

Official Journal

of the European Communities

ISSN 0378-6978

L 142

Volume 31

9 June 1988

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1588/88

of 8 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 7 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 9 June 1988.

⁽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.

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

Done at Brussels, 8 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 8 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	169,69
0712 90 19	16,55	169,69
1001 10 10	73,91	248,37 ⁽¹⁾ ⁽²⁾
1001 10 90	73,91	248,37 ⁽¹⁾ ⁽²⁾
1001 90 91	11,45	187,24
1001 90 99	11,45	187,24
1002 00 00	51,75	164,18 ⁽³⁾
1003 00 10	45,43	166,83
1003 00 90	45,43	166,83
1004 00 10	101,89	139,07
1004 00 90	101,89	139,07
1005 10 90	16,55	169,69 ⁽²⁾ ⁽³⁾
1005 90 00	16,55	169,69 ⁽²⁾ ⁽³⁾
1007 00 90	40,05	175,92 ⁽⁴⁾
1008 10 00	45,43	99,90
1008 20 00	45,43	149,42 ⁽⁴⁾
1008 30 00	45,43	61,90 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	45,43	61,90
1101 00 00	31,23	277,55
1102 10 00	87,65	245,06
1103 11 10	128,41	398,82
1103 11 90	31,32	297,34

⁽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 1589/88

of 8 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 7 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 9 June 1988.

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

Done at Brussels, 8 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 8 June 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 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

CN code	(ECU/tonne)				
	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 1590/88**of 7 June 1988****establishing unit values for the determination of the customs value of certain perishable goods**

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 Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods⁽¹⁾, as last amended by Regulation (EEC) No 3773/87⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 1988.

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

Done at Brussels, 7 June 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	21,82	946	172,34	45,26	153,11	3 620	16,93	33 656	50,82	14,59
1.20	0702 00 10 0702 00 90	Tomatoes	50,89	2 207	401,90	105,55	357,06	8 441	39,48	78 483	118,52	34,03
1.30	0703 10 19	Onions (other than sets)	24,44	1 060	193,07	50,71	171,52	4 055	18,96	37 702	56,93	16,35
1.40	0703 20 00	Garlic	113,88	4 940	899,33	236,20	798,98	18 889	88,34	175 619	265,22	76,16
1.50	ex 0703 90 00	Leeks	24,81	1 078	197,15	51,51	174,74	4 100	19,27	38 215	57,81	16,44
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	24,64	1 063	194,92	50,89	171,59	4 055	19,14	37 482	57,16	17,15
1.70	0704 20 00	Brussels sprouts	44,76	1 931	355,63	92,23	312,60	7 362	34,82	68 116	103,74	31,19
1.80	0704 90 10	White cabbages and red cabbages	23,04	1 001	183,06	47,82	162,25	3 807	17,89	35 484	53,68	15,26
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	125,24	5 433	989,08	259,78	878,72	20 774	97,16	193 147	291,69	83,77
1.100	ex 0704 90 90	Chinese cabbage	77,51	3 362	612,11	160,77	543,81	12 856	60,13	119 532	180,52	51,84
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	55,97	2 428	442,05	116,10	392,73	9 284	43,42	86 323	130,36	37,43
1.120	ex 0705 29 00	Endives	91,00	3 955	723,03	188,90	640,84	15 038	70,68	140 150	212,02	60,29
1.130	ex 0706 10 00	Carrots	23,08	1 001	182,31	47,88	161,97	3 829	17,91	35 603	53,76	15,44
1.140	ex 0706 90 90	Radishes	80,89	3 513	645,34	168,03	570,65	13 481	62,92	124 906	188,51	53,21
1.150	0707 00 11 0707 00 19	Cucumbers	18,85	817	148,86	39,10	132,25	3 126	14,62	29 070	43,90	12,60
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	322,59	13 994	2 547,54	669,11	2 263,29	53 508	250,25	497 479	751,30	215,76
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	95,24	4 131	752,16	197,55	668,24	15 798	73,88	146 882	221,82	63,70
1.180	ex 0708 90 00	Broad beans	48,85	2 122	387,72	101,69	343,94	8 151	38,04	75 454	113,88	32,05
1.190	0709 10 00	Globe artichokes	82,78	3 596	657,05	172,33	582,85	13 814	64,46	127 867	192,99	54,32
1.200		Asparagus										
1.200.1	ex 0709 20 00	— green	233,28	10 119	1 842,26	483,87	1 636,71	38 694	180,97	359 754	543,30	156,02
1.200.2	ex 0709 20 00	— other	128,62	5 579	1 015,72	266,77	902,39	21 334	99,77	198 348	299,55	86,02
1.210	0709 30 00	Aubergines (egg-plants)	35,03	1 521	278,05	72,92	246,65	5 845	27,28	54 111	81,67	22,98
1.220	ex 0709 40 00	Celery stalks and leaves	67,24	2 916	531,00	139,46	471,75	11 153	52,16	103 694	156,60	44,97
1.230	0709 51 30	Chantarelles	380,81	16 444	3 035,75	791,09	2 634,74	60 745	294,66	570 911	890,27	264,14
1.240	0709 60 10	Sweet peppers	82,31	3 570	650,03	170,73	577,50	13 653	63,85	126 937	191,70	55,05
1.250	0709 90 50	Fennel	32,53	1 412	259,53	67,57	229,50	5 422	25,30	50 234	75,81	21,40
1.260	0709 90 70	Courgettes	30,51	1 323	240,96	63,29	214,08	5 061	23,67	47 055	71,06	20,40
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	86,60	3 752	685,31	179,12	610,30	14 416	67,02	133 023	201,41	58,26
2.10	ex 0802 40 00	Chestnuts (<i>Castanea spp.</i>), fresh	50,95	2 199	403,00	105,23	354,76	8 384	39,58	77 493	118,17	35,46
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	56,56	2 453	446,72	117,33	396,88	9 382	43,88	87 235	131,74	37,83
2.30	ex 0804 30 00	Pineapples, fresh	42,34	1 836	334,36	87,81	297,05	7 022	32,84	65 293	98,60	28,31
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	164,44	7 133	1 298,59	341,07	1 153,70	27 275	127,56	253 587	382,97	109,98
2.50	ex 0804 50 00	Guavas and mangoes, fresh	120,70	5 235	953,16	250,34	846,81	20 020	93,63	186 132	281,10	80,72
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	18,06	784	143,39	37,61	127,20	3 014	14,06	27 906	42,11	11,85

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	37,73	1 636	297,95	78,25	264,71	6 258	29,26	58 184	87,87	25,23
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	36,20	1 572	289,80	75,21	255,28	6 039	28,16	55 927	84,33	23,78
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	Clementines	91,01	3 945	721,88	188,47	639,83	15 070	70,50	139 458	211,71	61,27
2.70.2	ex 0805 20 30	Monreales and Satsumas	83,47	3 621	659,21	173,14	585,66	13 846	64,75	128 730	194,41	55,83
2.70.3	ex 0805 20 50	Mandarins and Wilkings	82,58	3 588	661,10	171,57	582,37	13 778	64,25	127 585	192,39	54,26
2.70.4	ex 0805 20 70 ex 0805 20 90	Tangerines and others	33,25	1 442	262,60	68,97	233,30	5 515	25,79	51 281	77,44	22,24
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	37,46	1 625	295,87	77,71	262,86	6 214	29,06	57 778	87,25	25,05
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	137,04	5 945	1 082,26	284,25	961,50	22 731	106,31	211 342	319,17	91,66
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	36,80	1 596	290,63	76,33	258,21	6 104	28,55	56 755	85,71	24,61
2.90.2	ex 0805 40 00	— pink	56,80	2 464	448,58	117,81	398,53	9 421	44,06	87 598	132,29	37,99
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	134,06	5 815	1 058,71	278,07	940,58	22 237	104,00	206 744	312,22	89,66
2.110	0807 10 10	Water-melons	30,85	1 338	243,66	63,99	216,47	5 117	23,93	47 582	71,85	20,63
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	51,01	2 212	402,84	105,80	357,89	8 461	39,57	78 665	118,80	34,11
2.120.2	ex 0807 10 90	— Other	77,53	3 363	612,25	160,80	543,94	12 859	60,14	119 560	180,56	51,85
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	56,28	2 441	444,49	116,74	394,90	9 336	43,66	86 800	131,08	37,64
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	59,16	2 566	467,23	122,72	415,10	9 813	45,89	91 241	137,79	39,57
2.150	0809 10 00	Apricots	74,29	3 222	586,68	154,09	521,22	12 322	57,63	114 566	173,02	49,68
2.160	0809 20 10 0809 20 90	Cherries	154,95	6 722	1 223,70	321,40	1 087,17	25 702	120,21	238 963	360,88	103,64
2.170	ex 0809 30 00	Peaches	111,13	4 821	877,65	230,51	779,72	18 434	86,21	171 386	258,83	74,33
2.180	ex 0809 30 00	Nectarines	114,72	4 976	905,99	237,95	804,90	19 029	89,00	176 921	267,19	76,73
2.190	0809 40 11 0809 40 19	Plums	138,96	6 027	1 097,36	288,22	974,92	23 048	107,79	214 292	323,62	92,94
2.200	0810 10 10 0810 10 90	Strawberries	97,75	4 240	771,98	202,76	685,85	16 214	75,83	150 751	227,66	65,38
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>)	398,05	17 290	3 159,35	828,65	2 802,57	66 423	309,97	614 833	927,99	261,19
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	182,39	7 912	1 440,38	378,31	1 279,67	30 253	141,49	281 275	424,78	121,99
2.230	ex 0810 90 90	Pomegranates	51,26	2 213	406,77	105,84	357,82	8 456	39,85	77 884	118,89	35,56
2.240	ex 0810 90 90	Khakis	75,42	3 271	595,59	156,43	529,14	12 509	58,50	116 307	175,64	50,44
2.250	ex 0810 90 90	Lychees	381,03	16 528	3 009,01	790,31	2 673,28	63 200	295,59	587 594	887,39	254,84

COMMISSION REGULATION (EEC) No 1591/88

of 8 June 1988

fixing the export refunds on white sugar and raw sugar exported in the natural state

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 point (a) of the first subparagraph of Article 19 ⁽⁴⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5

(2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and

Article 2

This Regulation shall enter into force on 9 June 1988.

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

Done at Brussels, 8 June 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 8 June 1988 fixing the export refunds on white sugar and raw sugar exported in the natural state

Product code	(ECU) Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	37,82 ⁽¹⁾	0,4111
1701 11 90 300		
1701 11 90 500	34,42 ⁽¹⁾	
1701 11 90 900	⁽²⁾	
1701 12 90 100	37,82 ⁽¹⁾	0,4111
1701 12 90 300		
1701 12 90 500	34,42 ⁽¹⁾	
1701 12 90 900	⁽²⁾	
1701 91 00 000		0,4111
1701 99 10 100	41,11	
1701 99 10 900	40,35	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

NB: The product codes and the footnotes are defined in Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 1592/88

of 8 June 1988

re-establishing the levying of customs duties on footwear falling within CN codes 6404 and 6405 90 10 originating in Thailand to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3635/87 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3635/87 of 17 November 1987 applying generalized tariff preferences for 1988 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 16 thereof,

Whereas, pursuant to Articles 1 and 14 of Regulation (EEC) No 3635/87, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I;

Whereas, as provided for in Article 14 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on

imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of footwear falling within CN codes 6404 and 6405 90 10 originating in Thailand the individual ceiling was fixed at 2 400 000 ECU; whereas, on 1 June 1988, imports of these products into the Community originating in Thailand reached the ceiling in question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 June 1988, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3635/87 shall be re-established on imports into the Community of the following products originating in Thailand:

Order No	CN code	Description
10.0680	6404	Footwear with outer soles of rubber, plastics, leather or composition leather, and uppers of textiles materials
	6405 90 10	Other footwear, with outer soles of rubber, of plastics, of leather or of composition leather

Article 2

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

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

Done at Brussels, 8 June 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 350, 12. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1593/88

of 8 June 1988

re-establishing the levying of customs duties on trunks, suit-cases, vanity cases, executive cases, brief cases, school satchels and similar containers falling within CN code ex 4202 originating in India to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3635/87 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3635/87 of 17 November 1987 applying generalized tariff preferences for 1988 in respect of certain industria products originating in developing countries⁽¹⁾, and in particular Article 16 thereof,

Whereas, pursuant to Articles 1 and 14 of Regulation (EEC) No 3635/87, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I;

Whereas, as provided for in Article 14 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of trunks, suit-cases, vanity cases, executive cases, brief cases, school satchels and similar containers falling within CN code ex 4202 originating in India the individual ceiling was fixed at 4 050 000 ECU; whereas, on 1 June 1988, imports of these products into the Community originating in India reached the ceiling in question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 June 1988, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3635/87 shall be re-established on imports into the Community of the following products originating in India:

Order No	CN code	Description
10.0570	4202 11 10	Trunks, suit-cases, vanity cases, executive cases, brief cases, school satchels and similar containers
	4202 11 90	
	4202 12 91	— With outer surface of leather, of composition leather or of patent leather
	4202 12 99	— With outer surface of plastics or of textile materials
	4202 19 91	— — Of other materials, including vulcanized fibre
	4202 19 99	
	4202 21 00	Other of other materials
	4202 22 90	
	4202 29 00	Articles of a kind normally carried in the pocket or in the handbag
	4202 31 00	— With outer surface of leather, of composition leather or of patent leather
	4202 32 90	— With outer surface of plastic sheeting or of textile materials
	4202 39 00	— — Of textile materials
	4202 91 10	— — — Other
	4202 91 50	
	4202 91 90	Other
	4202 92 91	— With outer surface of leather, of composition leather or of patent leather
	4202 92 95	— With outer surface of plastic sheeting or of textile materials
	4202 92 99	— Other
	4202 99 10	— — Musical instrument cases
	4202 99 90	— — — Other

⁽¹⁾ OJ No L 350, 12. 12. 1987, p. 1.

Article 2

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

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

Done at Brussels, 8 June 1988.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1594/88

of 8 June 1988

re-establishing the levying of customs duties on men's or boys' suits and ensembles, other than knitted or crocheted, products of category 16 (order No 40.0160), women's or girls' dresses, products of category 26 (order No 40.0260), women's or girls' skirts, products of category 27 (order No 40.0270), originating in Pakistan, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3783/87 apply

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

Having regard to Council Regulation (EEC) No 3783/87 of 3 December 1987 concerning the administration of the generalized tariff preferences applicable for 1988 to textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of Regulation (EEC) No 3783/87 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II to Council Regulation (EEC) No 3782/87⁽²⁾ to individual ceilings, within the limits of the quantities specified in column 7 of Annex I or II thereto, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; whereas Article 3 of Regulation (EEC) No 3783/87 provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of men's or boys' suits and ensembles, other than knitted or crocheted, products of

category 16 (order No 40.0160), women's or girls' dresses, products of category 26 (order No 40.0260), women's or girls' skirts, products of category 27 (order No 40.0270) the relevant ceiling amounts respectively to 50 000, 280 000 and 208 000 pieces;

Whereas on 2 June 1988 imports of the products in question into the Community, originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Pakistan,

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 June 1988, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3782/87, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan:

Order number	Category	CN code	Description
40.0160	16 (1 000 pieces)	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 90 6203 23 90 6203 29 19	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits
40.0260	26 (1 000 pieces)	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or of man-made fibres
40.0270	27 (1 000 pieces)	6104 51 00 6104 52 00 6104 53 00 6104 59 00 6204 51 00 6204 52 00 6204 53 00 6204 59 10	Women's or girls' skirts, including divided skirts

⁽¹⁾ OJ No L 367, 28. 12. 1987, p. 58.

⁽²⁾ OJ No L 367, 28. 12. 1987, p. 1.

Article 2

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

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

Done at Brussels, 8 June 1988.

For the Commission
COCKFIELD
Vice-President

COMMISSION REGULATION (EEC) No 1595/88**of 8 June 1988****amending Regulation (EEC) No 2185/87 on the repayment of export refunds for certain agricultural products exported in the form of certain goods not covered by Annex II to the Treaty and the charging of accession compensatory amounts**

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 markets in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1097/88⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector⁽³⁾, as last amended by Regulation (EEC) No 1107/88⁽⁴⁾, and in particular Article 19 (7) thereof,

Whereas Commission Regulation (EEC) No 2185/87⁽⁵⁾ provides in certain cases for the repayment of a refund calculated on the basis of the quantities fixed in the Annex to that Regulation; whereas, for certain products, the use of those quantities may result in exorbitant financial consequences; whereas the said Annex should accordingly be amended;

Whereas that Annex should also be amended to take account of the use of the new combined nomenclature;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2185/87 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1988.

At the request of the party concerned, submitted before 1 October 1988, it shall apply to products released for free circulation from 24 July 1987.

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

Done at Brussels, 8 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 177, 1. 7. 1981, p. 4.

⁽⁴⁾ OJ No L 110, 29. 4. 1988, p. 20.

⁽⁵⁾ OJ No L 203, 24. 7. 1987, p. 20.

ANNEX

ANNEX

Goods (CN code)	Quantities of basic products regarded as having been used to manufacture 100 kg of goods
1302 31 00	} 717 kg of white sugar
1302 32 10	
1302 32 90	
1302 39 00	
1518 00 10	
2941 10 00	6 703 kg of maize (for the starch industry) plus 787,40 kg of white sugar
3001 90 91	717 kg of white sugar
3505 10 50	335 kg of common wheat (for the starch industry)
3912 90 90	} 717 kg of white sugar
3913 90 90	
3915 90 91	
3915 90 99	
3916 90 90	
3917 29 19	
3917 32 51	
3917 39 19	
3919 10 90	
3919 90 90	
3920 99 90	
3921 19 10	
3921 19 90	
3921 90 90	

COMMISSION REGULATION (EEC) No 1596/88

of 8 June 1988

amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1441/88 ⁽²⁾, and in particular Article 39 (9) thereof,

Whereas experience shows that the same technical reasons which justify including grape must intended for concentration after 15 March in the quantities to be deducted from the quantities taken into account for determining the quantity of wine to be delivered for compulsory distillation are valid in respect of must intended for the preparation of grape juice and sparkling wine after that date; whereas it has proved necessary, in order to prevent discriminatory treatment, to extend the arrangements provided for concentrated must in the fourth subparagraph of Article 6 (1) of Regulation (EEC) No 441/88 ⁽³⁾ to grape juice and sparkling wine;

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

HAS ADOPTED THIS REGULATION:

Article 1

The fourth subparagraph of Article 6 (1) of Regulation (EEC) No 441/88 is hereby replaced by the following:

'In addition, for the 1987/88 wine year, producers may deduct quantities of grape must intended for the preparation of products other than table wine not yet processed by 15 March from the quantity referred to in the first subparagraph provided that they undertake to process them by 31 August. If such processing has not taken place by the latter date, producers must deliver for compulsory distillation, in the form of wine, a quantity resulting from the application of the percentage provided for in Article 8 to the quantity of unprocessed must, plus 20 %. That quantity must be delivered by the date fixed by the competent national authority pursuant to Article 12 (5).'

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, 8 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 28. 5. 1988, p. 1.

⁽³⁾ OJ No L 45, 18. 2. 1988, p. 15.

COMMISSION REGULATION (EEC) No 1597/88

of 8 June 1988

fixing the maximum export refund for white sugar for the sixth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1035/88 of 18 April 1988 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1035/88, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the sixth partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

For the sixth partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at 42,490 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 9 June 1988.

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

Done at Brussels, 8 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 102, 21. 4. 1988, p. 14.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 7 June 1988

on consumer protection in the indication of the prices of non-food products

(88/314/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the programmes of the Community for a consumer protection and information policy ⁽⁴⁾ provide for the establishment of common principles for indicating prices;

Whereas Council Directive 79/581/EEC of 19 June 1979 on consumer protection in the indication of the prices of foodstuffs ⁽⁵⁾ makes it compulsory to indicate the prices of foodstuffs; whereas the Council resolution of 19 June 1979 on the indication of the prices of foodstuffs and non-food household products pre-packaged in pre-established quantities ⁽⁶⁾ invites the Commission to submit a proposal concerning the indication of the selling price and the unit price for non-food household products;

Whereas it is important to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992 at the latest;

Whereas indication of the selling price and the unit price of non-food products makes it easier for consumers to compare prices at places of sale; whereas it accordingly increases market transparency and ensures greater protection for consumers;

Whereas the obligation to indicate these prices must apply in principle to all non-food products offered to the final consumer; whereas this obligation must also apply to written or printed advertising and catalogues wherever these give the selling prices of the products;

Whereas the selling price and the unit price must be indicated in accordance with specific procedures for each category of products so as not to place an undue burden on the retailer as regards labelling;

Whereas the obligation to indicate the unit price may be waived by Member States for products in respect of which such indication would be meaningless;

Whereas, in the case of pre-packaged products, the obligation to indicate the unit price should, wherever possible, be replaced by standardization of quantities; whereas account should be taken of the progress made as regards the standardization at Community level of quantity ranges for products pre-packaged in pre-established quantities and provision should therefore be made for the exemption of ranges of quantities so standardized;

Whereas Council Directive 80/232/EEC ⁽⁷⁾, as last amended by Directive 87/356/EEC ⁽⁸⁾, lays down the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products;

⁽¹⁾ OJ No C 8, 13. 1. 1984, p. 2 and OJ No C 121, 7. 5. 1987, p. 9.

⁽²⁾ OJ No C 122, 20. 5. 1985, p. 148 and Decision of 18 May 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No C 343, 24. 12. 1984, p. 34.

⁽⁴⁾ OJ No C 92, 25. 4. 1975, p. 2 and OJ No C 133, 3. 6. 1981, p. 2.

⁽⁵⁾ OJ No L 158, 26. 6. 1979, p. 19.

⁽⁶⁾ OJ No C 163, 30. 6. 1979, p. 1.

⁽⁷⁾ OJ No L 51, 25. 2. 1980, p. 1.

⁽⁸⁾ OJ No L 192, 11. 7. 1987, p. 48.

Whereas the rules laid down in this Directive are aimed at informing and protecting consumers,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive relates to the indication of the selling price and the price per unit of measurement of non-food products offered to the final consumer or advertised indicating the price, whether they are sold in bulk or pre-packaged in pre-established or variable quantities

2. This Directive shall not apply to:

- products bought for the purpose of a trade or commercial activity,
- products supplied in the course of the provision of a service,
- private sales,
- sales by auction and sales of works of art and antiques.

Article 2

For the purposes of this Directive:

- (a) 'products sold in bulk' means products which are not pre-packaged and/or are not measured or weighed except in the presence of the final consumer;
- (b) 'products sold by individual item' means products which cannot be broken down without changing their nature or properties;
- (c) 'pre-packaged products' means products packaged other than in the consumer's presence, whether the packaging encloses the product completely or only partially;
- (d) 'products pre-packaged in pre-established quantities' means products pre-packaged in such a way that the quantity in the package corresponds to a previously selected value;
- (e) 'products pre-packaged in variable quantities' means products pre-packaged in such a way that the quantity in the package does not correspond to a previously selected value;
- (f) 'selling price' means the price for a given quantity of the product;
- (g) 'unit price' means the price for one kilogram, one litre, one metre or one square metre of the product, subject to Article 6 (2) and the second subparagraph of Article 10.

Article 3

1. The products referred to in Article 1 shall bear an indication of the selling price under the conditions laid down in Article 4.

2. The products pre-packaged in pre-established quantities listed in the Annex and the products pre-packaged in variable quantities shall also bear an indication of the unit price, subject to Articles 7 to 10.

3. The unit price of products sold in bulk must be indicated. However, Member States may specify the conditions under which the selling price per piece may be indicated for certain categories of these products.

4. The selling price and the unit price shall relate to the final price of the product under the conditions laid down by the Member States.

Article 4

The selling price and the unit price must be unambiguous, easily identifiable and clearly legible. Each Member State may lay down the specific rules for such indication of prices, e.g. by means of posters, labels on shelves or on packaging.

Article 5

Any written or printed advertisement and any catalogue which mentions the selling price of products referred to in Article 1 shall indicate the unit price, subject to Article 3 (2).

Article 6

1. The unit price shall be expressed as a price per litre or per cubic metre for products sold by volume, as a price per kilogram or per tonne for products sold by weight, as a price per metre for products sold by length and as a price per square metre for products sold by area.

2. Member States may, however, allow the unit price to be expressed in relation to decimal multiples or fractions of the units referred to in paragraph 1, in order to take account of the quantities in which certain products are normally sold.

3. The unit price of pre-packaged products shall refer to the quantity declared, in accordance with national and Community provisions.

Article 7

1. Member States may waive the obligation to indicate the unit price of products sold in bulk or pre-packaged for which such indication would be meaningless.

2. The products referred to in paragraph 1 include in particular:

- (a) products exempted from the obligation to indicate weight or volume (in particular products sold by individual item);
- (b) different products sold in a single package;
- (c) products sold from automatic dispensers;
- (d) products contained in a single package from which a mixture is to be prepared;

- (e) multipacks referred to in the first subparagraph of Article 4 of Directive 80/232/EEC, where they are made up of individual items corresponding to one of the values appearing in a Community quantity range.

Article 8

1. The obligation to indicate the unit price shall not apply to the products listed in Annex I, points 5, 8.2, 8.3, 8.5, 8.6, 9, 10 and 11 to Directive 80/232/EEC, where they are sold in the ranges of nominal quantities of contents given in the said Annex.

2. The obligation to indicate the unit price may be waived by the Member States for:

- the products listed in Annex I, points 4, 6, 7, 8.1 and 8.4 to Directive 80/232/EEC, where they are sold in the ranges of nominal quantities of contents given in the said Annex,
- the products referred to in Annex II, point 3 to Directive 80/232/EEC, where they are sold in rigid containers in capacity ranges given in the said Annex and are not listed in Annex I to the said Directive,
- the products referred to in Annex I to Directive 80/232/EEC, where they are sold in rigid containers in capacity ranges given in Annex III to the said Directive.

3. The obligation to indicate the unit price may be waived by the Member States for the pre-packaged products listed in paragraphs 1 and 2, where they are sold in quantities which are smaller than the lowest or larger than the highest values in the Community ranges.

Article 9

When Community measures are adopted concerning the harmonization of ranges of quantities relating to products pre-packaged in pre-established quantities or when the ranges of quantities previously adopted are revised, the Council, acting on a proposal from the Commission, shall amend Article 8.

Article 10

As a transitional measure, Member States shall be allowed a period of seven years from the date of adoption of this Directive to apply the provisions of this Directive relating to the products pre-packaged in pre-established quantities referred to in the Annex. During this transitional period, any national measures or practices existing at the date of

adoption of this Directive and relating to these products may be maintained in force.

Until the expiry of the transitional period during which use of the imperial system of units of measurement is authorized by Community provisions relating to units of measurement, the competent national authorities in Ireland and the United Kingdom shall determine, for each product or each category of product, the units of mass, volume, length or area of the international system or the imperial system in which indication of the unit price is compulsory.

Article 11

1. Member States may exempt pre-packaged products which are sold by certain small retail businesses and handed directly by the seller to the purchaser from the obligation to indicate the unit price, where the indication of unit prices:

- is likely to constitute an excessive burden for such businesses, or
- appears to be impracticable owing to the number of products offered for sale, the sales area, its layout or the conditions peculiar to certain forms of trading, such as particular types of itinerant trading.

2. The exemptions referred to in paragraph 1 shall be without prejudice to more stringent obligations to indicate prices existing under national provisions at the time of adoption of this Directive.

Article 12

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years of its adoption. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 13

This Directive is addressed to the Member States.

Done at Luxembourg, 7 June 1988.

For the Council

The President

M. BANGEMANN

*ANNEX***Products prepackaged in pre-established quantities, as referred to in Article 3 (2)**

Paints and varnishes referred to under point 4 of Annex I to Directive 80/232/EEC with the exception of artists' colours for use in fine arts or for teaching;

Glues and adhesives referred to under point 5 of Annex I to Directive 80/232/EEC;

Cleaning products referred to under point 6 of Annex I to Directive 80/232/EEC;

Cosmetics, beauty and toilet preparations referred to under points 7.1 to 7.6 of Annex I to Directive 80/232/EEC;

Washing products referred to under points 8.1 to 8.6 of Annex I to Directive 80/232/EEC and point 3 of Annex II to this Directive;

Solvents referred to under point 9 of Annex I to Directive 80/232/EEC;

Lubricating oils referred to under point 10 of Annex I to Directive 80/232/EEC;

Yarn for hand-knitting referred to under point 11 of Annex I to Directive 80/232/EEC.

COUNCIL DIRECTIVE

of 7 June 1988

amending Directive 79/581/EEC on consumer protection in the indication of the prices of foodstuffs

(88/315/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 a thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the programmes of the Community for a consumer protection and information policy ⁽⁴⁾ provide for the establishment of common principles for indicating prices;

Whereas Council Directive 79/581/EEC of 19 June 1979 on consumer protection in the indication of the prices of foodstuffs ⁽⁵⁾ requires the Council to take a decision on conditions for applying the obligation to indicate the unit price of foodstuffs pre-packaged in pre-established quantities and at the same time it lays down the categories of foodstuffs which may be exempted from this requirement;

Whereas it is important to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992 at the latest;

Whereas the Council resolution of 19 June 1979 on the indication of prices of foodstuffs and non-food household products pre-packaged in pre-established quantities ⁽⁶⁾ lists the criteria that ranges of quantities must satisfy to qualify for exemption from unit-pricing;

Whereas, by establishing simple and easily comparable quantity ranges, the standardization of quantities of pre-packaged foodstuffs is likely to make it easier for the consumer to compare prices at the place of sale; whereas the obligation to display the unit price should, wherever possible, be replaced by such standardization;

Whereas ranges of quantities for pre-packaged products are laid down by Directive 80/232/EEC of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products ⁽⁷⁾, as amended by Directive 86/96/EEC ⁽⁸⁾, Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids ⁽⁹⁾, as last amended by Directive 85/10/EEC ⁽¹⁰⁾, Council Directive 73/241/EEC of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption ⁽¹¹⁾, as last amended by Directive 85/7/EEC ⁽¹²⁾, Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugars intended for human consumption ⁽¹³⁾, as last amended by the Act of Accession of Spain and Portugal ⁽¹⁴⁾, and Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts ⁽¹⁵⁾, as last amended by Directive 85/573/EEC ⁽¹⁶⁾;

Whereas the standardization achieved at Community level to eliminate technical barriers to trade helps to simplify the ranges of quantities of foodstuffs offered to the consumer; whereas provision should be made for the exemption of ranges of quantities established at Community level;

Whereas, for certain categories of foodstuffs, standardization at Community level is not appropriate; whereas, in the case of such foodstuffs, provision should be made for the exemption of ranges of quantities established at national level;

Whereas the obligation to indicate the unit price may be waived by Member States for products in respect of which such indication would be meaningless;

Whereas the rules laid down in this Directive are aimed at informing and protecting consumers,

⁽¹⁾ OJ No C 53, 24. 2. 1984, p. 7 and OJ No C 121, 7. 5. 1987, p. 7.

⁽²⁾ OJ No C 122, 20. 5. 1985, p. 148 and Decision of 18 May 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No C 343, 24. 12. 1984, p. 34.

⁽⁴⁾ OJ No C 92, 25. 4. 1975, p. 2 and OJ No C 133, 3. 6. 1981, p. 2.

⁽⁵⁾ OJ No L 158, 26. 6. 1979, p. 19.

⁽⁶⁾ OJ No C 163, 30. 6. 1979, p. 1.

⁽⁷⁾ OJ No L 51, 25. 2. 1980, p. 1.

⁽⁸⁾ OJ No L 80, 25. 3. 1986, p. 55.

⁽⁹⁾ OJ No L 42, 15. 2. 1975, p. 1.

⁽¹⁰⁾ OJ No L 4, 5. 1. 1985, p. 20.

⁽¹¹⁾ OJ No L 228, 16. 8. 1973, p. 23.

⁽¹²⁾ OJ No L 2, 3. 1. 1985, p. 22.

⁽¹³⁾ OJ No L 356, 27. 12. 1973, p. 71.

⁽¹⁴⁾ OJ No L 302, 15. 11. 1985, p. 23.

⁽¹⁵⁾ OJ No L 172, 12. 7. 1977, p. 20.

⁽¹⁶⁾ OJ No L 372, 31. 12. 1985, p. 22.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 79/581/EEC is hereby amended as follows:

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

'2. This Directive shall not apply to foodstuffs sold in hotels, restaurants, cafés, public houses, hospitals, canteens and similar establishments and consumed on the premises, to foodstuffs bought for the purpose of a trade or commercial activity, nor to foodstuffs supplied in the course of the provision of a service,

3. Member States may provide that this Directive shall not apply to foodstuffs sold on the farm or to private sales.'

2. In Article 2, (b) and (f) are replaced by the following:

'(b) "pre-packaged foodstuffs" means foodstuffs packaged other than in the consumers' presence, whether such packaging encloses the foodstuffs completely or only partially;

(f) "unit price" means the price for a quantity of one kilogram or one litre of the foodstuffs, subject to Article 6 (2) and the second subparagraph of Article 10.'

3. Article 3 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. The foodstuffs referred to in Article 1 shall bear an indication of the selling price under the conditions laid down in Article 4.

2. The foodstuffs pre-packaged in pre-established quantities listed in the Annex and the foodstuffs pre-packaged in variable quantities shall also bear an indication of the unit price, subject to Articles 7 to 10.'

(b) paragraphs 2 and 3 become paragraphs 3 and 4;

4. Articles 4 and 5 are replaced by the following:

Article 4

The selling price and the unit price must be unambiguous, easily identifiable and clearly legible. Each Member State may lay down the specific rules for such indication of prices, e.g. by means of posters, labels on shelves or on packaging.

Article 5

Any written or printed advertisement or catalogue which mentions the selling price of foodstuffs referred

to in Article 1 shall indicate the unit price, subject to Article 3 (2)';

5. Article 7 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. The foodstuffs referred to in paragraph 1 include in particular:

(a) foodstuffs exempt from the obligation to indicate weight or volume (in particular foodstuffs sold by the piece);

(b) different foodstuffs sold in a single package;

(c) foodstuffs sold from automatic dispensers;

(d) prepared dishes or dishes for preparation contained in a single package;

(e) fancy products;

(f) multipacks referred to in the first subparagraph of Article 4 of Directive 80/232/EEC, where they are made up of individual items corresponding to one of the values appearing in a Community quantity range.'

(b) in paragraph 4, 'five grams or five millilitres' is replaced by '50 grams or 50 millilitres';

6. Articles 8 and 9 are replaced by the following:

Article 8

1. The obligation to indicate the unit price shall not apply to:

— foodstuffs pre-packaged in pre-established quantities referred to in Article 6 (1) of Directive 73/241/EEC,

— foodstuffs pre-packaged in pre-established quantities referred to in Article 6 (2) of Directive 73/241/EEC,

— foodstuffs pre-packaged in pre-established quantities referred to in Article 1 (points 1, 2 and 3) of Directive 73/437/EEC,

— foodstuffs pre-packaged in pre-established quantities referred to in Article 4 of Directive 77/436/EEC,

— foodstuffs pre-packaged in pre-established quantities listed in Annex III points 1, 2, 4, 5 and 6 to Directive 75/106/EEC, where they are sold in the ranges of nominal volumes given in columns I and II of the said Annex,

— foodstuffs pre-packaged in pre-established quantities referred to in Annex I (except for points 1.2, 1.5.4, 1.8, 2 and 3) to Directive 80/232/EEC, where they are sold in the ranges of nominal quantities of contents given in the said Annex.

2. The obligation to indicate the unit price may be waived by the Member States for:

- foodstuffs pre-packaged in pre-established quantities referred to in Annex III, points 3, 7, 8 and 9 to Directive 75/106/EEC, where they are sold in the nominal volumes given in columns I and II of the said Annex,
- foodstuffs pre-packaged in pre-established quantities referred to in Annex III to Directive 75/106/EEC, where they are sold in re-usable bottles in nominal volumes of 0,70 litre, and foodstuffs pre-packaged in pre-established quantities referred to in points 1 (c), 2 (b), 3 and 7 in Annex III to Directive 75/106/EEC, where they are sold in re-usable bottles in nominal volumes of 0,5 pint, 1,0 pint, 1 1/3 pint and 2,0 pints,
- foodstuffs pre-packaged in pre-established quantities listed in Annex I, points 1.2, 1.5.4, 1.8, 2 and 3, and in Annex II, points 1 and 2 to Directive 80/232/EEC, where they are sold in the ranges of nominal quantities given in the said Annexes, and foodstuffs pre-packaged in pre-established quantities listed in Annex I to Directive 80/232/EEC where they are sold in the ranges of nominal capacities given in Annex III to the said Directive.

3. The obligation to indicate the unit price may be waived by the Member States for pre-packaged foodstuffs listed in paragraphs 1 and 2, where they are sold in quantities which are smaller than the lowest or larger than the highest values in the Community ranges.

Article 9

When Community measures are adopted concerning the harmonization of ranges of nominal quantities relating to foodstuffs pre-packaged in pre-established quantities or the ranges of quantities previously adopted are revised, the Council, acting on a proposal from the Commission, shall amend Article 8¹;

7. The following Articles are inserted:

Article 10

As a transitional measure, Member States shall be allowed a period of seven years from the date of adoption of Directive 88/314/EEC⁽¹⁾ to apply the provisions of this Directive relating to the foodstuffs pre-packaged in pre-established quantities referred to in the Annex. During this transitional period, and national measures or practices existing at the date of adoption of Directive 88/314/EEC relating to these foodstuffs may be maintained in force.

Until the expiry of the transitional period during which use of the imperial system of units of measurement is authorized by Community provisions

relating to units of measurement, the competent national authorities in Ireland and the United Kingdom shall determine, for each foodstuff or each category of foodstuffs, the units of mass or volume of international system or the imperial system in which indication of the unit price is compulsory.

Article 11

1. Member States may exempt pre-packaged foodstuffs which are sold by certain small retail businesses and handed directly by the seller to the purchaser from the obligation to indicate the unit price, where the indication of unit prices:

- is likely to constitute an excessive burden for such businesses, or
- appears to be impracticable owing to the number of foodstuffs offered for sale, the sales area, its layout or the conditions peculiar to certain forms of trading, such as particular types of itinerant trading.

2. The exemptions referred to in paragraph 1 shall be without prejudice to more stringent obligations to indicate prices existing under national provisions at the time of the notification of Directive 88/314/EEC.

⁽¹⁾ OJ No L 142, 9. 6. 1988, p. 19¹;

8. The current Articles 10 and 11 become Articles 12 and 13 respectively;

9. The Annex to this Directive is added.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years of its adoption. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 7 June 1988.

For the Council

The President

M. BANGEMANN

*ANNEX***Foodstuffs pre-packaged in pre-established quantities as referred to in Article 3 (2)**

Foodstuffs referred to in :

- Annex III, point 1 of Directive 75/106/EEC (wines, non-sparkling fermented beverages, vermouths),
 - Annex III, point 2 of Directive 75/106/EEC (sparkling wines, fermented sparkling beverages etc.),
 - Annex III, point 3 of Directive 75/106/EEC (beers),
 - Annex III, point 4 of Directive 75/106/EEC (potable spirits),
 - Annex III, point 5 of Directive 75/106/EEC (vinegar),
 - Annex III, point 6 of Directive 75/106/EEC (oils),
 - Annex III, point 7 of Directive 75/106/EEC (milk and milk based beverages),
 - Annex III, point 8 of Directive 75/106/EEC (waters, lemonades, etc.),
 - Annex III, point 9 of Directive 75/106/EEC (fruit juices and vegetable juices etc.),
 - Annex I, point 1.7 of Directive 80/232/EEC (coffee (other than freeze-dried and soluble) and chicory),
 - Article 4 of Directive 77/436/EEC (coffee and chicory extracts),
 - Article 6 of Directive 73/241/EEC (chocolate and cocoa products),
 - Article 1, points 1, 2 and 3 of Directive 73/437/EEC and Annex I, point 1.4 of Directive 80/232/EEC (sugars),
 - Annex I, point 1.1 of Directive 80/232/EEC (butter etc.),
 - Annex I, point 1.2 of Directive 80/232/EEC (fresh cheeses),
 - Annex I, point 1.3 of Directive 80/232/EEC (table and cooking salt),
 - Annex I, point 1.5.1 of Directive 80/232/EEC ((flours, groats, flakes and meal),
 - Annex I, point 1.5.2 of Directive 80/232/EEC (pasta products),
 - Annex I, point 1.5.3 of Directive 80/232/EEC (rice),
 - Annex I, point 1.5.4 of Directive 80/232/EEC (cereal flakes),
 - Annex I, point 1.6 of Directive 80/232/EEC (dried vegetables and dried fruits),
 - Annex I, point 1 of Directive 80/232/EEC (preserved and semi-preserved vegetable products),
 - Annex I, point 1.8.1 of Directive 80/232/EEC (frozen fruit, vegetables and potatoes),
 - Annex I, point 1.8.2 of Directive 80/232/EEC (frozen fish fillets and portions),
 - Annex I, point 1.8.3 of Directive 80/232/EEC (frozen fish fingers),
 - Annex I, point 2 of Directive 80/232/EEC (ice cream),
 - Annex I, point 3 of Directive 80/232/EEC (dry dog and cat food),
 - Annex II, point 2 of Directive 80/232/EEC (moist dog and cat food).
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Information regarding the signing of the Agreement with Thailand under Article XXVIII of the GATT concerning sweet potatoes

The Agreement in the form of a joint letter addressed to the Director-General of GATT between the EEC and Thailand negotiated under Article XXVIII of the GATT concerning sweet potatoes intended for uses other than human consumption⁽¹⁾ was signed on 27 May 1988 by Mr M. Marcussen, Director in the Commission's Directorate-Generale for Agriculture, on behalf of the Council of the European Communities, and by Mr Chao Saicheua, Ambassador, on behalf of the Government of the Kingdom of Thailand.

⁽¹⁾ OJ No L 134, 31. 5. 1988, p. 57.