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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 735/88

of 21 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⁽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 18 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 22 March 1988.

⁽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.

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

Done at Brussels, 21 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 21 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	170,67
0712 90 19	12,29	170,67
1001 10 10	68,97	258,63 ⁽¹⁾ ⁽²⁾
1001 10 90	68,97	258,63 ⁽¹⁾ ⁽²⁾
1001 90 91	7,92	186,93
1001 90 99	7,92	186,93
1002 00 00	47,51	166,61 ⁽³⁾
1003 00 10	41,19	173,02
1003 00 90	41,19	173,02
1004 00 10	97,72	146,92
1004 00 90	97,72	146,92
1005 10 90	12,29	170,67 ⁽²⁾ ⁽³⁾
1005 90 00	12,29	170,67 ⁽²⁾ ⁽³⁾
1007 00 90	35,81	175,52 ⁽⁴⁾
1008 10 00	41,19	97,37
1008 20 00	41,19	143,37 ⁽⁴⁾
1008 30 00	41,19	59,81 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	41,19	59,81
1101 00 00	26,15	276,47
1102 10 00	82,12	247,01
1103 11 10	120,58	414,55
1103 11 90	26,31	296,66

⁽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 736/88

of 21 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⁽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 18 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 22 March 1988.

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

Done at Brussels, 21 March 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 21 March 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 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	10,76	10,76	10,76
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

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 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 737/88

of 18 March 1988

on an invitation to tender for the sale of white sugar held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 11 (3) and the second paragraph of Article 39 thereof,

Whereas it is advisable, in view of the situation on the Italian market with regard to supply, to issue an invitation to tender for the sale by lots of the sugar held by the Italian intervention agency;

Whereas the general and detailed rules for the sale of intervention sugar by invitation to tender are laid down in Council Regulation (EEC) No 447/68 ⁽³⁾, as last amended by Regulation (EEC) No 1359/77 ⁽⁴⁾, and in Commission Regulation (EEC) No 258/72 ⁽⁵⁾, which are to apply to this invitation to tender, with the exception of Articles 4 (3), 5 (3) (b), 6 (4) and 7 (1) of the latter Regulation;

Whereas a minimum quantity per tender, appropriate to the intended use but at the same time encouraging the participation of the greatest possible number of prospective purchasers, should be specified;

Whereas the quality of the sugar to be sold falls within the categories specified in Council Regulation (EEC) No 793/72 of 17 April 1972 fixing the standard quality for white sugar ⁽⁶⁾ and Commission Regulation (EEC) No 2103/77 of 23 September 1977 laying down detailed rules for the buying in by intervention agencies of sugar manufactured from beet or cane harvested in the Community ⁽⁷⁾, as last amended by Regulation (EEC) No 1708/83 ⁽⁸⁾; whereas, moreover, a minimum price should be fixed per 100 kilograms for all areas in Italy, on the basis of the intervention price applicable when the sugar is put up for sale; whereas that minimum price should be quoted inclusive of the storage levy, ex storage depot,

goods laden and taking the way it is put up into account, but exclusive of internal taxes;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Italian intervention agency shall issue an invitation to tender for the sale of the white sugar which it holds. The invitation to tender shall be in respect of the sugar's selling price.

2. The invitation to tender shall relate to quantities of white sugar in bulk, made up into lots within the meaning of Article 2 (2) of Regulation (EEC) No 258/72, the characteristics of which are indicated in the Annex hereto.

Article 2

The invitation to tender shall be conducted in accordance with the relevant provisions of Regulations (EEC) No 447/68 and (EEC) No 258/72 and with the provisions hereinafter set out.

Article 3

1. The deadline for the submission of tenders shall expire on Wednesday, 6 April 1988 at 9.30 a.m.

2. If, upon expiry of the deadline laid down in paragraph 1, the quantities stated in the Annex have not been fully allocated, the Italian intervention agency shall issue further invitations to tender in respect of the remaining quantities until they have been used up.

3. For the purposes of applying paragraph 2, the period for the submission of tenders for the second and subsequent invitations to tender:

- (a) shall run from the first working day after the expiry of the deadline immediately prior thereto, and
- (b) shall expire at 9.30 a.m. on Wednesday of the following week. However, where the deadline falls on an Italian public holiday, it shall be run until the same time on the first working day thereafter.

4. The deadlines for this invitation to tender shall relate to Italian local time.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 91, 12. 4. 1968, p. 5.

⁽⁴⁾ OJ No L 156, 25. 6. 1977, p. 7.

⁽⁵⁾ OJ No L 31, 4. 2. 1972, p. 22.

⁽⁶⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁷⁾ OJ No L 246, 27. 9. 1977, p. 12.

⁽⁸⁾ OJ No L 166, 25. 6. 1983, p. 15.

Article 4

Tenders shall be valid only if:

- (a) the security provided for in Article 5 (1) has been lodged or if evidence concerning the lodging thereof has been forwarded to the Italian intervention agency before expiry of the deadline for the submission of tenders;
- (b) they relate to a quantity of not less than 250 tonnes or, where the residual quantity of a lot is less than 250 tonnes, to that residual quantity;
- (c) they include a declaration by the tenderer to the effect that if his tender is successful he undertakes to remove the sugar within the time limit laid down.

Article 5

1. A security of 3 ECU per 100 kilograms of sugar shall be lodged by each tenderer.
2. The security shall be lodged in Italy, at the tenderer's discretion, either in Italian lire or in the form of a guarantee approved by Italy.
3. If the security referred to in paragraph 1 of this Article or, where applicable, a part thereof, is not released it shall be forfeit in respect of the quantity of sugar for which the obligations applicable have not been fulfilled.

Article 6

The minimum price payable for the white sugar shall be as fixed, per 100 kilograms in respect of each lot, in the

Annex hereto. The price for each lot shall be quoted inclusive of the storage levy, ex storage depot, goods loaded onto the means of transport chosen by the purchaser and put up in the manner prescribed for the lot in question, but exclusive of internal taxes.

Article 7

Without prejudice to the compliance with the time laid down for removal in Article 13 of Regulation (EEC) No 258/72 by the successful tenderer, the latter may apply for delivery at his expense of the sugar in question in packaging as provided for in Article 17 (2) of Regulation (EEC) No 2103/77. Such an application may be accepted only if it is made within 10 days of receipt of the notification of award of the contract.

In that case, the charges referred to in the first subparagraph shall be added to the price of the sugar allocated.

Article 8

1. The quantities for which contracts have been awarded, the price payable in each case and the quantities remaining shall immediately be notified to the Commission upon completion of each tendering procedure.
2. The intervention agency shall display notices on completion of each tendering procedure giving the quantities allocated and, where applicable, the quantities remaining.

Article 9

This Regulation shall enter into force on 22 March 1988.

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

Done at Brussels, 18 March 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Referencia del lote Partiets betegnelse Bezeichnung des Loses Αριθμός παρτίδας Reference number of the lot Référence du lot Riferimento della partita Referentienummer van de partij Referência do lote	a) Almacenista a) Lagerholder a) Lagerhalter a) Υπεύθυνος για την αποθήκευση a) Storer a) Entrepoteur a) Immagazzinatore a) Depothouder a) Armazenista	b) Lugar del almacenamiento b) Oplagringssted b) Lagerort b) Χώρος αποθήκευσης b) Storage place b) Lieu d'entrepotage b) Luogo di deposito b) Opslagplaats b) Lugar de armazenagem	Cantidad (t) Mængde (t) Menge (t) Ποσότητα (t) Quantity (t) Quantité (t) Quantità (t) Hoeveelheid (t) Quantidade (t)	Denominación cualitativa Kvalitetsbetegnelse Qualitätsbezeichnung Ποιοτικός χαρακτηρισμός Quality description Dénomination qualitative Designazione qualitativa Kwaliteitsaanduiding Denominação qualitativa	Presentación Præsentation Verpackung Παρουσίαση Présentation Presentazione Verpakking Apresentação	Precio mínimo ⁽¹⁾ (ECU/100 kg) Mindestpreis ⁽¹⁾ (ECU/100 kg) Mindestpreis ⁽¹⁾ (ECU/100 kg) Ελάχιστη τιμή ⁽¹⁾ (ECU/100 kg) Minimum price ⁽¹⁾ (ECU/100 kg) Prix minimal ⁽¹⁾ (Écus/100 kg) Prezzo minimo ⁽¹⁾ (ECU/100 kg) Minimumprijs ⁽¹⁾ (Ecu kg) Preço mínimo ⁽¹⁾ (ECU/100 kg)
1	2		3	4	5	6
1	a) Eridania, Z.N. SpA Corso Andrea Podesta, 2 16128 — Genova Tel.: (010) 54 811 b) Stabilimento di Contarina — Rovigo		15 000	2	Stato sfuso	60,13
2	a) Eridania, Z.N. SpA Corso Andrea Podesta, 2 16128 — Genova Tel.: (010) 54 811 b) Stabilimento di Ruschi — Ravenna		5 000	2	Stato sfuso	60,13
3	a) Eridania, Z.N. SpA Corso Andrea Podesta, 2 16128 — Genova Tel.: (010) 54 811 b) Stabilimento di S. Pietro in Casale — Bologna		15 000	2	Stato sfuso	60,13
4	a) Eridania, Z.N. SpA Corso Andrea Podesta, 2 16128 — Genova Tel.: (010) 54 811 b) Stabilimento di S. Quirino Trecasali — Parma		15 000	2	Stato sfuso	60,13

⁽¹⁾ Este precio se adaptará en función del cambio, en su caso, del precio de intervención derivado para Italia y/o de la cotización de almacenamiento aplicables a partir del 1 de julio de 1988, para las cantidades que queden por adjudicar a partir de dicha fecha.

⁽¹⁾ Denne pris tilpasses efter en eventuel ændring af den afledte interventionspris for Italien og/eller den lagerafgift, der gælder fra den 1. juli 1988 for de mængder, der endnu ikke er tildelt på denne dato.

⁽¹⁾ Dieser Preis wird angepaßt nach Maßgabe einer etwaigen Änderung des für Italien abgeleiteten Interventionspreises und/oder der Lagerkostenabgabe, die ab 1. Juli 1988 anwendbar sind, und für die Mengen, die von diesem Datum an noch zugeschlagen werden.

⁽¹⁾ Η τιμή αυτή θα προσαρμοστεί συναρτήσει της αλλαγής, ενδεχομένως, της παράγωγης τιμής παρεμβάσεως για την Ιταλία ή/και της εισφοράς αποθηκεύσεως που θα εφαρμόζονται από την 1η Ιουλίου 1988 για τις εναπομένουσες να διατεθούν ποσότητες από την ημερομηνία αυτή.

⁽¹⁾ This price shall be adapted according to the alteration, if the case arises, of the derived intervention price for Italy and/or storage levy both applying from 1 July 1988, for the quantities still to be tendered from this date.

⁽¹⁾ Ce prix sera adapté en fonction du changement, le cas échéant, du prix d'intervention dérivé pour l'Italie et/ou de la cotisation de stockage applicables à partir du 1^{er} juillet 1988, pour les quantités restant à attribuer à partir de cette date.

⁽¹⁾ Questo prezzo verrà adattato in funzione del cambiamento, se del caso, del prezzo d'intervento derivato per l'Italia e/o del contributo di magazzinaggio applicabili a decorrere dal 1° luglio 1988, per i quantitativi rimasti da aggiudicare a decorrere da questa data.

⁽¹⁾ Deze prijs wordt aangepast aan de hand van de eventuele wijziging van de afgeleide interventieprijs voor Italië en/of de met ingang van 1 juli 1988 toe te passen opslagbijdrage, voor de hoeveelheden die vanaf die datum nog moeten worden toegewezen.

⁽¹⁾ Este preço será adaptado em função da alteração, se for caso disso, do preço de intervenção derivado para a Itália e/ou da quotização de armazenagem aplicáveis a partir de 1 de Julho de 1988, para as quantidades ainda não adjudicadas a partir dessa data.

COMMISSION REGULATION (EEC) No 738/88
of 17 March 1988

amending Regulations (EEC) No 2736/87, (EEC) No 2735/87, (EEC) No 2938/87, (EEC) No 3150/87, (EEC) No 3519/87, (EEC) No 2734/87, (EEC) No 3329/87, (EEC) No 2939/87, (EEC) No 2937/87, (EEC) No 2941/87 and (EEC) No 2942/87 opening standing invitations to tender for the export of cereals held by the intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3989/87 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁴⁾,

Whereas the last partial invitation to tender under Regulations (EEC) No 2736/87 ⁽⁵⁾, (EEC) No 2735/87 ⁽⁶⁾, (EEC) No 2938/87 ⁽⁷⁾, (EEC) No 3150/87 ⁽⁸⁾, (EEC) No 3519/87 ⁽⁹⁾, (EEC) No 2734/87 ⁽¹⁰⁾, (EEC) No 3329/87 ⁽¹¹⁾, (EEC) No 2939/87 ⁽¹²⁾, (EEC) No 2937/87 ⁽¹³⁾, (EEC) No 2941/87 ⁽¹⁴⁾ and (EEC) No 2942/87 ⁽¹⁵⁾, all amended by Regulation (EEC) No 3736/87 ⁽¹⁶⁾, should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 (3) of Regulations (EEC) No 2736/87, (EEC) No 2735/87, (EEC) No 2938/87, (EEC) No 3150/87, (EEC) No 3519/87, (EEC) No 2734/87, (EEC) No 3329/87, (EEC) No 2939/87, (EEC) No 2937/87, (EEC) No 2941/87 and (EEC) No 2942/87 is hereby replaced by the following:

'3. The last partial invitation to tender shall expire on 27 April 1988.'

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, 17 March 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 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 223, 11. 8. 1987, p. 5.
⁽⁵⁾ OJ No L 262, 12. 9. 1987, p. 13.
⁽⁶⁾ OJ No L 262, 12. 9. 1987, p. 11.
⁽⁷⁾ OJ No L 278, 1. 10. 1987, p. 55.
⁽⁸⁾ OJ No L 300, 23. 10. 1987, p. 13.
⁽⁹⁾ OJ No L 335, 25. 11. 1987, p. 5.
⁽¹⁰⁾ OJ No L 262, 12. 9. 1987, p. 9.
⁽¹¹⁾ OJ No L 316, 6. 11. 1987, p. 15.
⁽¹²⁾ OJ No L 278, 1. 10. 1987, p. 57.
⁽¹³⁾ OJ No L 278, 1. 10. 1987, p. 53.
⁽¹⁴⁾ OJ No L 278, 1. 10. 1987, p. 61.
⁽¹⁵⁾ OJ No L 278, 1. 10. 1987, p. 63.
⁽¹⁶⁾ OJ No L 352, 15. 12. 1987, p. 13.

COMMISSION REGULATION (EEC) No 739/88

of 16 March 1988

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the second quarter of 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3905/87 ⁽²⁾, and in particular Article 14 (4) (a) and (c) thereof,

Whereas the Council, under a special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1988 an estimate of 12 000 tonnes divided into two quantities of 8 500 tonnes and 3 500 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the second quarter of 1988 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 2 125 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 875 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import less 55 %.

Article 3

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, 16 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

COMMISSION REGULATION (EEC) No 740/88

of 16 March 1988

fixing the quantity of young male bovine animals which may be imported on special terms in the second quarter of 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3905/87 ⁽²⁾, and in particular Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has established an estimate of 164 000 head under the new import arrangements for young male bovine animals for fattening, for the period 1 January to 31 December 1988; whereas, under Article 13 (4) (a) of Regulation (EEC) No 805/68, the quantity which may be imported each quarter and the rate of reduction of the import levy on these animals must be determined;

Whereas detailed rules for the practical application of the special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽³⁾, as last amended by Regulation (EEC) No 1121/87 ⁽⁴⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁵⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁶⁾;

Whereas the supply requirements of certain regions of the Community which have a serious deficit in bovine animals for fattening must be taken into account; whereas these requirements are apparent in Italy and in Greece and may be estimated for the second quarter of 1988 at 35 500 head and 5 500 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the second quarter of 1988, a higher rate of reduction of the levy for animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia;

Whereas the partial reduction of the levy is intended to help improve cattle rearing and beef and veal production structures in Italy and in Greece; whereas appropriate measures must therefore be taken to ensure that producers can, as far as possible, benefit directly from the arrangements without traditional trade being excluded; whereas this objective can be achieved by giving agricultural producers and their organizations priority when

issuing the licences conferring entitlement to benefit from the arrangements;

Whereas, according to Article 9 (1) of Regulation (EEC) No 2377/80, the applicant shall undertake either to carry out himself or to have carried out under his responsibility, the task of fattening; whereas, in the case of agricultural producers or their professional organization, it appears that the opportunity given to the applicant not to carry out himself the task of fattening could give rise to abuses in certain cases; whereas it seems appropriate consequently to abolish that opportunity for the quarter in question;

Whereas, in the case of import licence applications made by agricultural producers or their professional organizations, or the traditional trade, it is necessary, in order to permit a more equitable distribution of the quantities available, to limit the maximum quantity which each application may cover;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 April to 30 June 1988, the maximum quantity referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 41 000 head of young male bovine animals for fattening, of a live weight of 300 kilograms or less, of which 35 500 head must be imported into and fattened in Italy and 5 500 head must be imported into and fattened in Greece.

2. The levy charged on imports of the young bovine animals referred to in paragraph 1 shall be equal to the levy applicable on the day of import less 60 %.

However, the levy applicable on the day of import shall be reduced by 70 % in respect of a maximum of 10 800 young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia.

This maximum quantity may be imported up to a maximum of:

- 9 300 head in Italy, and
- 1 500 head in Greece.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 31.

3. The application for a licence and the licence shall be in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80 and shall relate to:

- either young bovine animals of a weight per head not exceeding 300 kilograms, or
- young bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case, Sections 13 and 14 of the application for a licence and the licence shall include one of the following entries:

- 'Yugoslavia',
- 'Jugoslaven',
- 'Jugoslawien',
- 'Γιουγκοσλαβία',
- 'Yugoslavia',
- 'Yougoslavie',
- 'Iugoslavia',
- 'Joegoslavië',
- 'Jugoslāvia'.

The licence shall make it compulsory to import from the country indicated.

4. Member States shall specify in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 the category of live weight, and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 3.

5. Within the quantity reserved for Italy, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 23 600 head, including a maximum of 6 200 head originating in and coming from Yugoslavia;

Italy shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 11 900 head, including a maximum of 3 100 head originating in and coming from Yugoslavia.

6. Within the quantity reserved for Greece, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 3 700 head, including a maximum of 1 000 head originating in and coming from Yugoslavia;

Greece shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 1 800 head, including a maximum of 500 head originating in and coming from Yugoslavia.

Article 2

1. In the case of the quantity referred to in Article 1 (5) (a) and (6) (a):

- (a) notwithstanding Article 9 (1) (d) of Regulation (EEC) No 2377/80, the applications for import licences lodged:

— by agricultural producers, directly or through their professional organizations, shall be acceptable only if the agricultural producers undertake in writing to fatten on their farms the young bovine animals imported under this Regulation,

— by professional organizations, shall be acceptable only if they undertake in writing to have the young bovine animals imported under this Regulation fattened on the farms of those who are found to be members of the said organizations at the time the declaration referred to in Article 1 (1) (d) of Regulation (EEC) No 612/77 is made;

- (b) applications for import licences may not cover more than 100 head when made by individual applicants or more than 100 head per member when made by professional organizations. The total quantity applied for by a professional organization may not, however, exceed 2 500 head.

2. In the case of the quantity referred to in Article 1 (5) (b) and (6) (b), applications for import licences may not cover more than 10 % of that quantity.

3. Without prejudice to Article 1 (3) of Regulation (EEC) No 612/77, the security there referred to shall not be released, in whole or in part, unless proof is provided to the competent authorities of the Member State in question that the undertaking in paragraph 1 (a) has been complied with.

Article 3

For the purpose of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which relate to the same category of weight and the same rate of reduction of the levy shall be treated as one application.

Article 4

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, 16 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 741/88
of 21 March 1988
amending Regulation (EEC) No 3280/87 fixing the accession compensatory
amounts for olive oil for 1987/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as amended by Regulation (EEC) No 3985/87⁽²⁾, and in particular Article 15 (1) thereof,

Whereas Regulation (EEC) No 2658/87 introduces a 'combined nomenclature' from 1 January 1988; whereas the combined nomenclature codes should accordingly be introduced for accession compensatory amounts in the olive oil sector;

Whereas, for the sake of clarity, it should be specified that the codes used are those of the combined nomenclature as defined by Regulation (EEC) No 2658/87; whereas the

additional codes are defined in the table in the Appendix to Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Commission Regulation (EEC) No 3280/87⁽³⁾ is hereby replaced by Annexes I and II hereto.

Article 2

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 21 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 309, 31. 10. 1987, p. 67.

ANNEX

ANNEX I

Olive oil

(ECU/100 kg)

CN code	Table	Code	Notes	Accession compensatory amount to be charged (-) or granted (+) in trade as follows							
				from third countries to Spain	from the Community of Ten to Spain	from Spain to third countries or to EEC of Ten	from third countries to Portugal	from the Community of Ten to Portugal	from Portugal to third countries or to EEC of Ten	from Spain to Portugal	from Portugal to Spain
1509 10 10	1	7 298		—	+ 71,43	- 71,43	—	+ 14,52	- 14,52	- 56,91	+ 56,91
	1	7 299		—	+ 71,43	- 71,43	—	+ 14,52	- 14,52	- 56,91	+ 56,91
	1	7 314		+ 0,59	—	—	- 56,32	—	—	—	—
1509 10 90	1	7 298		—	+ 71,43	- 71,43	—	+ 14,52	- 14,52	- 56,91	+ 56,91
	1	7 299		—	+ 0,59	- 0,59	—	- 56,32	+ 56,32	- 56,91	+ 56,91
	1	7 314		+ 0,59	—	—	- 56,32	—	—	—	—
1509 90 00	1	7 298		—	+ 74,29	- 74,29	—	+ 15,10	- 15,10	- 59,19	+ 59,19
	1	7 299		—	+ 3,45	- 3,45	—	- 55,74	+ 55,74	- 59,19	+ 59,19
	1	7 314		+ 3,45	—	—	- 55,74	—	—	—	—
1510 00 10	1	7 298		—	+ 18,43	- 18,43	—	+ 14,52	- 14,52	- 3,91	+ 3,91
	1	7 299		—	+ 18,43	- 18,43	—	+ 14,52	- 14,52	- 3,91	+ 3,91
	1	7 314		- 52,41	—	—	- 56,32	—	—	—	—
1510 00 90	1	7 298		—	+ 22,12	- 22,12	—	+ 17,42	- 17,42	- 4,70	+ 4,70
	1	7 299		—	- 48,72	+ 48,72	—	- 53,42	+ 53,42	- 4,70	+ 4,70
	1	7 314		- 48,72	—	—	- 53,42	—	—	—	—

Appendix to Annex I

ADDITIONAL CODES

TABLE 1

CN code	Description		
1509 10 10 1509 10 90 1509 90 00 1510 00 10 1510 00 90	— Olive oil which satisfies the requirements of Article 9 (2) of the Treaty :		— Other :
	— — Presented in bulk or in immediate packings of a net capacity of more than 5 litres :	— — Presented in immediate packings of a net capacity of 5 litres or less :	
	7298	7299	7314

ANNEX II

Products containing olive oil

(ECU/100 kg)

CN code	Accession compensatory amount deducted (–) or granted (+) in the following exchanges		
	From third countries or from EEC of 10 to Spain	From third countries or from EEC of 10 to Portugal	From Spain to Portugal
0709 90 39	(+) 15,71	(+) 3,19	(–) 12,52
0711 20 90	(+) 15,71	(+) 3,19	(–) 12,52
1522 00 31	(+) 35,72	(+) 7,26	(–) 28,46
1522 00 39	(+) 57,14	(+) 11,62	(–) 45,52
2306 90 19	(+) 1,47	(+) 1,16	(–) 0,31

Note: For trade in the opposite direction, the signs are reversed.

COMMISSION REGULATION (EEC) No 742/88**of 21 March 1988****on offers tendered in respect of the 15th invitation to tender issued under the standing invitation to tender referred to in Regulation (EEC) No 3905/86 and amending this Regulation**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3905/87 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 3905/86 of 22 December 1986 on the sale by tender, for export, of beef held by certain intervention agencies to Peru ⁽³⁾, as last amended by Regulation (EEC) No 3302/87 ⁽⁴⁾, intervention agencies have issued a standing invitation to tender in respect of certain quantities of beef which they hold;

Whereas no offers were received in respect of the 15th individual invitation to tender;

Whereas Article 1 (1) of Regulation (EEC) No 3905/86 stipulates that the intervention agencies shall offer for sale quarters taken over by them before 1 September 1986; whereas this date should be put forward;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 15th individual invitation to tender pursuant to Regulation (EEC) No 3905/86, in respect of which the time limit for the submission of tenders expired on 9 March 1988, no award shall be made.

Article 2

In Article 1 (1) of Regulation (EEC) No 3905/86, '1 September 1986' is replaced by '1 September 1987'.

Article 3

This Regulation shall enter into force on 22 March 1988.

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

Done at Brussels, 21 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

⁽³⁾ OJ No L 364, 23. 12. 1986, p. 17.

⁽⁴⁾ OJ No L 313, 4. 11. 1987, p. 5.

COMMISSION REGULATION (EEC) No 743/88

of 21 March 1988

fixing the amounts and laying down the procedure for the depreciation of certain stocks of cereals, butter and beef in public storage

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽¹⁾, as last amended by Regulation (EEC) No 2095/87⁽²⁾, and in particular the second paragraph of Article 8 thereof,

Whereas the conditions laid down in the second paragraph of Article 8 of Regulation (EEC) No 1883/78 are met, so that the value assigned to certain stocks of cereals, butter and beef may be lowered in 1988;

Whereas, under the second paragraph of Article 8 of Regulation (EEC) No 1883/78, the Commission must fix the amounts by which the value of the products concerned is to be reduced and must lay down the necessary rules for declaring the corresponding expenditure to the EAGGF;

Whereas the EAGGF Committee has not delivered an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

A decision within the meaning of the second paragraph of Article 8 of Regulation (EEC) No 1883/78 is hereby

taken to lower the value of stocks of cereals, butter and beef. The amounts by which the value of the various products is lowered shall be as follows:

— Common wheat of bread-making quality:	72 ECU/tonne
— Common wheat not of bread-making quality:	72 ECU/tonne
— Barley:	72 ECU/tonne
— Rye:	72 ECU/tonne
— Durum wheat:	110 ECU/tonne
— Maize:	72 ECU/tonne
— Sorghum:	72 ECU/tonne
— Butter:	368 ECU/tonne
— Beef carcasses:	202 ECU/tonne
— Boned beef:	305 ECU/tonne

Article 2

For the purposes of the statements referred to in Commission Regulation (EEC) No 3184/83⁽³⁾, the depreciation resulting from Article 1 must be recorded as material operation incurred in March 1988 in respect of cereals, butter and beef in public storage, with the exception of products stored in accordance with Council Regulation (EEC) No 1799/87⁽⁴⁾.

Article 3

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

It shall apply with effect from 1 March 1988.

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

Done at Brussels, 21 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.
⁽²⁾ OJ No L 196, 17. 7. 1987, p. 3.

⁽³⁾ OJ No L 320, 17. 11. 1983, p. 1.
⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 October 1987

concerning Law 1386/1983 by which the Greek Government grants aid to Greek industry

(Only the Greek text is authentic)

(88/167/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice in accordance with the above Article to interested parties to submit their comments and having regard to these comments,

Whereas :

I

By Decision of 29 October 1986 communicated to the Greek Government by letter dated 17 November 1986 (SG (86) D/1317) the Commission informed the Greek Government that it had opened the procedure pursuant to the first paragraph of Article 93 (2) of the EEC Treaty in respect of Law 1386/1983 for the organization for the financial reconstitution of undertakings.⁽¹⁾

Law 1386/1983 creates an organization for the financial reconstitution of undertakings. This organization operates under the name of Business Reconstruction Organization SA (BRO). The purpose of the BRO is to contribute to the social and economic development of the country through the financial rejuvenation of undertakings pursuant to Law 1386/1983; the import and application of foreign technology and the development of Greek-based technology; the establishment and operation of socialized or mixed economy undertakings.

For the purposes of carrying out these objectives the BRO may take over the administration and operational handling of undertakings undergoing rejuvenation or socialized undertakings; participate in the capital of existing undertakings or of undertakings which may be brought into being; grant loans of all kinds to undertakings in which it has a participatory interest and likewise provide guarantees for the security of such loans; issue bonded loans in Greece or abroad subject to the conditions and procedures laid down in the relevant provisions; acquire bonds issued by the State or by the organizations controlled by the State and likewise loan agreements issued by undertakings, organizations and banks; make over shares, in particular to employees or their representative bodies, to local government bodies or other legal persons in public law, to charitable institutions, to social bodies or private persons; take out loans from the Greek State, the Bank of Greece or other financial institutions in Greece or abroad, guaranteed or unguaranteed by the Greek state and accept deposits from legal persons in public law, public organizations and undertakings in which it has a participatory interest.

An undertaking is made subject to the applications of the law and controlled by the BRO by decision of the Minister for the National Economy following the rendering of an opinion by an advisory committee. This may occur when any one or more of the following conditions are met: the company has suspended or ceased trading for financial reasons; it has stopped making payments; it has been placed in receivership or is under temporary administration or in any form of liquidation; it has debts five times the sum of its company capital and visible reserves and is manifestly unable to meet its obligations; it is of interest to national

⁽¹⁾ OJ No C 332, 24. 12. 1986, p. 2.

defence or of vital importance in the exploitation of sources of national wealth; it is requested to be made subject to this law.

The procedure for invoking the law is that the Minister for the National Economy issues a decision to be published in the Government Gazette making an undertaking subject to the implementation of this law following an application by the undertaking itself; an application by the Manpower Employment Organization; an application by the state bank which has matured claims against the undertaking; an application by creditors of the undertaking; an application by the final or interim trustee or by the receiver.

The issue of a decision by the Minister for the National Economy making an undertaking subject to the implementation of the law allows for the BRO to take over the administration of the undertaking. The BRO also makes arrangements regarding the obligations of the undertaking so as to ensure its viability in particular by increasing the capital via new subscriptions or the conversion of existing liabilities into shares, and restructuring of existing liabilities.

II

The Business Reconstruction Organization set up by Law 1386/1983 is part of the organizational structure of the Greek State. The capital of the organization is subscribed and held either by the Greek State or by the State and local government bodies, employees bodies, state-controlled banks and public sector undertakings. The BRO is administered by a board of management made up of a chairman and eight members. The chairman and two members are appointed and removed by decision of the Minister for the National Economy, one member by the general federation of Greek workers, and the remainder by the general meeting of shareholders, these latter being organizations in the public sector. Law 1386/1983 states specifically that in all areas of jurisdiction and in all dealings with the administrative authorities the organization shall enjoy without exception all the procedural privileges and prerogatives of the State.

The financial resources of the BRO are obtained directly from the State. The initial share capital of Dr 2 000 million divided in to 200 000 shares of a nominal value of Dr 10 000 each was fully paid up by the State within four months of the law coming into effect. By a decision of the Minister for the National Economy published in the Government Gazette this capital was increased to a total of Dr 5 000 million. Law 1386/1983 states that the resources of the BRO shall come from subventions from the budget of the Ministry for the National Economy and from the public investment programmes and from other subsidies, gifts, requests and receipts from handling operations. Actions undertaken by the BRO for the purpose of implementing the decisions of the Minister for the National Economy pertaining to the rejuvenation of

undertakings made subject to this law are exempt from every tax, stamp duty, levy and generally any imposition payable to the State or to third parties with the exception of monies payable to municipalities and communes.

The objectives, special status and financing resources of the BRO are such as to place it in the public sector. Its activities are covered by the decision of the Commission conveyed to Member States by letter dated 17 September 1984 (SG (84) D/11853) on the application of Articles 92 and 93 of the EEC Treaty to public holdings in company capital. In this communication the Commission laid down clear guidelines for the interventions of the type carried out by the BRO. In particular it defined the conditions under which interventions by the public sector would be considered *a priori* State aid within the meaning of Articles 92 and 93 of the EEC Treaty, namely that where the State acted in a manner in which a private person or legal entity in the open market would not act, such an intervention was *a priori* to be regarded as State aid. Such actions therefore were to be notified to the Commission pursuant to the conditions of Article 93 (3) of the EEC Treaty. The interventions of the BRO fall into this category.

The interventions of the BRO provide State aid for companies subject to such interventions in that the conversion of their outstanding debts into equity relieves them of a high level of interest payment and by cleaning up their balance sheets provides for additional financial advantages which would not otherwise be available to them. These advantages result directly from the financial resources, powers and status of the BRO as a semi-State (para-statal) body.

The companies in which the BRO intervenes and which it restores to viability account for a large percentage of Greek industrial production and are major exporters. They compete in intra-Community trade with companies not receiving similar benefits to those flowing from the BRO intervention. These companies therefore may be said to receive State aid within the meaning of Article 92 (1) of the EEC Treaty which distorts or threatens to distort competition and affects trade between Member States and which is incompatible with the common market.

Examination of Law 1386/1983 showed that the provisions regarding the method to be adopted for increasing the capital of companies taken under control of the BRO infringed Articles 25 *et seq.* and 29 *et seq.* of Council Directive 77/91/EEC⁽¹⁾, Second Directive on Company Law. If a Member State proposes a measure incorporating State aids which infringes Community rules other than the State aids provisions of the Treaty, the procedures of Articles 92 and 93, although they grant a wide discretion to the Commission, may not nevertheless produce a result which is contrary to those rules. Accordingly, the Commission is unable to exercise its discretionary powers pursuant to Article 92 (3) until such infringements have been eliminated.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 1.

III

Within the framework of the procedure and the consultation of other interested parties the Greek Government replied formally by letter dated 8 January 1987 (ref. 3082.26/194); observations were received from the governments of two other Member States and one industrial federation. In addition six interventions were received from Greek companies in the framework of the procedure.

The Greek Government in its reply to the opening of the procedure pursuant to Article 93 (2) contested that the conversion of the company's debts into equity amounted to aid as it argued that there was no injection of fresh money but simply an accounting operation in the accounts of the company. On the other hand, the Greek Government justified the total operations by among others, the fact that owing to the structure of the capital market in Greece, and particularly the lack of stock exchange facilities, companies had got into difficulties because they had had to borrow loans at high rates of interest.

The general thrust of the Greek Government's response was that law 1386/1983 and the operations of the BRO represented a necessary response to the particular economic situation and developments in Greece. They contended that it was necessary in the light of the economic reform programme and that in considering the application of Articles 92 and 93 the Commission should take into account Protocol 7 of the Act of Accession of Greece which stated that in the application of Articles 92 and 93 of the EEC Treaty it will be necessary to take into account the objectives of economic expansion and the raising of the standard of living of the population. The Greek Government gave a detailed explanation of the operations of the BRO and information on the companies in which it had intervened. It expressed its willingness to inform the Commission of significant individual cases of intervention.

In the framework of a separate exchange of letters and discussions, the Greek Government undertook that the relevant provisions of Law 1386/1983 would be amended so as to make it compatible with the provisions, referred to above, of the Second Directive on Company Law.

IV

Article 92 (1) of the EEC Treaty provides that aid meeting the criteria laid down therein is in principle incompatible with the common market. The exceptions provided for in Article 92 (2) are not applicable in this case because of the nature of the interventions which are not directed towards attainment of the objectives of this paragraph. Article 92 (3) lists aid which may be compatible with the common market. Compatibility with the Treaty must be determined in the context of the Community as a whole and not that of a single Member State. In order to ensure

the proper functioning of the common market, and having regard to the principle embodied in Article 3 (F) of the Treaty, the exceptions provided for in Article 92 (3) must be construed narrowly when any aid scheme or any individual aid award is scrutinized. In particular they may be invoked only when the Commission is satisfied that without the aid, market forces alone would be insufficient to guide recipients towards patterns of behaviour that would serve one of the objectives of the said exceptions.

With regard to the exceptions provided for in Article 92 (3) (a), aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious under-employment, while Greece may be regarded as meeting these definitions, the concept of regional development to which this exception is linked is based essentially on the provision of aid for new investment or major expansions or conversions of undertakings involving large-scale investments of a physical nature and the costs associated with these. In the case of Law 1386/1983 the interventions of the BRO in respect of companies that have fallen into financial difficulties and the consequent restoration of their balance sheets cannot be said to fall under the prescriptions of this exception.

V

As regards the exception provided for in the first phase of Article 92 (3) (b), aid to promote the execution of an important project of common European interest, this cannot apply as Law 1386/1983 is not intended to promote the execution of such a project. It is orientated purely towards the development of the Greek economy.

As regards the application of the second part of Article 92 (3) (b) however, aid to remedy a serious disturbance in the economy of a Member State, these conditions may be said to apply. The economic situation in Greece had been constantly deteriorating up to October 1985. Both internal and external imbalances had created a difficult situation which demanded firm policy measures. In particular the Greek authorities were confronted with very serious external payments and pressures on the exchange rate in September 1985. Thus, on 11 October 1985, they introduced an economic stabilization and recovery programme. This programme included measures to devalue the drachma by 15 %; the introduction of a non-interest-bearing import deposit scheme; a complete overhaul of wage indexation; a major fiscal adjustment; a tightening of credit and monetary policy. The European Community recognized the implications of the situation in Greece by agreeing to measures which would normally be regarded as infringements of the EEC Treaty and applied the measures provided for pursuant to Article 108 of the Treaty. In particular Greece was granted a Community loan of 1750 million ECU and also permitted to continue the grant of subsidies to exports for a limited period of time.

By the time the austerity programme was instituted many Greek companies had got into financial difficulties as a result of the previous policy on wages, limits on making workers redundant, price controls, interest rates and over-valuation of the Greek drachma. It must be regarded as important that Greek companies maximize their economic performance if the objectives of the austerity programme are to be achieved. Given the major effort the Greek Government is undertaking to reverse past policies in the October 1985 stabilization programme, Law 1386/1983 and the operations of the Business Reconstruction Organization may be regarded as an integral part of such a programme. The individual interventions of the BRO have covered 45 companies. Of these 22 have been placed into liquidation as being beyond redemption. The remaining 23 account for approximately 20 % of the industrial employment of Greece and a considerably larger percentage of its industrial output and international trade. If such a large section of Greek industry were to be allowed to go into liquidation it would have major negative effects on the possible achievement of success of the austerity programme. It may be concluded, therefore, that the conditions of Article 92 (3) (b), second part, could be applied to Law 1386/1983 and the operations of the Business Reconstruction Organization, particularly in view of Protocol 7 of the Greek Accession Treaty referred to above.

Nevertheless, the Commission is empowered in a decision authorizing a general scheme of State aids to impose conditions resulting from its assessment of the scheme including, where relevant and necessary, an obligation to notify individual significant cases so that these may be considered from the point of view of their impact on intra-Community trade and competition. In this the Commission must have regard to considerations of Community policy. This results from the judgment of the Court in case 730/79, Philip Morris versus Commission⁽¹⁾ where the Court clearly indicated (paragraphs 24 and 25) that the assessment involved in operating the exceptions provided for in a, b, and c, of Article 92 (3) are to be made 'in the Community context'. The Commission can therefore require notification of significant individual cases of application of the Law as part of its necessary monitoring of the scheme as a whole and as input to its eventual reassessment of it in the light of the hoped for beneficial effect over a period of this general remedial measure on the Greek economy. In respect of this position it should be noted further that the Commission used an approach on the above lines in broadly analogous cases of general aid schemes in the period 1974 to 1975, in particular for Denmark, France and Italy.

In the terms of Article 92 (3) (b) aid, in order that it may be considered compatible with the common market, must be in the nature of a remedy for the perceived serious

disturbance in the economy of the Member State concerned. Since, as in this case, it will then be a matter of granting aid to companies which, although basically viable, have run into difficulties threatening their survival, it follows that the operation must not result in their being left in a stronger competitive position *vis-à-vis* industries in other Member States than would otherwise occur had those difficulties not arisen in the first place. Accordingly the aid must not promote expansion of production capacity nor must it merely shift the problem without finding a genuine solution to the social and industrial problems facing the Community as a whole or even aggravate the situation still further in the medium or long-term future. Moreover, the effect should not be to obstruct or even compromise the specific aid policies already in existence and applied in certain sensitive sectors.

The application of Article 92 (3) (c) to Law 1386/1983 does not appear relevant in this case as the measure is not designed to contribute to the development of certain economic areas or certain economic activities in the sense in which this Article has been interpreted by the Commission in its decisions on State aid cases. There are no economic area objectives in Law 1386/1983. The concept of development of economic activities in the case of this law is also not that usually presented to the Commission in the sense that such development particularly in the case of systems of rescue aids has normally involved a programme of restructuring often in the sense of capacity reduction, rationalization of production, etc. The interventions of the BRO are on a more limited scale to do with a financial recovery by the undertakings in question. Both the law itself and the situation in which it operates are without precedent in the application of the State aid rules in recent years.

In view of the above it may be concluded that Law 1386/1983 qualifies for an exception under the terms of Article 92 (3) (b), second part. However, bearing in mind the decision of the Court in the Philip Morris case cited above and other aspects of the Law already referred to, the Commission must retain control over the application of the measure in question. Therefore the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The Commission has no objections to the implementation of Law 1386/1983 subject to the conditions set out below:

1. The Greek Government shall, by 31 December 1987, amend the relevant provisions of Law 1386/1983 so as to bring it into conformity with Articles 25 *et seq.* and 29 *et seq.* of Directive 77/91/EEC.

⁽¹⁾ ECR 1980, p. 2671.

2. The following conditions shall apply as long as the present conditions of Law 1386/1983 on the operations of the BRO apply. They shall continue to apply for any interventions of the BRO carried out before its proposed change of status and statutes.

- (a) The Greek Government shall notify the individual cases of intervention in firms made subject to the law employing 300 or more persons in the case of non-sensitive branches and 100 or more persons in the case of sensitive branches ;
- (b) the Greek Government shall ensure that in all cases where companies are taken under control of the BRO pursuant to Law 1386/1983 there are no increases in capacity or combined capacity if companies are merged or taken over and that all necessary measures of restructuring are taken to ensure the viability of the firms in question ;
- (c) the Greek Government shall notify to the Commission pursuant to Article 93 (3) EEC any aid proposed under any other Greek aid scheme to firms subject to intervention by the BRO ;
- (d) the Greek Government shall ensure the compliance by the BRO with the specific aid

policies applying to the steel, shipbuilding and synthetic fibre sectors.

Article 2

The Greek Government shall inform the Commission within two months of the notification of this Decision, of the measures it has taken to comply herewith.

Article 3

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 7 October 1987.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION DECISION

of 20 January 1988

concerning authorizations granted to Ireland amending Decision 84/277/Euratom, ECSC, EEC concerning the calculation of value added tax

(Only the English text is authentic)

(88/168/ECSC, EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 85/257/EEC, Euratom of 7 May 1985, on the Communities' system of own resources ⁽¹⁾,Having regard to Council Regulation (EEC, Euratom, ECSC) No 2892/77 of 19 December 1977 implementing in respect of own resources accruing from value added tax the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources ⁽²⁾, as last amended by Regulation ECSC, EEC, Euratom No 3735/85 ⁽³⁾, and in particular the first subparagraph of Article 9 ⁽³⁾, the second subparagraph of Article 11 (1) and Article 13 (2) thereof,Whereas for 1980 to 1985 the Commission adopted under Article 13 (2) of Regulation (EEC, Euratom, ECSC) No 2892/77 Decisions 81/368/Euratom, ECSC, EEC ⁽⁴⁾, 82/758/ECSC, EEC, Euratom ⁽⁵⁾, 83/143/EEC, Euratom, ECSC ⁽⁶⁾ and 84/277/Euratom, ECSC, EEC ⁽⁷⁾;

Whereas from 1986 Ireland has chosen to calculate its VAT own resources base using the revenue method; whereas authorization under Article 5 (3) (b) of Regulation (EEC, Euratom, ECSC) No 2892/77 to apply a correcting factor to the information contained in the returns referred

to in Article 22 (4) of the Sixth Council Directive 77/388/EEC ⁽⁸⁾ is therefore no longer of any relevance;

Whereas from 1 July 1986 Ireland has exempted the transactions referred to in Article 13 (A) (1) (e) (Annex E2) of the Sixth VAT Directive as regards services supplied by dental technicians in their professional capacity; whereas an authorization not to take these transactions into account is therefore no longer required;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. Article 1 of Decision 84/277/Euratom, ECSC, EEC is hereby repealed with effect from 1 January 1986.

2. Article 2 (1) of Decision 84/277/Euratom, ECSC, EEC is hereby repealed with effect from 1 July 1986.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 20 January 1988.

For the Commission

Henning CHRISTOPHERSEN

Vice-President⁽¹⁾ OJ No L 128, 14. 5. 1985, p. 15.⁽²⁾ OJ No L 336, 27. 12. 1977, p. 8.⁽³⁾ OJ No L 356, 31. 12. 1985, p. 1.⁽⁴⁾ OJ No L 145, 3. 6. 1981, p. 15.⁽⁵⁾ OJ No L 320, 17. 11. 1982, p. 16.⁽⁶⁾ OJ No L 96, 15. 4. 1983, p. 48.⁽⁷⁾ OJ No L 135, 22. 5. 1984, p. 21.⁽⁸⁾ OJ No L 145, 13. 6. 1977, p. 1.

COMMISSION DECISION

of 28 January 1988

approving 11 programmes drawn up by the Portuguese Republic pursuant to Council Regulation (EEC) No 3828/85 on a specific programme for the development of Portuguese agriculture

(Only the Portuguese text is authentic)

(88/169/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3828/85⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas on 20 April 1987 Portugal forwarded a specific programme under Article 12 of Regulation (EEC) No 3828/85 for the production of cereal and fodder-plant seed, aimed at improving the quality and quantity of the cereal and fodder-plant seed produced in the country and providing new equipment for the seed-testing authorities;

Whereas on 20 April 1987 Portugal forwarded a specific programme under Article 5 (c) and the second sub-indent of the second indent of Article 10 of Regulation (EEC) No 3828/85, for health protection groups (mainland only), aimed at the detection and prevention of the most common diseases affecting cattle, sheep and goats;

Whereas on 20 April 1987 Portugal forwarded a specific programme under the seventh indent of Article 20 (1) of Regulation (EEC) No 3828/85 for small irrigation systems, aimed at the building or improvement of small irrigation systems;

Whereas on 20 April 1987 Portugal forwarded a specific programme under Articles 6, 7, 8 and 20 of Regulation (EEC) No 3828/85 for the development of agriculture and sheep farming in the concelho de Mertola, aimed at encouraging arable farmers to switch to fodder crops and promoting the more rational development of sheep farming;

Whereas on 14 May 1987 Portugal forwarded two specific programmes under Article 19 of Regulation (EEC) No 3828/85, for the provision of electricity and the building of country roads in the autonomous region of Madeira, aimed at improving electricity supplies and access to holdings respectively;

Whereas on 7 August 1987 Portugal forwarded a specific programme under Article 17 of Regulation (EEC) No 3828/85, for the renewal and improvement of traditional irrigation systems on the island of Madeira, aimed at modernizing the island's traditional irrigation network;

Whereas on 7 August 1987 Portugal forwarded two specific programmes under the second sub-indent of the second indent of Article 10 (1) of Regulation (EEC) No 3828/85, for health protection groups for the autonomous regions of the Azores and Madeira, aimed at detecting and preventing the most common diseases affecting cattle (in the case of the Azores) and cattle, sheep and goats (in the case of Madeira);

Whereas on 7 August 1987 Portugal forwarded a specific programme under Article 5 (a), (b) and (c), Article 7 and the first indent of Article 8 (1) of Regulation (EEC) No 3828/85, for agricultural vocational training centres, aimed at the building or preparation and the equipping with computers and other material of training centres and classrooms for farmers, and the organization of courses of theoretical and practical training;

Whereas on 7 August 1987 Portugal forwarded a specific programme, under Article 5 (a), (b) and (c) and the second indent of Article 8 (1) of Regulation (EEC) No 3828/85, for training centres for agricultural advisers and for an agricultural research centre, aimed at the building and organization of a network of training centres for agricultural advisers, its running, the training of instructors and advisers, as well as the building and equipping of an agricultural research centre;

Whereas the said programmes contain the information, provisions and measures laid down in Article 3 of Regulation (EEC) No 3828/85, showing that the objectives of that Regulation can be achieved;

Whereas the EAGGF Committee has been consulted on the financial aspects;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

⁽¹⁾ OJ No L 372, 31. 12. 1985, p. 5.

HAS ADOPTED THIS DECISION :

Article 3

Article 1

The specific programmes forwarded by Portugal on 20 April 1987, 14 May 1987 and 7 August 1987 are hereby approved.

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 28 January 1988.

Article 2

Aid granted by the Portuguese Government for the implementation of these programmes is eligible for reimbursement from 7 August 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 28 January 1988

on improving the efficiency of agricultural structures in France pursuant to
Council Regulation (EEC) No 797/85

(Only the French text is authentic)

(88/170/EEC)

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

Having regard to Council Regulation (EEC) No 797/85 of
12 March 1985 improving the efficiency of structures ⁽¹⁾,
as last amended by Regulation (EEC) No 1760/87 ⁽²⁾, and
in particular Article 25 thereof,

Whereas pursuant to Article 24 (4) of Regulation (EEC)
No 797/85 the French Government forwarded Circular
DERF/SDDR/C.87/No 3005 of 7 April 1987 on the use
of budget heading 61 80 62;

Whereas under Article 25 (1) of Regulation (EEC) No
797/85 the Commission has to decide whether, account
being taken of the abovementioned communication, the
provisions for the implementation of Title III of
Regulation (EEC) No 797/85 in France satisfy the
conditions for a financial contribution from the
Community to the common measure referred to in
Article 1 of Regulation (EEC) No 797/85;

Whereas the abovementioned provisions satisfy the
conditions and objectives of Regulation (EEC) No 797/85,
except for the investments in individually used pastures
other than the watering points, the immediate access
roads to pastures and upland grazing, and the pasture
sheds;

Whereas the EAGGF Committee has been consulted on
the financial aspects;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee
on Agriculture Structure,

HAS ADOPTED THIS DECISION:

Article 1

Account being taken of Circular DERF/SDDR/C.87/No
3005 of 7 April 1987 on the use of budget heading
61 80 62, the provisions for the implementation of Title
III of Regulation (EEC) No 797/85 in France continue to
satisfy the conditions for a financial contribution from the
Community to the common measure referred to in
Article 1 of the said Regulation, except for the
investments in individually used pastures other than the
watering points, the immediate access roads to pastures
and upland grazing, and the pasture sheds.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 28 January 1988.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

COMMISSION DECISION

of 28 January 1988

approving a programme submitted under the common measure for the encouragement of agriculture by improving the rearing of beef cattle in certain less-favoured areas of France pursuant to Council Regulation (EEC) No 1400/86

(Only the French text is authentic)

(88/171/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1400/86 of 6 May 1986 introducing a common measure for the encouragement of agriculture by improving the rearing of beef cattle in certain less-favoured areas of France ⁽¹⁾, and in particular Article 3 (3) thereof,

Whereas on 31 July 1987 the French Government forwarded a programme concerning the encouragement of agriculture by improving the rearing of beef cattle in certain less-favoured areas of France, not including measures relating to the selection of breeding bulls of high genetic value, drawn up in accordance with Regulation (EEC) No 1400/86, and on 13 November 1987 submitted supplementary information in a note to the Commission;

Whereas the programme contains the information required by Article 2 of Regulation (EEC) No 1400/86 and does not exceed the limits laid down in Articles 1, 5 and 6 thereof; whereas the objectives of the common measure can therefore be achieved;

Whereas, in accordance with Article 7 of Regulation (EEC) No 1400/86, the procedures for the provision of periodical information on the progress of the programme must be determined in agreement with France;

Whereas the EAGGF Committee has been consulted on the financial aspects;

Whereas the measures provided for in this decision are in accordance with the opinion of the Standing Committee on Agricultural Structure;

Whereas the Member State is concerned not to create disparities between the northern regions of the Massif Central covered by the programme and the southern regions covered by Council Regulation (EEC) No 2088/85 of 23 July 1985 on the integrated Mediterranean

programmes ⁽²⁾; whereas, therefore, the programme should be approved with effect from 1 August 1987,

HAS ADOPTED THIS DECISION:

Article 1

The programme concerning a common measure for the encouragement of agriculture by improving the rearing of beef cattle in certain less-favoured areas of France, forwarded by the French Government, is hereby approved.

Article 2

The procedures for the provision of periodical information by the French Republic in accordance with Article 7 of Regulation (EEC) No 1400/86 on the progress of the programme are hereby determined as follows:

The French Government shall submit a report each year, before 31 July, containing the following information on the progress of the works:

1. *Consolidation*

- number of districts and hectares concerned,
- number of agricultural holdings concerned,
- operations carried out during the year,
- operations still in progress,
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

2. *Grassland improvement*

- extent of improvements carried out (in area),
- nature of improvements carried out,
- number of farmers concerned by improvements during the year,
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

⁽¹⁾ OJ No L 128, 14. 5. 1986, p. 1.

⁽²⁾ OJ No L 197, 27. 7. 1985, p. 1.

3. *Water engineering works*

- nature and extent of improvements carried out,
- number of farmers concerned,
- list of operations still in progress,
- comments on measures taken to conserve natural areas,
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

4. *Improvement of conditions of livestock production*

- type of improvements during the year as regards equipment purchasing and disease control,
- number of farmers concerned,
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

5. *Rural infrastructure*

Operations during the year relating to :

- farm roads (construction of new roads, improvements, number of agricultural holdings concerned),
- supply of potable water (new networks, reinforcement of existing networks, number of farmers concerned),
- rural electricity supplies (new schemes or reinforcement of existing networks, number of farmers concerned),
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

6. *Forestry*

- nature and extent of operations carried out during the year,

- number of farmers concerned,
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

7. *Promotional and technical back-up*

- number of technicians employed,
- comments on effectiveness of promotional and technical back-up provided for the programme during the year,
- ideas for future activities,
- expenditure disbursed during the year (in ECU),
- total since the Regulation took effect,
- percent of projects provided for in programme.

Article 3

This Decision shall take effect from 1 August 1987.

Article 4

This Decision is addressed to France.

Done at Brussels, 28 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President
