the Italian Government on 29 April 1987 and as later supplemented by that Government, is hereby approved subject to the limitations and conditions set out in this Decision and provided that those limitations and conditions are complied with.

*Article 2*

Each year, at the latest by 15 February and the 31 July, Italy shall forward to the Commission, in respect of each category of vessels defined in the programme, information on the number of vessels commissioned and withdrawn and on the tonnage and engine power added and withdrawn during the six-month period ending on the preceding 31 December or 30 June.

*Article 3*

The approval referred to in Article 1 shall only be effective where the development of the fleet complies

with the objectives of the programme as set out in the Annex hereto.

The Commission shall, on the basis of its assessment of the information provided on a regular basis as specified in Article 2 or, where this information is repeatedly not supplied, notify the Member State, at the end of two consecutive six-month periods, that it has been found that the conditions to which approval of the programme was made subject have not been fulfilled.

*Article 4*

This Decision shall be without prejudice to any Community financial aid that may be granted to individual investment projects.

*Article 5*

This Decision is addressed to the Italian Republic.

Done at Brussels, 11 December 1987.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

## ANNEX

## Multiannual guidance programme for the Italian fishing fleet (1987 to 1991)

## I. GENERAL REMARKS

This programme relates to the whole of the Italian fishing fleet and covers the entire territory of Italy.

## II. Objectives

1. the aims of the programme are :
  - (a) to reduce the overall capacity of the fleet ;
  - (b) to modernize some 6 % of the present fleet ;
  - (c) to redeploy fishing activities away from trawling in the Mediterranean towards other types of fishing ;
  - (d) to restructure the ocean-going fleet through the deployment of smaller-sized vessels (350/600 GRT ; 600/750 kW) ;
  - (e) to reduce clam fishing activities.
2. The following limitations should apply to the development of the fleet during the period covered by the programme :

| <i>(Tonnage (GRT))</i> |                                |                         |                           |
|------------------------|--------------------------------|-------------------------|---------------------------|
|                        | Objective of programme 2908/83 | Situation at 1. 1. 1987 | Objective at 31. 12. 1991 |
| 1. Mediterranean fleet | 228 767                        | 229 717                 | 222 000                   |
| 2. Ocean-going fleet   | 29 000                         | 33 000                  | 28 000                    |
| Total                  | 257 767                        | 262 717                 | 250 000                   |

| <i>(Engine power (kW))</i> |                                |                         |                           |
|----------------------------|--------------------------------|-------------------------|---------------------------|
|                            | Objective of programme 2908/83 | Situation at 1. 1. 1987 | Objective at 31. 12. 1991 |
| 1. Mediterranean fleet     | 1 178 939                      | 1 239 132               | 1 154 600 (1)             |
| 2. Ocean-going fleet       | 44 160                         | 56 672                  | 44 000 (1)                |
| Total                      | 1 223 099                      | 1 295 804               | 1 198 600                 |

(1) The definitive separation of the global objective between two fleet categories can be amended in relation to the objectives expressed in tonnage and in agreement with the Commission within six months from the date of this Decision. The data listed above in points III (3) III (4) will be adapted in consequence.

## III. PLANNED MEASURES

The following measures should be implemented to achieve the objectives set out above :

1. *Permanent withdrawal*

To promote the permanent withdrawal of trawlers that operate in Mediterranean and of ocean-going fishing vessels.

2. *Modernization measures*

Modernization measures should give priority to :

- (a) the redeployment of fishing activities away from trawling in the Mediterranean towards other types of fishing ;
- (b) the restructuring of ocean-going vessels ;
- (c) a reduction in engine power ;
- (d) an improvement of on-board storage conditions ;
- (e) an improvement of on-board working and safety conditions.

3. *Mediterranean fleet*

Reduction of the global capacity of at least 7 717 GRT and 84 532 kW, principally leading to a reduction in the trawling capacity.

4. *Ocean-going fleet*

A reduction in overall fishing capacity of at least 5 000 GRT and 12 672 kW.

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IV. COMMENTS

1. The objectives for the fleet set out in the tables in point II (2) may only be revised on the basis of detailed scientific assessments that show the existence of resources which are not fully exploited at present.
  2. It may be possible to consider a certain increase in the individual tonnage and average engine power of vessels in the Italian coastal fleet during the course of the implementation of the programme for reasons of navigating safety and to improve working conditions and the conservation of existing stocks in coastal areas. Such an increase, where appropriate, would have to be in line with available stocks.
  3. The renewal and modernization of the tuna fleet should not result in any increase in the fishing capacity of that fleet.
  4. At least 10 % of the programme objectives should be achieved by the end of 1988 at least 30 % by the end of 1989 and at least 80 % by the end of 1990.
  5. The Commission recalls that any structural financial measures taken by the national, regional or local authorities in respect of the sector concerned must henceforth lie within the scope of this programme.
-

## COMMISSION DECISION

of 11 December 1987

on the multiannual guidance programme for the fishing fleet (1987 to 1991)  
forwarded by the United Kingdom pursuant to Regulation (EEC) No 4028/86

(Only the English text is authentic)

(88/141/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector<sup>(1)</sup>, and in particular Article 4 thereof,

Whereas, on 30 April 1987, the Government of the United Kingdom forwarded to the Commission a multi-annual guidance programme for the fishing fleet, hereinafter referred to as 'the programme'; whereas it forwarded at a later date additional information concerning the programme;

Whereas it is necessary to consider whether, having regard to the foreseeable trend in fishery resources, the market for fishery and aquaculture products, the measures adopted under the common fisheries policy and the guidelines for the latter, the programme fulfills the conditions laid down in Article 2 of Regulation (EEC) No 4028/86 and constitutes a suitable framework for Community and national financial aid for the sector concerned;

Whereas a Community system for the conservation and management of fishery resources was introduced by Council Regulation (EEC) No 170/83<sup>(2)</sup>;

Whereas Regulation (EEC) No 4028/86 is aimed at facilitating the structural development of the fisheries sector within the framework of the guidelines of the common fisheries policy; whereas such structural development may be encouraged by appropriate measures supported with Community financial aid;

Whereas such measures should help to create a fishing fleet that is adapted to likely medium-term catch opportunities in both Community and non-Community waters; whereas these measures should, in particular, be based on an attempt to ensure balanced exploitation of internal resources in Community waters;

Whereas the measures implemented under the Community rules adopted for the decade from 1987 to 1997 are a continuation of the efforts made since 1983 to

improve the structural situation up to 31 December 1986 through common measures to restructure, modernize and develop the fisheries sector; whereas, therefore, the objectives of the previous programme approved by Commission Decision 85/291/EEC<sup>(3)</sup> constitute the reference basis for assessing the actual development recorded and the effort still needed to ensure that the Community objectives are achieved;

Whereas the objectives of the guidance programme for 1986 have not been fully achieved; whereas the current or likely situation as regards availabilities in conjunction with the activities of the fleet concerned do not allow for any adjustment of the forecast on the basis of which these objectives were determined and approved; whereas the efforts made to adapt the fleet should therefore be sustained and strengthened over the period 1987 to 1991;

Whereas these forecasts could be reviewed were there to be any significant change in availabilities, backed up by scientific evidence, and in the light of the development of international fishery relations between the Community and coastal third States;

Whereas, in addition, the scope of the planned modernization efforts implies a substantial improvement in the overall performance of the fleet concerned which should be taken into account when assessing the relationship to be achieved by the end of the programme period between fishing capacities and availabilities;

Whereas the desired structural adjustments should be implemented on a gradual and continuing basis to reduce the economic and social impact they may have to a minimum;

Whereas the development recorded should be monitored on a regular basis so as to improve or adjust the fishery support measures that accompany the implementation of the programme;

Whereas any development that does not comply with the programme objectives would run counter to the objectives of the common fisheries policy; whereas, therefore, certain specific measures undertaken under this programme may not warrant public financial assistance; whereas, in this context, approval of the programme should only be effective where the limitations and conditions upon which such approval was made conditional are complied with;

<sup>(1)</sup> OJ No L 376, 31. 12. 1986, p. 7.

<sup>(2)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(3)</sup> OJ No L 157, 15. 6. 1985, p. 43.

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

*Article 1*

The multiannual guidance programme for the fishing fleet (1987 to 1991), as forwarded by the Government of the United Kingdom on 30 April 1987 and as later supplemented by that Government, is hereby approved subject to the limitations and conditions set out in this Decision and provided that those limitations and conditions are complied with.

*Article 2*

Each year, at the latest by 15 February and the 31 July, the United Kingdom shall forward to the Commission, in respect of each category of vessels defined in the programme, information on the number of vessels commissioned and withdrawn and on the tonnage and engine power added and withdrawn during the six-month period ending on the preceding 31 December or 30 June.

*Article 3*

The approval referred to in Article 1 shall only be effective where the development of the fleet complies

with the objectives of the programme as set out in the Annex hereto.

The Commission shall, on the basis of its assessment of the information provided on a regular basis as specified in Article 2 or, where this information is repeatedly not supplied, notify the Member State, at the end of two consecutive six-month periods, that it has been found that the conditions to which approval of the programme was made subject have not been fulfilled.

*Article 4*

This Decision shall be without prejudice to any Community financial aid that may be granted to individual investment projects.

*Article 5*

This Decision is addressed to the United Kingdom

Done at Brussels, 11 December 1987.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

## ANNEX

## Multiannual guidance programme for the United Kingdom fleet (1987 to 1991)

## I. GENERAL REMARKS

The programme concerns the whole of the British fleet and covers the whole of the United Kingdom.

## II. OBJECTIVES

1. The objectives of the programme should be :
  - (a) a reduction of the active fleet of more than 80 feet (+ 24,4 m) to 36 863 GRT and 127 352 kW ;
  - (b) the maintenance of the active fleet of less than 80 feet (+ 24,4 m) at the level of 104 757 GRT and 620 893 kW ;
  - (c) modernization and partial renewal of the fleet.
2. The evolution of the fleet during the period covered by the programme should be made within the following limits :

| <i>(Tonnage (GRT))</i>                   |                                |                         |                           |
|------------------------------------------|--------------------------------|-------------------------|---------------------------|
|                                          | Objective of programme 2908/83 | Situation at 1. 1. 1987 | Objective at 31. 12. 1991 |
| Equal to or more than 80 feet (+ 24,4 m) | 38 003                         | 45 220                  | 36 863                    |
| Less than 80 feet (+ 24,4 m)             | 107 997                        | 103 183                 | 104 757                   |
| Total                                    | 146 000                        | 148 403                 | 141 620                   |

| <i>(Engine power (kW))</i>               |                                |                         |                           |
|------------------------------------------|--------------------------------|-------------------------|---------------------------|
|                                          | Objective of programme 2908/83 | Situation at 1. 1. 1987 | Objective at 31. 12. 1991 |
| Equal to or more than 80 feet (+ 24,4 m) | 129 951                        | 154 630                 | 127 352                   |
| Less than 80 feet (+ 24,4 m)             | 633 564                        | 605 323                 | 620 893                   |
| Total                                    | 763 515                        | 759 953                 | 748 245                   |

## III. PLANNED MEASURES

In order to attain the above objectives, the following actions should be implemented :

- encouragement of permanent laying-up of certain fishing vessels,
- control of fishing activity in order to avoid overcapacity.

## IV. COMMENTS

1. The objectives for the fleet given in the above table can be revised only on the basis of scientific evaluations leading to the establishment of the existence of resources which are not fully exploited at present.
2. The objectives of the programme should be realized up to the 10 % level at least by the end of 1988, to the 30 % level at least by the end of 1989 and to the 80 % level at least by the end of 1990.
3. The Commission recalls that structural financial interventions by national, regional or local authorities in favour of the sector concerned should henceforth be inserted within the framework of the present programme.

## COMMISSION DECISION

of 11 December 1987

on the multiannual guidance programme for the fishing fleet (1987 to 1991)  
forwarded by Ireland pursuant to Regulation (EEC) No 4028/86

(Only the English text is authentic)

(88/142/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector<sup>(1)</sup>, and in particular Article 4 thereof,

Whereas the Irish Government forwarded to the Commission a multiannual guidance programme for the fishing fleet, hereinafter referred to as 'the programme'; whereas it forwarded at a later date additional information concerning the programme;

Whereas it is necessary to consider whether, having regard to the foreseeable trend in fishery resources, the market for fishery and aquaculture products, the measures adopted under the common fisheries policy and the guidelines for the latter, the programme fulfills the conditions laid down in Article 2 of Regulation (EEC) No 4028/86 and constitutes a suitable framework for Community and national financial aid for the sector concerned;

Whereas a Community system for the conservation and management of fishery resources was introduced by Council Regulation (EEC) No 170/83<sup>(2)</sup>;

Whereas Regulation (EEC) No 4028/86 is aimed at facilitating the structural development of the fisheries sector within the framework of the guidelines of the common fisheries policy; whereas such structural development may be encouraged by appropriate measures supported with Community financial aid;

Whereas such measures should help to create a fishing fleet that is adapted to likely medium-term catch opportunities in both Community and non-Community waters; whereas these measures should, in particular, be based on an attempt to ensure balanced exploitation of internal resources in Community waters;

Whereas the measures implemented under the Community rules adopted for the decade from 1987 to 1997 are a continuation of the efforts made since 1983 to improve the structural situation up to 31 December 1986

through common measures to restructure, modernize and develop the fisheries sector; whereas, therefore, the objectives of the previous programme approved by Commission Decision 85/285/EEC<sup>(3)</sup> constitute the reference basis for assessing the actual development recorded and the effort still needed to ensure that the Community objectives are achieved;

Whereas the objectives of the preceding guidance programme for 1986 have not been fully achieved; whereas the current or likely situation as regards availabilities in conjunction with the activities of the fleet concerned do not allow for any adjustment of the forecast on the basis of which these objectives were determined and approved; whereas the efforts made to adapt the fleet should therefore be sustained and strengthened over the period 1987 to 1991;

Whereas these forecasts could be reviewed were there to be any significant change in availabilities, backed up by scientific evidence, and in the light of the development of international fishery relations between the Community and coastal third States;

Whereas, in addition, the scope of the planned modernization efforts implies a substantial improvement in the overall performance of the fleet concerned which should be taken into account when assessing the relationship to be achieved by the end of the programme period between fishing capacities and availabilities;

Whereas the desired structural adjustments should be implemented on a gradual and continuing basis to reduce the economic and social impact they may have to a minimum;

Whereas the development recorded should be monitored on a regular basis so as to improve or adjust the fishery support measures that accompany the implementation of the programme;

Whereas any development that does not comply with the programme objectives would run counter to the objectives of the common fisheries policy; whereas, therefore, certain specific measures undertaken under this programme may not warrant public financial assistance; whereas, in this context, approval of the programme should only be effective where the limitations and conditions upon which such approval was made conditional are complied with;

<sup>(1)</sup> OJ No L 376, 31. 12. 1986, p. 7.

<sup>(2)</sup> OJ No L 24, 27. 1. 1983, p. 1.

<sup>(3)</sup> OJ No L 157, 15. 6. 1985, p. 23.

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

*Article 1*

The multiannual guidance programme for the fishing fleet (1987 to 1991), as forwarded by the Irish Government and as later supplemented by that Government, is hereby approved subject to the limitations and conditions set out in this Decision and provided that those limitations and conditions are complied with.

*Article 2*

Each year, at the latest by 15 February and the 31 July, Ireland shall forward to the Commission, in respect of each category of vessels defined in the programme, information on the number of vessels commissioned and withdrawn and on the tonnage and engine power added and withdrawn during the six-month period ending on the preceding 31 December or 30 June.

*Article 3*

The approval referred to in Article 1 shall only be effective where the development of the fleet complies with the objectives of the programme as set out in the Annex hereto.

The Commission shall, on the basis of its assessment of the information provided on a regular basis as specified in Article 2 or, where this information is repeatedly not supplied, notify the Member State, at the end of two consecutive six-month periods, that it has been found that the conditions to which approval of the programme was made subject have not been fulfilled.

*Article 4*

This Decision shall be without prejudice to any Community financial aid that may be granted to individual investment projects.

*Article 5*

This Decision is addressed to the Irish Republic.

Done at Brussels, 11 December 1987.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

## ANNEX

## Multiannual guidance programme for the Irish fishing fleet (1987 to 1991)

## I. GENERAL REMARKS

The programme relates to the whole of the Irish fishing fleet and covers the entire territory of Ireland.

## II. OBJECTIVES

1. The aims of the programme are :
  - (a) to reduce the overall capacity of the fleet ;
  - (b) to renew and modernize the fleet ; principally with regard to all boats of less than 12 metres length.
2. The following limitations should apply to the development of the fleet during the period covered by the programme :

| <i>(Tonnage (GRT))</i> |                                |                         |                           |
|------------------------|--------------------------------|-------------------------|---------------------------|
|                        | Objective of programme 2908/83 | Situation at 1. 1. 1987 | Objective at 31. 12. 1991 |
| Vessels less than 12 m | 7 000                          | 8 264                   | 6 790                     |
| Vessels 12 m and over  | 38 300                         | 44 801                  | 37 151                    |
| Total                  | 45 300                         | 53 065                  | 43 941                    |

| <i>(Engine power (kW))</i> |                                    |                             |                           |
|----------------------------|------------------------------------|-----------------------------|---------------------------|
|                            | Objective of programme 2908/83 (1) | Situation at 1. 1. 1987 (1) | Objective at 31. 12. 1991 |
| Vessels less than 12 m     | 28 000                             | 33 056                      | 27 440                    |
| Vessels 12 and over        | 153 200                            | 179 204                     | 150 136                   |
| Total                      | 181 200                            | 212 260                     | 177 576                   |

(1) Estimates ; within six months of this Decision, Ireland must confirm or modify these estimations, in agreement with the Commission. In case of modification, the objectives of 31 December 1991 will be adopted.

## III. PLANNED MEASURES

The following measures should be implemented to achieve the objectives set out above :

- reduction in the overall capacity of the fleet of at least 9 124 GRT and 34 684 kW through a cutback of 1 474 GRT and 5 616 kW for all vessels of up to 12 metres and of 7 650 GRT and 29 068 kW for all vessels equal to or greater than 12 metres.

## IV. COMMENTS

1. The objectives recorded in the table for point II (2) can only be revised on the basis of exact scientific evaluations leading to the establishment of the existence of resources which are not fully exploited at present.
2. It may be possible to consider a certain increase in the individual tonnage and average engine power of vessels in the Irish coastal fleet during the course of the implementation of the programme for reasons of navigating safety and to improve working conditions and the conservation of existing stocks in coastal areas. Such an increase, where appropriate, would have to be in line with the available stocks likely to be fished by that fleet.
3. At least 20 % of the programme objectives should be achieved by the end of 1988 and at least 80 % by the end of 1990.
4. The Commission recalls that any structural financial measures taken by the national ; regional or local authorities in respect of the sector concerned must henceforth lie within the scope of this programme.

**CORRIGENDA**

**Corrigendum to Commission Regulation (EEC) No 526/88 of 25 February 1988 on the supply of various lots of skimmed-milk powder as food aid**

*(Official Journal of the European Communities No L 53 of 27 February 1988)*

Page 54, Annex I, Lot F, point 6:

*for:* 'butteroil',

*read:* 'vitaminized skimmed-milk powder'.

Page 58, Annex I, Lot K, point 17:

*for:* 'K 2 and K 3: 9 to 31 March 1988'.

*read:* 'K 2 and K 3: 9 to 31 May 1988'.

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