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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1531/88

of 31 May 1988

imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China and definitively collecting the provisional anti-dumping duty imposed on those imports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community,⁽¹⁾ as amended by Regulation (EEC) No 1761/87⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission, submitted after consultation within the Advisory Committee as provided for by the abovementioned Regulation,

Whereas :

A. Previous procedure

- (1) Following a complaint lodged by the European Council of Chemical Manufacturers' Federations (ECCMF) on behalf of a Community producer whose output represents the entire Community production of potassium permanganate, the Commission published a notice in the *Official Journal of the European Communities*⁽³⁾ announcing the initiation of an anti-dumping proceeding concerning imports into the Community of potassium permanganate falling within Common Customs Tariff subheading ex 28.47 C and corresponding from 1 January 1988 to CN code ex 2841 60 00, originating in Czechoslovakia, the German Democratic Republic or the People's Republic of China, and opened an investigation.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 9.

⁽³⁾ OJ No C 63, 18. 3. 1986, p. 5.

- (2) Following the investigation, which established the existence of dumping and injury⁽⁴⁾, the Chinese exporter — China National Chemicals Import and Export Corporation (Sinochem) — and the exporters from Czechoslovakia and the German Democratic Republic offered price undertakings.

- (3) Under the terms of the undertaking by the Chinese exporter, the abovementioned firm undertook to increase its export price by an amount considered sufficient to eliminate the injury caused by dumping. This undertaking was accepted by the Commission⁽⁵⁾. By Regulation (EEC) No 3661/86⁽⁶⁾, the Council had imposed a definitive anti-dumping duty on imports of the product not exported by Sinochem.

B. Breach of the undertaking and reopening of the proceeding

- (4) The Commission, having received a complaint from the Community producer alleging that potassium permanganate produced and/or exported by Sinochem was again being imported into the Community market at very low prices, which indicated that the price undertaking was being breached and resulted in material injury to the Community producer, withdrew its acceptance of the abovementioned undertaking by the Chinese exporter, reimposed a provisional anti-dumping duty by Regulation (EEC) No 360/88⁽⁷⁾ and decided⁽⁸⁾ to reopen the anti-dumping proceeding concerning imports of potassium permanganate originating in the People's Republic of China.

⁽⁴⁾ Commission Regulation (EEC) No 2495/86, (OJ No L 217, 5. 8. 1986, p. 12).

⁽⁵⁾ Decision 86/589/EEC, (OJ No L 339, 2. 12. 1986, p. 32).

⁽⁶⁾ OJ No L 339, 2. 12. 1986, p. 1.

⁽⁷⁾ OJ No L 35, 9. 2. 1988, p. 13.

⁽⁸⁾ OJ No C 37, 9. 2. 1988, p. 3.

C. Investigation

- (5) The Commission officially informed the exporters and importers known to be concerned, the representatives of the exporting country and the Community producer of the reopening of the proceeding.

The Commission gave the parties directly concerned the opportunity to answer the questionnaires addressed to them, to make known their views in writing and to request a hearing.

- (6) The Community producer and two importers returned the duly completed questionnaire to the Commission and made known their views in writing. Two importers answered that they no longer marketed the product in question.
- (7) The Chinese exporter did not reply to the questionnaire, although the Commission repeated in writing its request for it to be returned, duly completed, within the period laid down. However, the exporter proposed to the Commission that the previous undertaking which had been breached and acceptance of which had been withdrawn by Commission Regulation (EEC) No 360/88, should be adapted.

Therefore, as regards parties which did not reply to the questionnaire or make their views known in any other way, findings were made on the basis of the available facts (Article 7 (7) (b) of Regulation (EEC) No 2176/84), in this case the invoices presented by the national customs authorities or obtained from the Community producers and/or importers and official national and Community statistics.

- (8) The Commission collected and verified all the information it deemed necessary and carried out investigations at the premises of the Community producer — Asturquímica SA, Oviedo, Spain — and at the Carus Chemical Company, La Salle, Illinois, USA, which had been chosen for reference purposes in calculating normal value.

The Commission requested detailed written comments from the Community producer, the Chinese exporters and the importers known to be concerned, and verified the information thus obtained as it considered necessary.

- (9) The Commission's investigation covered the calendar year 1987.

D. Dumping

- (10) In establishing the existence of dumped imports from the People's Republic of China, the

Commission had to take account of the fact that China is not a market economy country and therefore had to base its calculations on the normal value of the product in a market economy country. Since for the previous proceeding the United States had been chosen as reference country, the Commission, in agreement with the Community industry, considered that the basis for comparison should once again be the selling price of the product on the United States market. The Chinese exporter did not oppose this choice.

- (11) The Commission verified that there is no quality difference between the product manufactured in the United States and that produced by the exporting country concerned; there are no price controls in the United States and there is sufficient competition as a result of substantial imports from third countries; in addition, it was verified that the US manufacturer's prices allow a reasonable and not excessive profit margin.
- (12) As a result, normal value was calculated on the basis of the prices charged on the United States domestic market, as determined by the Commission.
- (13) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.
- (14) In comparing normal value with export prices the Commission took account, where circumstances permitted and where there was sufficient evidence, of differences affecting price comparability, in particular differences in delivery and payment terms. All comparisons were made at ex-works level.
- (15) This comparison shows the existence of dumped exports to the Community during the reference period. The dumping margin, calculated cif at Community frontier, before duty, varies according to the importing Member State, and has a weighted average of 30 %.

E. Injury

- (16) The evidence available to the Commission shows that imports into the Community of potassium permanganate originating in the People's Republic of China rose from 1 550 tonnes in 1986 to 1 850 tonnes in 1987, increasing the exporting country's share of the Community market from 43 % to 47 % over the same period. These imports were concentrated in particular on the markets of the Federal Republic of Germany, France and the Benelux countries, which alone account for almost 75 % of the volume of imports from China.

- (17) The Commission studied the selling prices in the Community of potassium permanganate imported from the People's Republic of China, and established that their weighted average was 20 % lower than that of the Community industry during the period covered by the investigation, and was insufficient to allow the Community producer to make a reasonable profit. It should be added that Chinese exports are all the more likely to go to the Community since they are subject to an anti-dumping duty of almost 40 % on import into the United States.
- (18) The investigation did indeed show an increase in the volume of sales by the Spanish producer on the Community market from 1986 to 1987. However, this increase is only relative, since from 1985 to 1986 the same producer had lost a considerable part of its market share in the Community. Thus, compared with 1985, the Community producer's market share increased only moderately in 1987. In addition, the increase in its sales resulted solely from a considerable reduction in the stocks which the Spanish Producer had been forced to build up previously as a result of dumped imports into the Community. The Community producer, disinclined to maintain such a high level of stocks, which attract substantial storage costs, and forced to defend its market share in order to maintain the undertaking's efficiency, was obliged by the imports of potassium permanganate into the Community at very low prices to sell its stocks on the Community market at prices lower than those needed to provide a reasonable profit. The defence of the Community producer's market share therefore involved considerable financial sacrifice.
- (19) As stock had to be disposed of, the slight rise in the Spanish producer's market share did not affect the level of Community production, which continued to fall (from 1 760 tonnes in 1986 to 1 360 tonnes in 1987), leading to lower capacity utilization (static at about 35 % in 1987) and a total halt to production for several months in 1987.
- (20) The investigation also showed that the Community producer made substantial investments in 1983, 1985 and 1987 to modernize its plant, which is now considered one of the most efficient worldwide. This investment has not brought financial results due to the increase in overheads following the continual drop in production.
- (21) The combined effects of lower selling prices, lower production and resultant higher costs have continued to place the Community producer in a precarious financial position.
- (22) The Commission investigated whether the injury had been caused by other factors such as changes in demand, a fall in Community exports or an increase in imports from other non-member countries.
- Demand rose substantially from 1986 to 1987; however, this allowed the Community industry to dispose of no more than about 500 tonnes of the considerable stocks which it had accumulated over the previous two years, without halting the decline in its production.
- Following the decline in the value of the US dollar exports by the Community manufacturer to third-country markets, and in particular to the United States, fell by about 500 tonnes and also led to foreign exchange losses. In determining the injury caused by Chinese exports, no allowance was made either for the financial losses suffered by the Community manufacturer as a result of the fall of the dollar or for the Community producer's loss of market share.
- Apart from the potassium permanganate originating in the People's Republic of China, the Community imports the product from other non-member countries, in particular Czechoslovakia, the German Democratic Republic and the United States of America. Market penetration by potassium permanganate originating in China, which alone made up 63 % of imports into the Community in 1987, has been principally at the expense of other third-country manufacturers, whose overall share of the Community market fell from 38 % in 1986 to 26 % in 1987. Not only is the volume of Community imports from other third-country producers still far below that of imports originating in China but, in general, the prices for these imports are far higher than those for the Chinese product.
- Although one or other of the above factors may have had some effect on the Community industry, they explain only a minor part of the injury to it. The dumped imports, taken in isolation, therefore constitute the main cause of the material injury suffered by the Community industry concerned.

F. Community interest

- (23) In view of the serious difficulties facing the Community industry directly concerned, failure to adopt measures to eliminate the injurious effects of the dumping would put the industry's survival in doubt, with all the resulting adverse effects on employment in the regions concerned. In addition, the measures envisaged would have a negligible effect on prices for users of potassium permanganate. The conclusion is therefore unavoidable that it is in the Community's interest that action should be taken to eliminate the injury caused to the manufacturer concerned, and this action should take the form of a definitive anti-dumping duty. Given the breach of the previous undertaking, a renewal of the undertaking would not afford the Community producer sufficient protection.

G. Rate of duty

- (24) To eliminate this injury, it is considered necessary to impose a variable duty based on a minimum price which, while remaining substantially below the dumping margin, corresponds to the minimum price needed to guarantee the Community producer an adequate profit on its sales. Since the previous undertaking was breached, it is also considered necessary to introduce, in addition to the variable duty, an *ad valorem* duty of 20 % based on price undercutting in order to ensure the effectiveness of the anti-dumping measures and prevent any evasion. The duty imposed shall therefore be the higher of these two alternatives, with a minimum rate of 20 % of that price.

For the same reason, it is also considered necessary to collect definitively the amounts secured by way of provisional anti-dumping duty under Regulation (EEC) No 360/88.

Accordingly, the amount of the definitive duty shall be either the amount by which the free-at-

Community-frontier price per kilogram net, before duty, paid by the first importer in the Community is less than 2,25 ECU or 20 % of that price, whichever is higher.

HAS ADOPTED THIS REGULATION :

Article 1

The duty imposed by Regulation (EEC) No 3661/86 is hereby revoked.

Article 2

1. A definitive anti-dumping duty is hereby imposed on imports of potassium permanganate falling within CN code ex 2841 60 00, originating in the People's Republic of China.

2. The amount of the duty shall be equal to either the amount by which the free-at-Community-frontier price per kilogram net, before duty, is less than 2,25 ECU or 20 % of that price per kilogram net, free-at-Community-frontier, before duty, whichever is higher.

3. The provisions in force concerning customs duties shall apply.

Article 3

The amounts secured by way of provisional anti-dumping duty under Regulation (EEC) No 360/88 shall be definitively collected.

Article 4

This Regulation shall enter into force on the day following that 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, 31 May 1988.

For the Council

The President

H. KLEIN

COMMISSION REGULATION (EEC) No 1532/88

of 2 June 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) 1097/88⁽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 1 June 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 3 June 1988.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 99.

ANNEX

to the Commission Regulation of 2 June 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	16,55	172,82
0712 90 19	16,55	172,82
1001 10 10	73,91	249,84 ⁽¹⁾ ⁽⁵⁾
1001 10 90	73,91	249,84 ⁽¹⁾ ⁽⁵⁾
1001 90 91	11,45	188,30
1001 90 99	11,45	188,30
1002 00 00	51,75	164,18 ⁽⁶⁾
1003 00 10	45,43	168,46
1003 00 90	45,43	168,46
1004 00 10	101,89	142,61
1004 00 90	101,89	142,61
1005 10 90	16,55	172,82 ⁽²⁾ ⁽³⁾
1005 90 00	16,55	172,82 ⁽²⁾ ⁽³⁾
1007 00 90	40,05	183,38 ⁽⁴⁾
1008 10 00	45,43	99,08
1008 20 00	45,43	149,42 ⁽⁴⁾
1008 30 00	45,43	60,82 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	45,43	60,82
1101 00 00	31,23	277,98
1102 10 00	87,65	245,06
1103 11 10	128,41	401,10
1103 11 90	31,32	297,81

⁽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 1533/88

of 2 June 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 1097/88⁽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 1 June 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 3 June 1988.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.⁽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 2 June 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 6	1st period 7	2nd period 8	3rd period 9
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	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1534/88

of 2 June 1988

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3994/87⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 30 and 31 May 1988 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 3 June 1988.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Minimum import levies on olive oil

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

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

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

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

COMMISSION REGULATION (EEC) No 1535/88

of 2 June 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 9 to 15 May 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, and in particular Article 7 (1) thereof,

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

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 9 to 15 May 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 9 to 15 May 1988 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 9 May 1988.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 9 to 15 May 1988

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

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

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 1536/88

of 2 June 1988

abolishing the countervailing charge on tomatoes originating in Poland

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

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

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 1117/88⁽²⁾, and in particular the
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1409/88⁽³⁾
introduced a countervailing charge on tomatoes origina-
ting in Poland;

Whereas for these products originating in Poland there
were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation
(EEC) No 1035/72 are therefore fulfilled and the counter-
vailing charge on imports of tomatoes originating in
Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1409/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 3 June 1988.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 129, 25. 5. 1988, p. 18.

COMMISSION REGULATION (EEC) No 1537/88

of 2 June 1988

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

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 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat⁽¹⁾, as last amended by
Regulation (EEC) No 3939/87⁽²⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽³⁾, as last
amended by Regulation (EEC) No 1860/86⁽⁴⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 3 (5) of Regulation (EEC) No
1837/80; whereas it is necessary therefore for the
Commission to fix, for the week beginning 9 May 1988,
the level of the premium and the amount to be charged
on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter premium
is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 5 shall be fixed weekly by the Commis-
sion;

Whereas, pursuant to the provisions of Article 9 (1) of
Regulation (EEC) No 1837/80, for the week beginning 9
May 1988, the variable slaughter premium for sheep certi-
fied as eligible in the United Kingdom is to be in accor-
dance with the amounts fixed in the Annexes hereto;

whereas, for that week, in the light of the Judgment of
the Court of Justice of 2 February 1988 in Case 61/86,
the provisions of Article 9 (3) of Regulation (EEC) No
1837/80 and of Article 4 of Regulation (EEC) No 1633/84
lead to the amounts to be charged on products, leaving
region 5, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the appli-
cation of the provisions relating to the said amounts, the
system of controls provided for by Regulation (EEC) No
1633/84 should be maintained without prejudice to the
preparation of any more specific provisions following the
abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 5, within the meaning of Article 3 (5)
of Regulation (EEC) No 1837/80, for the variable
slaughter premium during the week beginning 9 May
1988, the level of the premium is fixed at 80,979
ECU/100 kilograms of estimated or actual dressed carcase
weight within the limits laid down by Article 1 (1) (b) of
Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regula-
tion (EEC) No 1837/80 which left the territory of region 5
during the week beginning 9 May 1988, the amounts to
be charged shall be equivalent to those fixed in the
Annexes hereto.

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 9 May 1988.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing 9 May 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	38,060	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	80,979	0
0204 21 00	80,979	0
0204 50 11		0
0204 22 10	56,685	
0204 22 30	89,077	
0204 22 50	105,273	
0204 22 90	105,273	
0204 23 00	147,382	
0204 30 00	60,734	
0204 41 00	60,734	
0204 42 10	42,514	
0204 42 30	66,807	
0204 42 50	78,954	
0204 42 90	78,954	
0204 43 00	110,536	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	105,273	
0210 90 19	147,382	
1602 90 71		
— unboned (bone-in)	105,273	
— boned or boneless	147,382	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 1538/88
of 2 June 1988
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3993/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2054/87 ⁽³⁾, as last amended by Regulation (EEC) No 1518/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 June 1988.

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

Done at Brussels, 2 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 192, 11. 7. 1987, p. 38.

⁽⁴⁾ OJ No L 135, 1. 6. 1988, p. 59.

ANNEX

to the Commission Regulation of 2 June 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,74 ⁽¹⁾
1701 11 90	38,74 ⁽¹⁾
1701 12 10	38,74 ⁽¹⁾
1701 12 90	38,74 ⁽¹⁾
1701 91 00	47,79
1701 99 10	47,79
1701 99 90	47,79

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

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 4055/87 of 22 December 1987 amending Council Regulation (EEC) No 3035/80 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds

(Official Journal of the European Communities No L 379 of 31 December 1987)

On pages 6 to 18 in Annex B:

<i>for:</i>	'1517 10	Containing more than 10 % but not more than 15 % by weight of milk fats
	1901 10 00	Preparations for infant use, put up for retail sale : — food preparations of goods of headings Nos 0401 to 0404 not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 % — other
	1901 90 90	Other : — food preparations of goods of heading Nos 0401 to 0404 not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 % — other
	2104	Soups and broths and preparations therefor; homogenized composite food preparations :
	2932	Heterocyclic compounds with oxygen heteroatom(s) only : Compounds containing an unfused furan ring (whether or not hydrogenated) in the structure :
<i>read:</i>	'1517 10 10	Containing more than 10 % but not more than 15 % by weight of milk fats
	1901 10 00	Preparations for infant use, put up for retail sale : — food preparations of goods headings Nos 0401 to 0404 containing cocoa powder in a proportion by weight of less than 10 % — other
	1901 90 90	Other : — food preparations of goods heading Nos 0401 to 0404 containing cocoa powder in a proportion by weight of less than 10 % — other
	2104	Soups and broths and preparations therefor; homogenized composite food preparations :
	2932	Heterocyclic compounds with oxygen heteroatom(s) only : Compounds containing an unfused furan ring (whether or not hydrogenated) in the structure :

On page 26 in Annex D against CN codes 1905 40 00 and 1905 90 30 the entries in column 5 should read as follows :

'1,75 kg per 1 % by weight of anhydrous starch (or dextrin)'.