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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2691/88**of 31 August 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) 2221/88⁽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 2401/88⁽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 30 August 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 2401/88 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 1 September 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	12,18	137,90
0712 90 19	12,18	137,90
1001 10 10	25,34	171,04 ⁽¹⁾ ⁽²⁾
1001 10 90	25,34	171,04 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	124,41
1001 90 99	0,00	124,41
1002 00 00	28,63	104,14 ⁽⁶⁾
1003 00 10	22,32	111,34
1003 00 90	22,32	111,34
1004 00 10	78,93	46,49
1004 00 90	78,93	46,49
1005 10 90	12,18	137,90 ⁽²⁾ ⁽³⁾
1005 90 00	12,18	137,90 ⁽²⁾ ⁽³⁾
1007 00 90	35,65	146,34 ⁽⁴⁾
1008 10 00	22,32	27,27
1008 20 00	22,32	81,58 ⁽⁴⁾
1008 30 00	22,32	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	22,32	0,00
1101 00 00	6,58	187,51
1102 10 00	53,42	158,96
1103 11 10	52,40	278,24
1103 11 90	7,47	202,15

⁽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 2692/88

of 31 August 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 2221/88⁽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 2402/88⁽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 30 August 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 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 9	1st period 10	2nd period 11	3rd period 12
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 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2693/88**of 31 August 1988****fixing the maximum export refund for white sugar for the 18th 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 2306/88⁽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 18th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 18th 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 40,600 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 102, 21. 4. 1988, p. 14.

COMMISSION REGULATION (EEC) No 2694/88

of 31 August 1988

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 2306/88 ⁽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 its unaltered 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 1714/88 ⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter 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 hereto;

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

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽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 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	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	34,69 ⁽¹⁾	
1701 11 90 910	32,03 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,69 ⁽¹⁾	
1701 12 90 910	32,03 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3771
1701 99 10 100	37,71	
1701 99 10 910	38,75 ⁽³⁾	
1701 99 10 950	34,25	
1701 99 90 100		0,3771

⁽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).

⁽³⁾ Applicable under the conditions laid down in particular in Article 9 (5) of Regulation (EEC) No 2630/81.

COMMISSION REGULATION (EEC) No 2695/88

of 31 August 1988

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Commission Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 3794/85⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹⁰⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹²⁾ OJ No L 367, 31. 12. 1985, p. 20.

gements arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as amended by Regulation (EEC) No 1821/87 ⁽²⁾;

Whereas, in respect of products falling within subheading 07.06 A of the Common Customs Tariff, Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff coming from third countries and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾ lays down the terms on which the import levy is limited to 6 % *ad valorem*; whereas account should be taken of the introduction on 1 January 1988 of the new tariff nomenclature laid down by Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 1471/88 ⁽⁵⁾, and to that end former subheading 07.06 A should be replaced by the corresponding subheadings 0714 10 90 and 0714 90 10 of the new nomenclature;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 134, 31. 5. 1988, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10	24,50	108,24	103,41 (°)
0714 10 90	21,48	105,22 (°)	103,41 (°) (°)
0714 90 10	21,48	105,22 (°)	103,41 (°) (°)
1102 20 10 (°)	26,22	254,91	248,87
1102 20 90 (°)	14,45	144,05	141,03
1102 30 00 (°)	3,02	125,13	122,11
1102 90 10 (°)	44,70	195,44	189,40
1102 90 30 (°)	147,20	91,22	85,18
1102 90 90 (°)	38,51	154,78	151,76
1103 12 00 (°)	147,20	91,22	85,18
1103 13 11 (°)	26,22	245,91	239,87
1103 13 19 (°)	26,22	254,91	248,87
1103 13 90 (°)	14,45	144,05	141,03
1103 14 00 (°)	3,02	125,13	122,11
1103 19 10 (°)	56,12	189,01	182,97
1103 19 30 (°)	44,70	195,44	189,40
1103 19 90 (°)	38,51	154,78	151,76
1103 21 00 (°)	6,04	240,63	234,59
1103 29 10 (°)	56,12	189,01	182,97
1103 29 20 (°)	44,70	195,44	189,40
1103 29 30 (°)	147,20	91,22	85,18
1103 29 40 (°)	26,22	254,91	248,87
1103 29 50 (°)	3,02	125,13	122,11
1103 29 90 (°)	38,51	154,78	151,76
1104 11 10 (°)	24,93	110,34	107,32
1104 11 90 (°)	49,00	216,48	210,44
1104 12 10 (°)	83,01	51,29	48,27
1104 12 90 (°)	162,88	100,68	94,64
1104 19 10 (°)	6,04	240,63	234,59
1104 19 30 (°)	56,12	189,01	182,97
1104 19 50 (°)	26,22	254,91	248,87
1104 19 91 (°)	6,04	213,40	207,36
1104 19 99 (°)	68,66	273,84	267,80
1104 21 10 (°)	37,39	171,37	168,35
1104 21 30 (°)	37,39	171,37	168,35
1104 21 50 (°)	59,74	269,09	263,05
1104 21 90 (°)	24,93	110,34	107,32
1104 22 10 (°)	144,18	88,20	85,18
1104 22 30 (°)	144,18	88,20	85,18
1104 22 50 (°)	128,49	78,73	75,71
1104 22 90 (°)	83,01	51,29	48,27
1104 23 10 (°)	20,96	224,24	221,22
1104 23 30 (°)	20,96	224,24	221,22
1104 23 90 (°)	14,45	144,05	141,03

CN code	(ECU/tonne) Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*10 ⁽²⁾ ⁽⁶⁾	3,02	176,36	173,34
1104 29 10*20 ⁽²⁾ ⁽⁷⁾	40,02	138,21	135,19
1104 29 10*30 ⁽²⁾ ⁽⁸⁾	58,68	241,07	238,05
1104 29 10*40 ⁽²⁾ ⁽⁹⁾	58,68	241,07	238,05
1104 29 10*90 ⁽²⁾ ⁽¹⁰⁾	58,68	241,07	238,05
1104 29 30*10 ⁽²⁾ ⁽⁶⁾	3,02	211,55	208,53
1104 29 30*20 ⁽²⁾ ⁽⁷⁾	47,53	165,66	162,64
1104 29 30*30 ⁽²⁾ ⁽⁸⁾	58,68	241,07	238,05
1104 29 30*40 ⁽²⁾ ⁽⁹⁾	58,68	241,07	238,05
1104 29 30*90 ⁽²⁾ ⁽¹⁰⁾	58,68	241,07	238,05
1104 29 91 ⁽²⁾	3,02	135,96	132,94
1104 29 95 ⁽²⁾	31,40	106,70	103,68
1104 29 99 ⁽²⁾	38,51	154,78	151,76
1104 30 10	6,04	103,79	97,75
1104 30 90	14,45	109,74	103,70
1106 20 10	24,50	108,24	101,59 ⁽⁹⁾
1106 20 91	38,60	235,10	210,92 ⁽⁹⁾
1106 20 99	38,60	243,15	218,97 ⁽⁹⁾
1107 10 11	10,88	242,87	231,99
1107 10 19	10,88	184,22	173,34
1107 10 91	49,11	198,17 ^(*)	187,29
1107 10 99	39,45	150,82	139,94
1107 20 00	44,17	173,97 ^(*)	163,09
1108 11 00	20,55	291,88	271,33
1108 12 00	38,60	235,10	214,55
1108 13 00	38,60	235,10	214,55
1108 14 00	38,60	235,10	107,27 ⁽⁹⁾
1108 19 10	30,83	196,81	165,98
1108 19 90	38,60	235,10	107,27
1109 00 00	181,34	674,66	493,32
1702 30 91 ⁽³⁾	120,26	376,57	279,85
1702 30 99 ⁽³⁾	84,54	281,04	214,55
1702 40 90 ⁽³⁾	84,54	281,04	214,55
1702 90 50	84,54	281,04	214,55
1702 90 75	121,38	389,89	293,17
1702 90 79	83,64	270,38	203,89
2106 90 55	84,54	281,04	214,55
2302 10 10	10,58	58,33	52,33
2302 10 90	15,81	118,14	112,14
2302 20 10	10,58	58,33	52,33
2302 20 90	15,81	118,14	112,14
2302 30 10	10,58	58,33	52,33
2302 30 90	15,81	118,14	112,14
2302 40 10	10,58	58,33	52,33
2302 40 90	15,81	118,14	112,14
2303 10 11	203,76	447,86	266,52

- (1) This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (2) For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.
- (3) Pursuant to Regulation (EEC) No 2730/75 the customs treatment in respect of glucose and glucose syrup of subheadings 1702 30 91, 1702 30 99 and 1702 40 90 shall also apply to glucose and glucose syrup of subheadings 1702 30 51 and 1702 30 59.
- (4) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (5) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:
- arrow-root falling within subheading 0714 90 10,
 - flours and meal of arrow-root falling within subheading 1106 20,
 - arrow-root starch falling within subheading 1108 19 90.
- (6) Taric code : wheat.
- (7) Taric code : rye.
- (8) Taric code : millet.
- (9) Taric code : sorghum.
- (10) Taric code : others.
-

COMMISSION REGULATION (EEC) No 2696/88

of 31 August 1988

fixing the import levies on compound feedingstuffs

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 2221/88⁽²⁾), and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾), as amended by Regulation (EEC) No 944/87⁽⁴⁾), provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regula-

tion (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁵⁾), as last amended by Regulation (EEC) No 1821/87⁽⁶⁾);

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁷⁾), as last amended by Regulation (EEC) No 2229/88⁽⁸⁾), which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁹⁾), the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹⁰⁾), as last amended by Regulation (EEC) No 31/76⁽¹¹⁾), and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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 Council Regulation (EEC) No 1676/85⁽¹²⁾), as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,

⁽¹⁾ OJ No L 61, 26. 2. 1986, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁶⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽⁷⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	Third countries (other than ACP and OCT)	ACP and OCT
2309 10 11	10,88	33,00	22,12
2309 10 13	10,88	634,15	623,27
2309 10 31	10,88	80,01	69,13
2309 10 33	10,88	681,16	670,28
2309 10 51	10,88	149,14	138,26
2309 10 53	10,88	750,29	739,41
2309 90 31	10,88	33,00	22,12
2309 90 33	10,88	634,15	623,27
2309 90 41	10,88	80,01	69,13
2309 90 43	10,88	681,16	670,28
2309 90 51	10,88	149,14	138,26
2309 90 53	10,88	750,29	739,41

COMMISSION REGULATION (EEC) No 2697/88

of 31 August 1988

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68⁽⁹⁾, as amended by Regulation (EEC) No 2764/71⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas Commission Regulation (EEC) No 2806/71⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾,
- 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 rela-

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	100,58	1104 22 10 100	32,18
1102 20 10 300	86,21	1104 22 10 900	—
1102 20 10 900	—	1104 22 30 100	34,19
1102 20 90 100	86,21	1104 22 30 900	—
1102 20 90 900	—	1104 22 50 000	—
1102 30 00 000	—	1104 23 10 100	107,76
1102 90 10 100	75,87	1104 23 10 300	82,62
1102 90 10 900	51,59	1104 23 10 900	—
1102 90 30 100	36,20	1104 29 10 100	—
1102 90 30 900	—	1104 29 10 900	—
1103 12 00 100	36,20	1104 29 91 000	50,58
1103 12 00 900	—	1104 29 95 000	50,58
1103 13 11 100	129,31	1104 30 10 000	15,46
1103 13 11 300	100,58	1104 30 90 000	17,96
1103 13 11 500	86,21	1107 10 11 000	110,04
1103 13 11 900	—	1107 10 91 000	90,03
1103 13 19 100	129,31	1108 11 00 100	109,64
1103 13 19 300	100,58	1108 11 00 900	—
1103 13 19 500	86,21	1108 12 00 100	106,94
1103 13 19 900	—	1108 12 00 900	—
1103 13 90 100	86,21	1108 13 00 100	106,94
1103 13 90 900	—	1108 13 00 900	—
1103 14 00 000	—	1108 14 00 100	—
1103 19 10 000	50,58	1108 14 00 900	—
1103 19 30 100	78,40	1108 19 10 100	178,14
1103 19 30 900	—	1108 19 10 900	—
1103 21 00 000	63,06	1108 19 90 100	—
1103 29 20 000	51,59	1108 19 90 900	—
1103 29 30 000	—	1109 00 00 100	0,00
1103 29 40 000	73,28	1109 00 00 900	—
1104 11 90 100	75,87	1702 30 91 000	139,70
1104 11 90 900	—	1702 30 99 000	106,94
1104 12 90 100	40,22	1702 40 90 000	106,94
1104 12 90 300	32,18	1702 90 50 100	139,70
1104 12 90 900	—	1702 90 50 900	106,94
1104 19 10 000	63,06	1702 90 75 000	146,38
1104 19 50 110	114,94	1702 90 79 000	101,60
1104 19 50 130	93,39	2106 90 55 000	106,94
1104 19 50 150	—	2302 10 10 000	14,74
1104 19 50 190	—	2302 10 90 100	14,74
1104 19 50 900	—	2302 10 90 900	—
1104 19 91 000	—	2302 20 10 000	14,74
1104 21 10 100	75,87	2302 20 90 100	14,74
1104 21 10 900	—	2302 20 90 900	—
1104 21 30 100	75,87	2302 30 10 000	14,74
1104 21 30 900	—	2302 30 90 000	14,74
1104 21 50 100	101,16	2302 40 10 000	14,74
1104 21 50 300	80,93	2302 40 90 000	14,74
1104 21 50 900	—	2303 10 11 100	53,47
		2303 10 11 900	—

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

COMMISSION REGULATION (EEC) No 2698/88

of 31 August 1988

fixing the export refunds on cereal-based compound feedingstuffs

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 2221/88⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as amended by Regulation (EEC) No 944/87⁽⁵⁾, provides that, when

export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 296/88⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 30, 2. 2. 1988, p. 9.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case

of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	3,95
	09	—
2309 10 11 190	01	3,10
	09	—
2309 10 11 210	01	7,90
	09	—
2309 10 11 290	01	6,20
	09	—
2309 10 11 310	01	15,80
	09	—
2309 10 11 390	01	12,40
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	3,95
	09	—
2309 10 13 190	01	3,10
	09	—
2309 10 13 210	01	7,90
	09	—
2309 10 13 290	01	6,20
	09	—
2309 10 13 310	01	15,80
	09	—
2309 10 13 390	01	12,40
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	3,95
	09	—
2309 10 31 190	01	3,10
	09	—
2309 10 31 210	01	7,90
	09	—
2309 10 31 290	01	6,20
	09	—
2309 10 31 310	01	15,80
	09	—
2309 10 31 390	01	12,40
	09	—
2309 10 31 410	01	23,71
	09	—
2309 10 31 490	01	18,60
	09	—
2309 10 31 510	01	31,61
	09	—

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
2309 10 31 590	01	24,81
	09	—
2309 10 31 610	01	39,51
	09	—
2309 10 31 690	01	31,01
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	3,95
	09	—
2309 10 33 190	01	3,10
	09	—
2309 10 33 210	01	7,90
	09	—
2309 10 33 290	01	6,20
	09	—
2309 10 33 310	01	15,80
	09	—
2309 10 33 390	01	12,40
	09	—
2309 10 33 410	01	23,71
	09	—
2309 10 33 490	01	18,60
	09	—
2309 10 33 510	01	31,61
	09	—
2309 10 33 590	01	24,81
	09	—
2309 10 33 610	01	39,51
	09	—
2309 10 33 690	01	31,01
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	3,95
	09	—
2309 10 51 190	01	3,10
	09	—
2309 10 51 210	01	7,90
	09	—
2309 10 51 290	01	6,20
	09	—
2309 10 51 310	01	15,80
	09	—
2309 10 51 390	01	12,40
	09	—
2309 10 51 410	01	23,71
	09	—
2309 10 51 490	01	18,60
	09	—
2309 10 51 510	01	31,61
	09	—
2309 10 51 590	01	24,81
	09	—
2309 10 51 610	01	39,51
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 51 690	01	31,01
	09	—
2309 10 51 710	01	47,41
	09	—
2309 10 51 790	01	37,21
	09	—
2309 10 51 810	01	51,72
	09	—
2309 10 51 890	01	40,59
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	3,95
	09	—
2309 10 53 190	01	3,10
	09	—
2309 10 53 210	01	7,90
	09	—
2309 10 53 290	01	6,20
	09	—
2309 10 53 310	01	15,80
	09	—
2309 10 53 390	01	12,40
	09	—
2309 10 53 410	01	23,71
	09	—
2309 10 53 490	01	18,60
	09	—
2309 10 53 510	01	31,61
	09	—
2309 10 53 590	01	24,81
	09	—
2309 10 53 610	01	39,51
	09	—
2309 10 53 690	01	31,01
	09	—
2309 10 53 710	01	47,41
	09	—
2309 10 53 790	01	37,21
	09	—
2309 10 53 810	01	51,72
	09	—
2309 10 53 890	01	40,59
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	3,95
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,10
	09	—
2309 90 31 210	01	7,90
	09	—
2309 90 31 290	01	6,20
	09	—
2309 90 31 310	01	15,80
	09	—
2309 90 31 390	01	12,40
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	3,95
	09	—
2309 90 33 190	01	3,10
	09	—
2309 90 33 210	01	7,90
	09	—
2309 90 33 290	01	6,20
	09	—
2309 90 33 310	01	15,80
	09	—
2309 90 33 390	01	12,40
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	3,95
	09	—
2309 90 41 190	01	3,10
	09	—
2309 90 41 210	01	7,90
	09	—
2309 90 41 290	01	6,20
	09	—
2309 90 41 310	01	15,80
	09	—
2309 90 41 390	01	12,40
	09	—
2309 90 41 410	01	23,71
	09	—
2309 90 41 490	01	18,60
	09	—
2309 90 41 510	01	31,61
	09	—
2309 90 41 590	01	24,81
	09	—
2309 90 41 610	01	39,51
	09	—
2309 90 41 690	01	31,01
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	3,95
	09	—
2309 90 43 190	01	3,10
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 43 210	01	7,90
	09	—
2309 90 43 290	01	6,20
	09	—
2309 90 43 310	01	15,80
	09	—
2309 90 43 390	01	12,40
	09	—
2309 90 43 410	01	23,71
	09	—
2309 90 43 490	01	18,60
	09	—
2309 90 43 510	01	31,61
	09	—
2309 90 43 590	01	24,81
	09	—
2309 90 43 610	01	39,51
	09	—
2309 90 43 690	01	31,01
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	3,95
	09	—
2309 90 51 190	01	3,10
	09	—
2309 90 51 210	01	7,90
	09	—
2309 90 51 290	01	6,20
	09	—
2309 90 51 310	01	15,80
	09	—
2309 90 51 390	01	12,40
	09	—
2309 90 51 410	01	23,71
	09	—
2309 90 51 490	01	18,60
	09	—
2309 90 51 510	01	31,61
	09	—
2309 90 51 590	01	24,81
	09	—
2309 90 51 610	01	39,51
	09	—
2309 90 51 690	01	31,01
	09	—
2309 90 51 710	01	47,41
	09	—
2309 90 51 790	01	37,21
	09	—
2309 90 51 810	01	51,72
	09	—

(ECU/tonne)

Product code	Destination ⁽¹⁾	Amount of refund
2309 90 51 890	01	40,59
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	3,95
	09	—
2309 90 53 190	01	3,10
	09	—
2309 90 53 210	01	7,90
	09	—
2309 90 53 290	01	6,20
	09	—
2309 90 53 310	01	15,80
	09	—
2309 90 53 390	01	12,40
	09	—
2309 90 53 410	01	23,71
	09	—
2309 90 53 490	01	18,60
	09	—
2309 90 53 510	01	31,61
	09	—
2309 90 53 590	01	24,81
	09	—
2309 90 53 610	01	39,51
	09	—
2309 90 53 690	01	31,01
	09	—
2309 90 53 710	01	47,41
	09	—
2309 90 53 790	01	37,21
	09	—
2309 90 53 810	01	51,72
	09	—
2309 90 53 890	01	40,59
	09	—
2309 90 53 900	—	—

⁽¹⁾ The destinations are as follows:

01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,

09 Other destinations.

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

COMMISSION REGULATION (EEC) No 2699/88
of 31 August 1988
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular Article 11 (2) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1988/89 marketing year by Commission Regulation (EEC) No 2574/88⁽⁴⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁵⁾, as last amended by Regulation (EEC) No 2325/88⁽⁶⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances

on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76⁽⁷⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁸⁾, as last amended by Regulation (EEC) No 2325/88⁽⁹⁾, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 229, 18. 8. 1988, p. 33.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁶⁾ OJ No L 202, 27. 7. 1988, p. 41.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁸⁾ OJ No L 204, 24. 8. 1967, p. 1/67.

⁽⁹⁾ OJ No L 202, 27. 7. 1988, p. 41.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them must, pursuant to Council Regulation (EEC) No 486/85⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Articles 10 and 11 of Regulation (EEC) No 486/85 and in Commission Regulation (EEC) No 551/85⁽³⁾, as last amended by Regulation (EEC) No 171/88⁽⁴⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁵⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation (EEC) No 1613/71 and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas Council Regulation (EEC) No 3877/86⁽⁶⁾ defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may

not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least 1,21 ECU per tonne in the amount of the levy in force;

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 Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.
⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.
⁽³⁾ OJ No L 63, 2. 3. 1985, p. 10.
⁽⁴⁾ OJ No L 18, 22. 1. 1988, p. 56.
⁽⁵⁾ OJ No L 367, 31. 12. 1985, p. 7.
⁽⁶⁾ OJ No L 361, 20. 12. 1986, p. 7.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²) (³)	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	283,19	137,99	—
1006 10 99 (⁴)	—	262,94	127,87	197,21
1006 20 10	—	353,99	173,39	—
1006 20 90 (⁴)	—	328,68	160,74	246,51
1006 30 11	13,05	473,95	225,05	—
1006 30 19 (⁴)	12,97	546,66	261,44	410,00
1006 30 91	13,90	504,76	240,03	—
1006 30 99 (⁴)	13,90	586,02	280,66	439,52
1006 40 00	0	107,38	50,69	—

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

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

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

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

(⁴) The amount is applicable to medium-grain and long-grain rice, as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987).

COMMISSION REGULATION (EEC) No 2700/88

of 31 August 1988

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular Article 13 (6) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EEC) No 2167/88⁽⁴⁾;

Whereas Council Regulation (EEC) No 1428/76⁽⁵⁾ lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁶⁾, as last amended by Regulation (EEC) No 2325/88⁽⁷⁾; whereas the cif forward delivery price is also determined in accordance with Article

16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during the month in which importation is expected to take place; whereas in the case of imports to be effected during the remaining months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be 0 ECU if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding 0,30 ECU per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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 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 it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0,30 ECU,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 190, 21. 7. 1988, p. 28.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 202, 27. 7. 1988, p. 41.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the premiums to be added to the import levies on rice and broken rice

CN Code	(ECU/tonne)			
	Current 9	1st period 10	2nd period 11	3rd period 12
1006 10 91	0	0	0	—
1006 10 99 (*)	0	0	0	—
1006 20 10	0	0	0	—
1006 20 90 (*)	0	0	0	—
1006 30 11	0	0	0	—
1006 30 19 (*)	0	0	0	—
1006 30 91	0	0	0	—
1006 30 99 (*)	0	0	0	—
1006 40 00	0	0	0	0

(*) The amount is applicable to medium-grain and long-grain rice, as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987).

COMMISSION REGULATION (EEC) No 2701/88

of 31 August 1988

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas to Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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

- in the case of currencies which are maintained in 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾;
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the export refunds on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Amount of refund
1006 20 10 000	—	—
1006 20 90 000	01	194,00
	02	—
1006 30 11 000	—	—
1006 30 19 000	—	—
1006 30 91 000	—	—
1006 30 99 100	01	243,00
	03	272,00
	05	272,00
	06	277,00
	07	277,00
	08	272,00
	09	272,00
	10	277,00
	11	277,00
	12	277,00
	13	243,00
	14	277,00
1006 30 99 900	01	243,00
	13	243,00
1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie
- 03 Zone I
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of Zone I
- 05 Zone II b)
- 06 Zone IV a)
- 07 Zone IV b)
- 08 Zone VI
- 09 Canary Islands, Ceuta and Melilla
- 10 Zone V a)
- 11 Zone VII c)
- 12 Canada
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1)
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

(2) The amount is applicable to medium-grain and long-grain rice, as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987).

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

The export refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in amended Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986).

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

COMMISSION REGULATION (EEC) No 2702/88

of 31 August 1988

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0,30 ECU per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0,30 ECU per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accor-

dance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20/6.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 9	1st period 10	2nd period 11	3rd period 12
1006 20 10 000	—	—	—	—
1006 20 90 000 ⁽¹⁾	0	0	0	0
1006 30 11 000	—	—	—	—
1006 30 19 000	—	—	—	—
1006 30 91 000	—	—	—	—
1006 30 99 100 ⁽¹⁾	0	0	0	0
1006 30 99 900 ⁽¹⁾	0	0	0	0
1006 40 00 000	—	—	—	—

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

⁽¹⁾ The amount is applicable to medium-grain and long-grain rice, as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987).

COMMISSION REGULATION (EEC) No 2703/88

of 31 August 1988

fixing the import levies on syrups and certain other products in the sugar sector

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 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 2221/88 ⁽⁶⁾, for the fixing of the import levy on the products falling within subheadings 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50 of the combined nomenclature, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

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 Council Regulation (EEC) No 1676/85 ⁽⁷⁾ as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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;

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4487	—
1702 20 90	0,4487	—
1702 30 10	—	54,54
1702 40 10	—	54,54
1702 60 10	—	54,54
1702 60 90	0,4487	—
1702 90 30	—	54,54
1702 90 60	0,4487	—
1702 90 71	0,4487	—
1702 90 90	0,4487	—
2106 90 30	—	54,54
2106 90 59	0,4487	—

COMMISSION REGULATION (EEC) No 2704/88**of 31 August 1988****fixing the export refunds on syrups and certain other sugar products 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 2306/88⁽²⁾, and in particular 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) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of 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 the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic

amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 1702 30 91 of the combined nomenclature and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 210, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾;
- 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situa-

tion and the level of prices no refund should be fixed in the case of exports to Portugal;

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

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		37,71
1702 60 10 000		37,71
1702 60 90 000	0,3771	
1702 90 30 000		37,71
1702 90 60 000	0,3771	
1702 90 71 000	0,3771	
1702 90 90 900	0,3771	
2106 90 30 000		37,71
2106 90 59 000	0,3771	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

COMMISSION REGULATION (EEC) No 2705/88

of 31 August 1988

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 2306/88 ⁽²⁾ and in particular Article 16 (8) thereof,

Whereas, in accordance with Article 303 of the Act of Accession of Spain and Portugal, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 2371/88 ⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (subheadings 1701 11 10 and 1701 12 10 of the combined nomenclature) is fixed for this quality type at 20,80 ECU/100 kg.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.⁽³⁾ OJ No L 58, 1. 3. 1986, p. 18.⁽⁴⁾ OJ No L 205, 30. 7. 1988, p. 36.

COMMISSION REGULATION (EEC) No 2706/88

of 31 August 1988

fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 2185/88⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 2216/88⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁹⁾, as last amended by Regulation (EEC) No 2662/87⁽¹⁰⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1988/89 marketing year were fixed by Council Regulations (EEC) No 2213/88⁽¹¹⁾ and (EEC) No 2214/88⁽¹²⁾;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of

the latest Commission proposals to the Council on prices and related measures;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has not, to date, been fixed; whereas the amount of the refund for the 1988/89 marketing year has been provisionally calculated on the basis of an abatement of 4,502 ECU per 100 kg for colza and rape seed;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁴⁾ as last amended by Regulation (EEC) No 1815/84⁽¹⁵⁾ provides that the amount of the refund must be calculated on the

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 195, 23. 7. 1988, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁹⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽¹⁰⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹¹⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽¹²⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁵⁾ OJ No L 170, 29. 6. 1984, p. 46.

basis of the weight of exported seeds ; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed ; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter ; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount ;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹⁾ ;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary ;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽²⁾, as last amended by Regulation (EEC) No 2138/87⁽³⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate,
- (b) for the other Member States, the difference between :
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be deter-

mined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage ; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84 ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas it follows from applying these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation ; whereas it is not necessary to fix a refund for sunflower seed ;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants ; whereas in the interests of sound market management a reduction should be made ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.
4. However, the amount of the export refund for colza and rape seeds shall be confirmed or replaced with effect from 1 September 1988 to take account, where applicable, of the consequences of the application of the maximum guaranteed quantities system.

Article 2

This Regulation shall enter into force on 1 September 1988.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 200, 21. 7. 1987, p. 9.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 1 September 1988 fixing the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current 9 (1)	1st period 10 (1)	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross refunds (ECU):						
— Spain	10,342	10,342	—	—	—	—
— Portugal	14,502	14,502	—	—	—	—
— other Member States	10,000	10,000	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	24,16	24,16	—	—	—	—
— Netherlands (Fl)	26,72	26,72	—	—	—	—
— BLEU (Bfrs/Lfrs)	474,58	474,58	—	—	—	—
— France (FF)	64,43	64,43	—	—	—	—
— Denmark (Dkr)	82,74	82,74	—	—	—	—
— Ireland (£ Irl)	7,145	7,145	—	—	—	—
— United Kingdom (£)	4,357	4,357	—	—	—	—
— Italy (Lit)	12 450	12 450	—	—	—	—
— Greece (Dr)	441,47	435,77	—	—	—	—
— Spain (Pta)	1 637,64	1 637,64	—	—	—	—
— Portugal (Esc)	2 001,67	2 001,67	—	—	—	—

(1) Subject to the reduction resulting from the maximum guaranteed quantities system.

COMMISSION REGULATION (EEC) No 2707/88

of 31 August 1988

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) point (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 2730/88⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1958/87⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1988/89 marketing year was fixed by Regulation (EEC) No 2255/88⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82 the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the

beginning on the third month of the marketing year; whereas the amount of the monthly increases in the hehold price was fixed by Regulation (EEC) No 2258/88⁽⁸⁾;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of the latest Commission proposals to the Council on prices and related measures;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products;

Whereas, under Article 1 of Commission Regulation (EEC) No 2049/82⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ See page 114 of this Official Journal.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 184, 3. 7. 1987, p. 3.

⁽⁷⁾ OJ No L 199, 26. 7. 1988, p. 1.

⁽⁸⁾ OJ No L 199, 26. 7. 1988, p. 5.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor ;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries ; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price ;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Regulation (EEC) No 1935/87 ⁽¹⁾ ; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year ; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87 ⁽²⁾ ;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article

12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has been fixed by Regulation (EEC) No 2731/88 ⁽³⁾ ; whereas the amount of the subsidy for the 1988/89 marketing year has been provisionally calculated on the basis of an abatement of 0,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 185, 4. 7. 1987, p. 21.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽³⁾ See page 116 of this Official Journal.

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
Peas used :							
— in Spain	5,594	5,774	5,954	6,134	6,314	6,494	6,674
— in Portugal	5,646	5,826	6,006	6,186	6,366	6,546	6,726
— in another Member State	6,040	6,220	6,400	6,580	6,760	6,940	7,120
Field beans used :							
— in Spain	6,040	6,220	6,400	6,580	6,760	6,940	7,120
— in Portugal	5,646	5,826	6,006	6,186	6,366	6,546	6,726
— in another Member State	6,040	6,220	6,400	6,580	6,760	6,940	7,120

Products used in animal feed

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
A. Peas and field beans used :							
— in Spain	7,465	7,472	7,134	7,314	7,494	7,674	7,854
— in Portugal	7,315	7,320	6,974	7,154	7,334	7,514	7,694
— in another Member State	7,597	7,606	7,275	7,455	7,635	7,815	7,995
B. Sweet lupins harvested in Spain and used :							
— in Spain	8,144	7,914	7,223	7,223	7,223	7,223	7,223
— in Portugal	7,944	7,710	7,009	7,009	7,009	7,009	7,009
— in another Member State	8,320	8,092	7,410	7,410	7,410	7,410	7,410
C. Sweet lupins harvested in another Member State and used :							
— in Spain	9,294	9,064	8,373	8,373	8,373	8,373	8,373
— in Portugal	9,094	8,860	8,159	8,159	8,159	8,159	8,159
— in another Member State	9,470	9,242	8,560	8,560	8,560	8,560	8,560

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
Products harvest in :							
— BLEU (Bfrs/Lfrs)	290,32	298,97	307,62	316,27	326,42	335,11	343,80
— Denmark (Dkr)	52,88	54,46	56,03	57,61	59,77	61,36	62,95
— Federal Republic of Germany (DM)	14,26	14,69	15,11	15,54	15,96	16,39	16,81
— Greece (Dr)	304,94	332,05	359,17	386,28	413,40	440,51	467,63
— Spain (Pta)	931,45	959,20	986,96	1 014,72	1 042,48	1 070,24	1 098,00
— France (FF)	45,11	46,46	47,80	49,15	51,23	52,59	53,96
— Ireland (£ Irl)	5,003	5,153	5,302	5,452	5,685	5,837	5,989
— Italy (Lit)	9 133	9 424	9 714	10 005	11 168	11 465	11 762
— Netherlands (Fl)	15,99	16,46	16,94	17,42	17,89	18,37	18,85
— Portugal (Esc)	837,40	868,42	899,45	930,47	961,49	992,51	1 023,53
— United Kingdom (£)	3,044	3,163	3,281	3,400	4,031	4,153	4,274

Amounts to be deducted in the case of :

- peas used in Spain (Pta) 68,78
- peas and field beans used in Portugal (Esc) 67,66

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed.

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
Products harvested in :							
— BLEU (Bfrs/Lfrs)	365,16	365,59	349,68	358,33	368,67	377,36	386,05
— Denmark (Dkr)	66,51	66,59	63,69	65,27	67,51	69,10	70,69
— Federal Republic of Germany (DM)	17,94	17,96	17,18	17,60	18,03	18,45	18,88
— Greece (Dr)	584,33	580,76	516,18	543,29	570,41	597,52	624,64
— Spain (Pta)	1 171,56	1 172,94	1 121,90	1 149,66	1 177,42	1 205,17	1 232,93
— France (FF)	56,76	56,82	54,35	55,69	57,86	59,23	60,59
— Ireland (£ Irl)	6,299	6,306	6,031	6,180	6,425	6,577	6,728
— Italy (Lit)	11 693	11 703	11 153	11 444	12 613	12 910	13 208
— Netherlands (Fl)	20,11	20,13	19,26	19,73	20,21	20,69	21,16
— Portugal (Esc)	1 120,83	1 120,73	1 058,73	1 089,75	1 120,77	1 151,79	1 182,82
— United Kingdom (£)	4,140	4,138	3,397	4,016	4,646	4,767	4,889
Amounts to be deducted in the case of use :							
— Spain (Pta)	20,36	20,66	21,74	21,74	21,74	21,74	21,74
— Portugal (Esc)	48,43	49,11	51,69	51,69	51,69	51,69	51,69

ANNEX IV

Corrective amount in national currency to be added to the amounts in Annex III, per 100 kilograms

Use of the products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	76,96	0,00	0,13	0,52	8,62	0,00	25,53	30,38
— Denmark (Dkr)	0,00	0,00	0,00	14,02	0,00	0,02	0,09	1,57	0,00	4,65	5,53
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,78	0,00	0,01	0,03	0,42	0,00	1,25	1,49
— Greece (Dr)	0,00	0,00	0,00	287,31	0,00	0,49	1,93	32,18	0,00	95,30	113,40
— Spain (Pta)	0,00	0,00	0,00	246,92	0,00	0,42	1,66	27,65	0,00	81,90	97,45
— France (FF)	0,00	0,00	0,00	11,97	0,00	0,02	0,08	1,34	0,00	3,97	4,73
— Ireland (£ Irl)	0,000	0,000	0,000	1,333	0,000	0,002	0,009	0,149	0,000	0,442	0,526
— Italy (Lit)	0	0	0	2 633	0	4	18	295	0	873	1 039
— Netherlands (Fl)	0,00	0,00	0,00	4,24	0,00	0,01	0,03	0,47	0,00	1,41	1,67
— Portugal (Esc)	0,00	0,00	0,00	291,47	0,00	0,49	1,96	32,64	0,00	96,68	115,04
— United Kingdom (£)	0,000	0,000	0,000	1,127	0,000	0,002	0,008	0,126	0,000	0,374	0,445

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
Products harvested in :							
— BLEU (Bfrs/Lfrs)	455,18	444,22	411,44	411,44	413,34	413,34	413,34
— Denmark (Dkr)	82,91	80,91	74,94	74,94	75,68	75,68	75,68
— Federal Republic of Germany (DM)	22,36	21,82	20,21	20,21	20,21	20,21	20,21
— Greece (Dr)	843,52	802,60	680,22	680,22	680,22	680,22	680,22
— Spain (Pta)	1 460,40	1 425,24	1 320,06	1 320,06	1 320,06	1 320,06	1 320,06
— France (FF)	70,76	69,05	63,95	63,95	64,88	64,88	64,88
— Ireland (£ Irl)	7,855	7,666	7,098	7,098	7,204	7,204	7,204
— Italy (Lit)	14 695	14 320	13 198	13 198	14 141	14 141	14 141
— Netherlands (Fl)	25,07	24,46	22,66	22,66	22,66	22,66	22,66
— Portugal (Esc)	1 435,91	1 394,40	1 270,25	1 270,25	1 270,25	1 270,25	1 270,25
— United Kingdom (£)	5,338	5,178	4,698	4,698	5,245	5,245	5,245
Amounts to be deducted in the case of use in :							
— Spain (Pta)	27,14	27,45	28,84	28,84	28,84	28,84	28,84
— Portugal (Esc)	64,57	65,60	68,86	68,86	68,86	68,86	68,86

ANNEX VI

Corrective amount in the national currency to be added to amounts in Annex V, per 100 kilograms

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	55,97	0,00	0,10	0,38	6,27	0,00	18,57	22,09
— Denmark (Dkr)	0,00	0,00	0,00	10,19	0,00	0,02	0,07	1,14	0,00	3,38	4,02
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,75	0,00	0,00	0,02	0,31	0,00	0,91	1,09
— Greece (Dr)	0,00	0,00	0,00	208,96	0,00	0,35	1,41	23,40	0,00	69,31	82,47
— Spain (Pta)	0,00	0,00	0,00	179,58	0,00	0,30	1,21	20,11	0,00	59,57	70,88
— France (FF)	0,00	0,00	0,00	8,71	0,00	0,01	0,06	0,98	0,00	2,89	3,44
— Ireland (£ Irl)	0,000	0,000	0,000	0,969	0,000	0,002	0,007	0,109	0,000	0,321	0,383
— Italy (Lit)	0	0	0	1 915	0	3	13	214	0	635	756
— Netherlands (Fl)	0,00	0,00	0,00	3,08	0,00	0,01	0,02	0,35	0,00	1,02	1,22
— Portugal (Esc)	0,00	0,00	0,00	211,98	0,00	0,36	1,43	23,74	0,00	70,31	83,66
— United Kingdom (£)	0,000	0,000	0,000	0,819	0,000	0,001	0,006	0,092	0,000	0,272	0,323

ANNEX VII

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	164,119	135,146	6,90403	0,768411	1 516,86	2,31943	167,651	0,647488

COMMISSION REGULATION (EEC) No 2708/88

of 31 August 1988

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 5 and 155 thereof,

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder ⁽¹⁾, as last amended by Regulation (EEC) No 3996/87 ⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 2257/88 of 19 July 1988 fixing for the 1988/89 marketing year the guide price for dried fodder ⁽³⁾;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of the latest Commission proposals to the Council on prices and related measures;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder ⁽⁴⁾, as last amended by Regulation (EEC) No 2256/88 ⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most

favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder ⁽⁶⁾, as last amended by Regulation (EEC) No 1963/88 ⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a

month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 35.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 199, 26. 7. 1988, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 173, 5. 7. 1988, p. 9.

Whereas it has not yet been possible to fix the fixed amount referred to in the second subparagraph of Article 3 (3) of Regulation (EEC) No 1528/78 as regards barley for the 1988/89 marketing year;

Whereas, if the aid 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 conversion rate 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies a conversion 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 on the aforesaid corrective factor;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 shall be as fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the rate of the aid for dried fodder

Aid applicable from 1 September 1988 to dried fodder

(ECU/tonne)

	Fodder dehydrated by artificial heat-drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	45,997	61,486	63,647	2,997	18,486	20,647

Aid in case of advance fixing for the month of:

(ECU/tonne)

October 1988	41,620	57,027	59,270	0,000	14,027	16,270
November 1988	40,649	56,037	58,299	0,000	13,037	15,299
December 1988	40,649	56,037	58,299	0,000	13,037	15,299
January 1989	36,269	51,575	53,919	0,000	8,575	10,919
February 1989 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000	0,000
March 1989 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000	0,000
April 1989 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 2709/88

of 31 August 1988

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 2210/88⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil

employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of September and October 1988, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 109,00 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- 38,16 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- 34,71 ECU per 100 kilograms for olive oil utilized in Spain,
- 93,90 ECU per 100 kilograms for olive oil utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2710/88
of 31 August 1988
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (CEE) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2261/88 ⁽³⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for the 1988/89 marketing year was fixed by Council Regulation (EEC) No 2259/88 ⁽⁴⁾;

Whereas, under the system of maximum guaranteed quantities, the amount of the aid is subject to the reduction provided for in Commission Regulation (EEC) No 2727/88 ⁽⁵⁾ as regards cotton seed;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 2183/81 of 30 July 1981 laying down rules implementing the system of aid for cotton ⁽⁶⁾, as last amended by Regulation (EEC) No 2118/88 ⁽⁷⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 2183/81; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, under Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 2183/81;

Whereas, if the subsidy system is to operate normally, subsidies 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⁾,

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 8.

⁽⁴⁾ OJ No L 199, 26. 7. 1988, p. 6.

⁽⁵⁾ See page 104 of this Official Journal.

⁽⁶⁾ OJ No L 211, 31. 7. 1981, p. 35.

⁽⁷⁾ OJ No L 186, 16. 7. 1988, p. 21.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 50,532 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2711/88
of 31 August 1988
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1988/1989 marketing year was fixed by Council Regulation (EEC) No 2219/88 ⁽³⁾; whereas pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁴⁾, as last amended by Regulation (EEC) No 2218/88 ⁽⁵⁾; the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade;

Whereas, pursuant to Commission Regulation (EEC) No 2329/85 of 12 August 1985 laying down detailed rules for the application of the special measures for soya beans ⁽⁶⁾, as last amended by Regulation (EEC) No 2674/88 ⁽⁷⁾, the

world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 2 of Regulation (EEC) No 2329/85;

Whereas the estimated production of soya seed for the 1988/89 marketing year has not been fixed; whereas the amount to be deducted where appropriate, from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 3a (3) of Regulation (EEC) No 1491/85 and its effect on the amount of the aid could therefore not be determined; whereas the amounts of the aid should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for soya seed are known;

Whereas, if the said system is to operate normally, aid 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 aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 197, 26. 7. 1988, p. 14.

⁽⁴⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁵⁾ OJ No L 197, 26. 7. 1988, p. 12.

⁽⁶⁾ OJ No L 218, 15. 8. 1985, p. 16.

⁽⁷⁾ OJ No L 239, 30. 8. 1988, p. 19.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

*Article 2**Article 1*

The aid referred to in Article 2 of Regulation (EEC) No 1491/85 is hereby fixed in the Annex hereto.

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

*ANNEX***Aid for soya beans ⁽¹⁾***(ECU/100 kg)*

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	24,063	24,063
— Portugal	13,877	0,000	24,063
— another Member State	13,877	24,063	24,063

⁽¹⁾ Subject to the reduction resulting from the maximum guaranteed quantities system.

COMMISSION REGULATION (EEC) No 2712/88**of 31 August 1988****fixing for September 1988 the levy applicable in Spain to products subject to the price control system**

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 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 410/88 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1988, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, the average price of soya oil in Spain during the 1984/85 marketing year and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a state organization; whereas therefore, the system providing for the said levy will make any further intervention by the state superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 266,787 ECU per tonne of oil for September 1988.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 40, 13. 2. 1988, p. 24.

COMMISSION REGULATION (EEC) No 2713/88

of 31 August 1988

altering the corrective amount applicable to the refund on cereals

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 2647/88⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 2647/88 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 236, 26. 8. 1988, p. 59.

ANNEX

to the Commission Regulation of 31 August 1988 altering the corrective amount applicable
to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	+ 40,00	+ 40,00	+ 40,00	+ 33,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	02	0	+ 32,00	+ 32,00	+ 32,00	+ 27,00	- 30,00	- 30,00
	03	0	+ 30,00	+ 30,00	+ 30,00	+ 25,00	- 30,00	- 30,00
1002 00 00 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	+ 30,00	+ 30,00	+ 30,00	+ 25,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	- 1,50	- 3,00	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1101 00 00 120	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1101 00 00 130	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1101 00 00 150	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1101 00 00 170	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1101 00 00 180	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1102 10 00 200	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1102 10 00 300	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1102 10 00 500	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	+ 24,00	+ 24,00	+ 24,00	+ 17,00	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 all third countries

02 Egypt

03 other third countries.

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

COMMISSION REGULATION (EEC) No 2714/88
of 31 August 1988
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2185/88⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 2335/88⁽⁷⁾, as last amended by Regulation (EEC) No 2624/88⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2335/88 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has not, to

date, been fixed; whereas the amount of the subsidy for the 1988/89 marketing year has been provisionally calculated on the basis of an abatement of 4,502 ECU per 100 kilograms for colza and rape seed and on the basis of an abatement of 5,835 ECU per 100 kilograms for sunflower seed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ are as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of aid for colza, rape and sunflower seed shall be confirmed or replaced with effect from 1 September 1988 to take account, where applicable, of the consequences of the application of the maximum guaranteed quantities system.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 195, 23. 7. 1988, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 203, 28. 7. 1988, p. 15.

⁽⁸⁾ OJ No L 235, 25. 8. 1988, p. 14.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kilograms)

	Current 9 (1)	1st period 10 (1)	2nd period 11 (1)	3rd period 12 (1)	4th period 1 (1)	5th period 2 (1)
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	0,580	0,580
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	14,932	14,454	13,977	14,295	14,194	13,920
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	35,73	34,61	33,50	34,26	34,03	33,72
— Netherlands (Fl)	39,74	38,48	37,23	38,07	37,80	37,36
— BLEU (Bfrs/Lfrs)	712,52	689,44	666,33	681,62	685,38	672,15
— France (FF)	102,78	99,03	95,17	97,54	100,90	98,66
— Denmark (Dkr)	126,61	122,34	118,03	120,81	123,27	120,79
— Ireland (£ Irl)	11,413	10,996	10,565	10,830	11,218	10,969
— United Kingdom (£)	7,910	7,558	7,181	7,367	8,012	7,678
— Italy (Lit)	20 832	20 008	19 081	19 461	20 736	19 814
— Greece (Dr)	1 331,25	1 230,01	1 099,16	1 115,94	1 083,83	934,14
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	89,44	89,44
— in another Member State (Pta)	2 203,80	2 130,33	2 055,27	2 094,05	2 078,49	2 008,57
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	2 714,15	2 622,27	2 508,15	2 542,43	2 516,50	2 391,21

(1) Subject to the reduction resulting from the maximum guaranteed quantities system.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current 9 (')	1st period 10 (')	2nd period 11 (')	3rd period 12 (')	4th period 1 (')	5th period 2 (')
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,080	3,080
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	17,432	16,954	16,477	16,795	16,694	16,420
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	41,63	40,51	39,40	40,16	39,93	39,62
— Netherlands (Fl)	46,36	45,10	43,84	44,68	44,42	43,98
— BLEU (Bfrs/Lfrs)	832,68	809,60	786,50	801,78	806,10	792,87
— France (FF)	121,47	117,72	113,86	116,23	119,86	117,62
— Denmark (Dkr)	148,50	144,23	139,91	142,70	145,37	142,90
— Ireland (£ Irl)	13,492	13,074	12,644	12,908	13,328	13,079
— United Kingdom (£)	9,550	9,198	8,821	9,007	9,699	9,365
— Italy (Lit)	24 825	24 000	23 073	23 453	24 823	23 902
— Greece (Dr)	1 703,25	1 602,00	1 471,16	1 487,93	1 455,82	1 306,13
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	474,98	474,98
— in another Member State (Pta)	2 589,33	2 515,86	2 440,80	2 479,58	2 464,02	2 394,10
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	429,31	429,31	429,31	429,31	429,31	429,31
— in another Member State (Esc)	3 143,46	3 051,58	2 937,46	2 971,74	2 945,81	2 820,52

(') Subject to the reduction resulting from the maximum guaranteed quantities system.

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current 9 (1)	1st period 10 (1)	2nd period 11 (1)	3rd period 12 (1)	4th period 1 (1)
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	5,170
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	17,846	17,438	17,152	17,449	17,500
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	42,75	41,79	41,13	41,85	41,98
— Netherlands (Fl)	47,52	46,45	45,69	46,48	46,62
— BLEU (Bfrs/Lfrs)	850,99	831,29	817,39	831,65	845,02
— France (FF)	121,86	118,66	116,27	118,46	124,10
— Denmark (Dkr)	150,86	147,22	144,60	147,18	151,88
— Ireland (£ Irl)	13,530	13,173	12,907	13,151	13,798
— United Kingdom (£)	9,244	8,944	8,703	8,862	9,808
— Italy (Lit)	24 564	23 860	23 237	23 536	25 456
— Greece (Dr)	1 492,29	1 400,54	1 294,85	1 296,58	1 290,83
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	797,28
— in another Member State (Pta)	1 806,60	1 743,89	1 697,65	1 730,14	1 738,01
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	3 596,96	3 515,86	3 429,78	3 453,84	3 455,96
— in another Member State (Esc)	3 492,84	3 414,09	3 330,50	3 353,87	3 355,93
3. Compensatory aids:					
— in Spain (Pta)	1 747,65	1 685,49	1 639,25	1 671,74	1 679,61
4. Special aid:					
— in Portugal (Esc)	3 492,84	3 414,09	3 330,50	3 353,87	3 355,93

(1) Subject to the reduction resulting from the maximum guaranteed quantities system.

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0298070.

ANNEX IV

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
DM	2,074200	2,070530	2,067000	2,063370	2,063370	2,052330
Fl	2,343030	2,339790	2,336210	2,332800	2,332800	2,321710
Bfrs/Lfrs	43,490000	43,487600	43,487500	43,490500	43,490500	43,502900
FF	7,046690	7,050500	7,054490	7,059840	7,059840	7,076770
Dkr	7,971810	7,977780	7,983130	7,988490	7,988490	8,009330
£Irl	0,775668	0,775510	0,775367	0,775432	0,775432	0,775973
£	0,658104	0,659638	0,661009	0,662320	0,662320	0,666556
Lit	1 543,91	1 548,78	1 554,09	1 559,08	1 559,08	1 574,28
Dr	167,21500	168,61400	169,94500	171,32900	171,32900	175,02000
Esc	169,62200	170,50100	171,19000	172,00800	172,00800	174,56300
Pta	136,77500	137,17600	137,52700	137,89300	137,89300	138,84200

COMMISSION REGULATION (EEC) No 2715/88

of 31 August 1988

fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 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⁽⁵⁾, as last amended by Regulation (EEC) No 4055/87⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refunds is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas such production refunds are granted under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 3794/85⁽⁸⁾, and Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁹⁾;

Whereas account should be taken, for the purposes of Article 4 (3) of Regulation (EEC) No 3035/80, of the production refund provided for in Regulation (EEC) No 2742/75 applicable during the month in which exportation occurs; whereas, moreover, in the absence of evidence that no production refund was granted under Regulation (EEC) No 1009/86 the export refund should be further reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽¹⁰⁾, as last amended by

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.

⁽⁹⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

Regulation (EEC) No 2026/83 ⁽¹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽²⁾ lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽³⁾, it is necessary to differentiate the refund on goods falling within subheadings 1902 11 00 and 1902 19 of the combined nomenclature according to their destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the accept-

ance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	7,554
	— In all other cases	8,393
1001 90 99	Common wheat, and meslin (mixed wheat and rye) :	
	— For the manufacture of starch	5,482
	— Other than for the manufacture of starch :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	5,564
	— In all other cases	6,182
1002 00 00	Rye	5,564
1003 00 90	Barley	6,158
1004 00 90	Oats	2,011
1005 90 00	Maize, other than hybrid maize for sowing :	
	— For the manufacture of starch	6,684
	— Other than for the manufacture of starch	7,184
1006 20	Round grain husked rice	35,761
	— Other	32,211
1006 30	Round grain wholly milled rice	46,143
	— Other	46,683
1006 40 00	Broken rice :	
	— For the manufacture of starch	10,920
	— Other than for the manufacture of starch	11,520
1007 00 90	Sorghum	6,695
1101 00 00	Wheat or meslin flour :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	6,588
	— In all other cases	7,320
1102 10 00	Rye flour	14,020
1103 11 10	Durum wheat groats and meal :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	11,708
	— In all other cases	13,009
1103 11 90	Common wheat groats and meal :	
	— On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America	6,588
	— In all other cases	7,320

COMMISSION REGULATION (EEC) No 2716/88**of 31 August 1988****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 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 criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 698/86 ⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁹⁾, as last amended by Regulation (EEC) No 1690/88 ⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹¹⁾, as last amended by Regulation (EEC) No 1058/88 ⁽¹²⁾, has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽¹¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹²⁾ OJ No L 104, 23. 4. 1988, p. 1.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 70,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	120,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 212,00 200,00

COMMISSION REGULATION (EEC) No 2717/88

of 31 August 1988

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾ and in particular Article 19 (4) (a) and (7) thereof;

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for 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⁽³⁾, as last amended by Regulation (EEC) No 4055/87⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾ provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within subheadings ex 1702 60 90 and ex 1702 90 90 of the combined nomenclature having a certain purity, and unprocessed isoglucose falling within subheadings 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁶⁾, as last amended by Regulation (EEC) No 2026/83⁽⁷⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁸⁾, as last amended by Regulation (EEC) No 471/87⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽⁹⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

(2) For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 August 1988 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:	White sugar:	37,71
	Raw sugar:	32,00
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$37,71 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose ⁽²⁾ :	37,71 ⁽³⁾

⁽¹⁾ 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 2718/88**of 30 August 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 2 September 1988.

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

Done at Brussels, 30 August 1988.

For the Commission

Frans ANDRIESEN

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	£ lrl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	18,66	811	147,08	38,71	130,48	3 098	14,41	28 738	43,65	12,49
1.20	0702 00 10 0702 00 90	Tomatoes	26,88	1 169	214,20	55,75	189,49	4 504	20,83	41 420	62,96	17,72
1.30	0703 10 19	Onions (other than sets)	12,95	563	103,20	26,86	91,29	2 170	10,03	19 955	30,33	8,53
1.40	0703 20 00	Garlic	137,62	5 986	1 096,53	285,44	970,03	23 058	106,64	212 036	322,34	90,72
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>)	140,27	6 120	1 109,52	292,45	985,60	23 439	108,69	215 776	330,18	91,32
1.100	ex 0704 90 90	Chinese cabbage	18,55	809	146,74	38,67	130,35	3 100	14,37	28 538	43,67	12,07
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	95,81	4 182	763,55	199,48	676,47	15 975	74,39	147 960	225,22	61,96
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	21,56	937	170,68	44,80	151,01	3 583	16,69	33 191	50,50	14,33
1.140	ex 0706 90 90	Radishes	121,82	5 299	970,66	252,67	858,69	20 411	94,40	187 697	285,34	80,30
1.150	0707 00 11 0707 00 19	Cucumbers	41,87	1 818	331,05	86,98	293,34	6 965	32,43	64 560	97,73	27,85
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	234,67	10 207	1 869,78	486,72	1 654,08	39 319	181,84	361 559	549,64	154,69
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	39,57	1 721	315,31	82,07	278,94	6 630	30,66	60 972	92,69	26,08
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	573,83	24 959	4 571,96	1 190,13	4 044,53	96 142	444,63	884 078	1 343,98	378,26
1.200.2	ex 0709 20 00	— other	184,28	8 005	1 457,02	382,82	1 291,06	30 656	142,74	284 144	430,16	122,61
1.210	0709 30 00	Aubergines (egg-plants)	50,73	2 206	404,20	105,21	357,57	8 499	39,31	78 161	118,82	33,44
1.220	ex 0709 40 00	Celery stalks and leaves	73,33	3 187	578,02	152,13	512,77	12 178	56,65	112 937	171,54	49,10
1.230	0709 51 30	Chantarelles	453,18	19 711	3 610,68	939,90	3 194,15	75 928	351,14	698 196	1 061,40	298,73
1.240	0709 60 10	Sweet peppers	50,41	2 192	401,69	104,56	355,35	8 447	39,06	77 676	118,08	33,23
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	43,72	1 899	345,70	90,83	306,32	7 273	33,86	67 417	102,06	29,09
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	97,54	4 242	777,21	202,31	687,55	16 343	75,58	150 290	228,47	64,30
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	39,91	1 735	317,99	82,77	281,30	6 686	30,92	61 489	93,47	26,30
2.30	ex 0804 30 00	Pineapples, fresh	66,38	2 887	528,94	137,68	467,92	11 123	51,44	102 281	155,49	43,76
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	169,71	7 381	1 352,19	351,99	1 196,20	28 434	131,50	261 473	397,49	111,87
2.50	ex 0804 50 00	Guavas and mangoes, fresh	176,74	7 687	1 408,20	366,57	1 245,75	29 612	136,95	272 304	413,96	116,51
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	29,72	1 297	236,91	61,89	209,89	4 956	23,08	45 908	69,88	19,22

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	47,46	2 064	378,14	98,43	334,52	7 951	36,77	73 122	111,16	31,28
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	28,27	1 230	225,31	58,65	199,32	4 738	21,91	43 569	66,23	18,64
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	— Clementines	59,57	2 591	474,63	123,55	419,88	9 981	46,15	91 780	139,52	39,26
2.70.2	ex 0805 20 30	— Monreales and Satsumas	78,69	3 421	622,78	163,47	551,03	13 075	60,91	121 107	184,29	52,32
2.70.3	ex 0805 20 50	— Mandarins and Wilkings	71,31	3 113	568,29	148,47	503,48	11 890	55,37	110 122	167,62	46,11
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	50,57	2 199	402,97	104,89	356,48	8 474	39,19	77 923	118,46	33,34
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	50,99	2 218	406,33	105,77	359,45	8 544	39,51	78 572	119,44	33,61
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	129,36	5 626	1 030,71	268,30	911,80	21 674	100,23	199 308	302,99	85,27
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	40,98	1 782	326,50	84,99	288,84	6 866	31,75	63 136	95,98	27,01
2.90.2	ex 0805 40 00	— pink	55,59	2 417	442,91	115,29	391,82	9 313	43,07	85 646	130,20	36,64
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	50,63	2 202	403,43	105,01	356,89	8 483	39,23	78 012	118,59	33,37
2.110	0807 10 10	Water-melons	25,73	1 119	205,07	53,38	181,41	4 312	19,94	39 655	60,28	16,96
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	44,43	1 932	354,05	92,16	313,21	7 445	34,43	68 464	104,08	29,29
2.120.2	ex 0807 10 90	— Other	100,38	4 366	799,78	208,19	707,51	16 818	77,78	154 653	235,10	66,17
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	40,56	1 764	323,20	84,13	285,91	6 796	31,43	62 497	95,00	26,74
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>))	43,68	1 900	348,05	90,60	307,90	7 319	33,84	67 302	102,31	28,79
2.150	0809 10 00	Apricots	31,51	1 376	251,17	65,62	222,52	5 255	24,47	48 671	74,08	20,38
2.160	0809 20 10 0809 20 90	Cherries	119,73	5 203	943,71	248,38	837,19	19 882	92,50	184 388	280,06	80,17
2.170	ex 0809 30 00	Peaches	74,78	3 250	589,39	155,13	522,86	12 417	57,77	115 159	174,91	50,07
2.180	ex 0809 30 00	Nectarines	62,60	2 731	495,21	130,52	439,90	10 461	48,51	96 306	147,36	40,75
2.190	0809 40 11 0809 40 19	Plums	68,54	2 981	546,16	142,17	483,15	11 485	53,11	105 611	160,55	45,18
2.200	0810 10 10 0810 10 90	Strawberries	74,37	3 231	588,08	154,51	521,09	12 373	57,61	114 685	173,62	49,49
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	203,24	8 873	1 619,68	423,16	1 434,97	33 887	157,81	313 859	477,74	131,44
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	134,62	5 855	1 072,58	279,20	948,84	22 555	104,31	207 404	315,29	88,74
2.230	ex 0810 90 90	Pomegranates	133,60	5 811	1 064,52	277,10	941,72	22 385	103,52	205 847	312,93	88,07
2.240	ex 0810 90 90	Khakis	50,00	2 173	395,68	103,86	350,09	8 307	38,70	76 945	117,09	33,24
2.250	ex 0810 90 90	Lychees	282,23	12 276	2 248,69	585,36	1 989,28	47 287	218,69	434 829	661,03	186,05

COMMISSION REGULATION (EEC) No 2719/88

of 31 August 1988

correcting Regulation (EEC) No 2643/88 fixing production refunds in the cereals and rice sectors

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 2221/88⁽²⁾, and in particular Article 11a (5) thereof,Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors⁽³⁾, and in particular Article 6 thereof,Whereas Commission Regulation (EEC) No 2643/88⁽⁴⁾ fixed the production refunds in the cereals and rice sector;

Whereas a check has revealed that the amounts given are not the same as in the measures submitted to the Management Committee for its opinion; whereas, therefore, the Regulation in question should be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in Article 1 of Regulation (EEC) No 2643/88 are hereby replaced by the following:

ECU/tonne

- | | |
|--|-------|
| (i) for maize starch and products derived from maize starch : | 91,20 |
| (ii) for rice starch and products derived from rice starch : | 89,60 |
| (iii) for wheat starch and products derived from wheat starch : | 88,00 |
| (iv) for potato starch and products derived from potato starch : | 91,20 |

Article 2.

This Regulation shall enter into force on 1 September 1988.

At the request of the party concerned it shall apply from 26 August 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 94, 9. 4. 1986, p. 6.⁽⁴⁾ OJ No L 236, 26. 8. 1988, p. 49.

COMMISSION REGULATION (EEC) No 2720/88**of 31 August 1988****fixing the buying-in prices, aid and certain other amounts applicable for the
1988/89 wine year to intervention measures in the wine sector**

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 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2253/88 ⁽²⁾, and in particular Articles 35 (8), 36 (6) 38 (5), 41 (10), 42 (6), 44, 45 (9) and 46 (5) thereof,

Whereas Council Regulation (EEC) No 2254/88 ⁽³⁾ fixes the guide prices for wine for the 1988/89 wine year; whereas the prices, aid and other amounts for the various intervention measures to be adopted for that wine year should accordingly be fixed on that basis;

Whereas the buying-in prices of the by-products of wine-making and of wine delivered for the various distillation operations are to be fixed on the basis of a percentage of the guide price; whereas a price taking account of the guide price level in Spain must be fixed for wine obtained from grapes produced in that Member State; whereas, pursuant to Article 122 of the Act of Accession, that percentage is to be equal for the 1988/89 wine year to 78 % in Spain for wine delivered for distillation as provided for in Article 41 of Regulation (EEC) No 822/87;

Whereas distillers may, in accordance with Articles 35 (6) and 36 (4) of Regulation (EEC) No 822/87, either receive aid for the product to be distilled or deliver the product obtained by distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Regulation (EEC) No 2179/83 ⁽⁴⁾, as last amended by Council Regulation (EEC) No 2505/88 ⁽⁵⁾; whereas, as the buying-in price fixed for Spain is less than the price fixed for the Community of Ten, the amount of aid in that Member State should be adjusted accordingly;

Whereas the price of wine to be distilled under Articles 38, 41 and 42 of Regulation (EEC) No 822/87 does not normally allow the marketing at market prices of products obtained by distillation; whereas provision must therefore

be made for aid, the amount of which is to be fixed on the basis of the criteria laid down in Article 8 of Regulation (EEC) No 2179/83, while taking account also of the present uncertainty of prices on the market for distillation products;

Whereas some wine delivered for one of the distillation operations may be processed into wine fortified for distillation; whereas the amounts applicable to distillation in accordance with the rules laid down in Article 26 of Regulation (EEC) No 2179/83 should be adjusted accordingly;

Whereas the amount of the aid for the use in wine-making of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) of Regulation (EEC) No 822/87 must be fixed taking into account the difference between the cost of enrichment achieved using concentrated grape must, using rectified concentrated grape must and using sucrose; whereas, in the light of the data available to the Commission, the amount of the aid should be varied with the product used for enrichment;

Whereas the amount of the aid for the use of concentrated grape must in animal feed as referred to in Article 45 (4) of Regulation (EEC) No 822/87 may not be greater than the amount allocated for distillation as provided for in Article 38 of that Regulation; whereas, for the first wine year of application, the amount of the aid should be fixed at that level and the maximum quantity eligible for aid should be fixed at one third of the overall quantity laid down for the three wine years so that the impact of these arrangements may be assessed;

Whereas Article 46 (3) of Regulation (EEC) No 822/87 lays down criteria for fixing the amount of aid provided for in that Article; whereas, as regards the aid for the use of grapes, grape must and concentrated grape must for the manufacture of grape juice, paragraph 4 of that Article stipulates that a part of the aid should be set aside for the organization of campaigns to promote the consumption of grape juice and whereas the amount of the aid may be increased to that end; whereas, having regard to the criteria laid down and to the need to finance those campaigns, the amount of the aid should be fixed at a level permitting sufficient quantities to be obtained for the effective promotion of the product; whereas the level of the corresponding prices in Spain is different from that recorded in the Community of Ten; whereas the amount of the aid applicable in Spain should accordingly be fixed, in accordance with Article 128 of the Act of Accession, at a level taking account of those differences;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 40.

⁽⁴⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁵⁾ OJ No L 225, 15. 8. 1988, p. 14.

Whereas the reduction in the buying-in price for wine provided for in Article 44 of Regulation (EEC) No 822/87 depends on the average increase the natural alcoholic strength in each wine-growing zone; whereas experience shows that increase corresponds on average to half the maximum increase authorized; whereas the reduction in the buying-in price must accordingly correspond to the added alcoholic strength as a percentage of the alcoholic strength of wine delivered for distillation;

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

This Regulation fixes the buying-in prices, the aid and certain other amounts applicable for the 1988/89 wine year to intervention measures in the wine sector. As regards the measures provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87, those amounts shall be fixed subject to a subsequent decision on the activating of those measures.

Article 2

The buying-in prices of the products and of wine delivered during the 1988/89 wine year for compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87 and, for those products:

- aid to distillers,
- aid to fortifiers of wine for distillation,
- the buying-in prices of alcohol obtained, delivered to an intervention agency,
- the contribution from the European Agricultural Guidance and Guarantee Fund towards the taking over of that alcohol,

shall be as set out in Annexes I and II hereto.

Article 3

The buying-in prices for wine delivered during the 1988/89 wine year for voluntary distillation as provided

for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87 and, for those products:

- aid to distillers,
- aid to fortifiers of wine for distillation,

shall be as set out respectively in Annexes III, IV and V hereto.

Article 4

The aid for utilization during the 1988/89 wine year of concentrated grape must and rectified concentrated grape must as provided for in Article 45 (1) and (4) and in the first subparagraph of Article 46 (1) of Regulation (EEC) No 822/87 shall be as set out respectively in Annexes VI, VII, VIII and IX hereto.

Article 5

The maximum quantity of concentrated grape must which may qualify for the aid provided for in Article 45 (4) of Regulation (EEC) No 822/87 shall be 100 000 hectolitres for the 1988/89 wine year.

Article 6

The amount of the reduction provided for in Article 44 of Regulation (EEC) No 822/87 applicable to the buying-in prices for wine delivered during the 1988/89 wine year for distillation as provided for in Articles 36, 38, 39, 41 or 42 of that Regulation and, for that wine:

- to the aid to the distiller,
- to the buying-in prices of alcohol obtained, delivered to an intervention agency,
- to the contribution from the European Agricultural Guidance and Guarantee Fund to the taking over of that alcohol,

shall be as set out in Annex X hereto.

Article 7

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission
Frans ANDRIESEN
Vice-President

ANNEX I

DISTILLATION AS PROVIDED FOR IN ARTICLE 35 OF REGULATION (EEC) No 822/87

1988/89 WINE YEAR

	(ECU/% vol/hl)	
	EUR 10	Spain
Buying-in price	0,96	0,72
Intervention agency:		
1. aid:		
(a) to distillation:		
1. neutral spirits:		
— flat-rate	0,62	0,38
— of marc	0,76	0,52
— of wine and lees	0,48	0,24
2. spirits distilled from marc	0,39	0,15
3. spirits distilled from wine	0,37	0,13
4. raw spirits:		
— flat-rate	0,51	0,27
— of marc	0,65	0,41
— of wine and lees	0,37	0,13
(b) to the fortification of wine for distillation	0,36	0,12
2. prices of neutral spirits delivered:		
1. flat-rate	1,58	1,34
2. spirits distilled from marc	1,72	1,48
3. spirits distilled from wine and lees	1,44	1,20
reductions:		
raw spirits	0,11	0,11
EAGGF contribution	0,62	0,38

ANNEX II

DISTILLATION AS PROVIDED FOR IN ARTICLE 36 OF REGULATION (EEC) No 822/87

1988/89 WINE YEAR

	(ECU/% vol/hl)	
	EUR 10	Spain
Buying-in price	1,40	1,04
Intervention agency:		
1. aid:		
(a) to distillation:		
1. neutral spirits	0,93	0,57
2. spirits distilled from wine and raw spirits	0,82	0,46
(b) to the fortification of wine for distillation	0,80	0,44
2. prices of neutral spirits delivered:	1,89	1,53
reductions:		
raw spirits	0,11	0,11
EAGGF contribution	0,93	0,57

ANNEX III

DISTILLATION AS PROVIDED FOR IN ARTICLE 38 OF REGULATION (EEC) No 822/87

1988/89 WINE YEAR

	(ECU/% vol/hl)	
	EUR 10	Spain
Buying-in price :		
— type A I ⁽¹⁾	2,02	1,50
— type A II	4,52	3,37
— type A III	5,17	3,84
— type R I and R II ⁽¹⁾	2,18	1,62
— type R III	3,23	2,41
Intervention agency :		
Aid :		
(a) to distillation :		
1. neutral spirits :		
— type A I	1,52	0,99
— type A II	4,06	2,89
— type A III	4,72	3,37
— type R I and R II	1,68	1,11
— type R III	2,75	1,92
2. spirits distilled from wine and raw spirits :		
— type A I	1,41	0,88
— type A II	3,95	2,78
— type A III	4,61	3,26
— type R I and R II	1,57	1,00
— type R III	2,64	1,81
(b) to the fortification of wine for distillation :		
— type A I	1,38	0,86
— type A II	3,88	2,73
— type A III	4,53	3,20
— type R I et R II	1,54	0,98
— type R III	2,59	1,77

⁽¹⁾ And table wine in a close economic relationship with these types of table wine, or wines suitable for yielding table wine.

ANNEX IV

DISTILLATION AS PROVIDED FOR IN ARTICLE 41 OF REGULATION (EEC) No 822/87

1988/89 WINE YEAR

	(ECU/% vol/hl)	
	EUR 10	Spain
Buying-in price :		
— type A I ⁽¹⁾	2,55	1,80
— type A II	5,71	4,04
— type A III	6,52	4,61
— type R I and R II ⁽¹⁾	2,75	1,94
— type R III	4,08	2,89
Intervention agency :		
Aid :		
(a) to distillation :		
1. neutral spirits :		
— type A I	2,06	1,30
— type A II	5,27	3,57
— type A III	6,09	4,15
— type R I and R II	2,26	1,44
— type R III	3,61	2,40
2. spirits distilled from wine and raw spirits :		
— type A I	1,95	1,19
— type A II	5,16	3,46
— type A III	5,98	4,04
— type R I and R II	2,15	1,33
— type R III	3,50	2,29
(b) to the fortification of wine for distillation :		
— type A I	1,91	1,16
— type A II	5,07	3,40
— type A III	5,88	3,97
— type R I et R II	2,11	1,30
— type R III	3,44	2,25

⁽¹⁾ And table wine in a close economic relationship with these types of table wine, or wines suitable for yielding table wine.

ANNEX V

DISTILLATION AS PROVIDED FOR IN ARTICLE 42 OF REGULATION (EEC) No 822/87

1988/89 WINE YEAR

	(ECU/% vol/bl)	
	EUR 10	Spain
Buying-in price :		
— type A I ⁽¹⁾	2,80	1,94
— type A II	6,26	4,35
— type A III	7,16	4,96
— type R I and R II ⁽¹⁾	3,07	2,13
— type R III	4,55	3,16
Intervention agency :		
Aid :		
(a) to distillation :		
1. neutral spirits :		
— type A I	2,31	1,44
— type A II	5,82	3,89
— type A III	6,74	4,50
— type R I and R II	2,59	1,63
— type R III	4,09	2,68
2. spirits distilled from wine and raw spirits :		
— type A I	2,20	1,33
— type A II	5,71	3,78
— type A III	6,63	4,39
— type R I and R II	2,48	1,52
— type R III	3,98	2,57
(b) to the fortification of wine for distillation :		
— type A I	2,16	1,30
— type A II	5,62	3,71
— type A III	6,52	4,32
— type R I et R II	2,43	1,49
— type R III	3,91	2,52

⁽¹⁾ And table wine in a close economic relationship with these types of table wine, or wines suitable for yielding table wine.

ANNEX VI

AID FOR THE USE IN WINE-MAKING OF CONCENTRATED GRAPE MUST AND
RECTIFIED CONCENTRATED GRAPE MUST

(ARTICLE 45 (1) OF REGULATION (EEC) No 822/87)

1988/89 WINE YEAR

	(ECU/% vol/bl)	
	EUR 10	Spain
Amount of the aid :		
(a) concentrated grape must :		
— wine-growing zones C III (a) and C III (b)	1,52	0,84
— others	1,32	0,64
(b) rectified concentrated grape must :		
— wine-growing zones C III (a) and C III (b)	1,98	1,30
— others, if production commenced before 30 June 1982 (EUR 10) or before 1 January 1986 (Spain)	1,98	1,30
— others	1,78	1,10

ANNEX VII

AID FOR THE USE OF GRAPE MUST AND CONCENTRATED GRAPE MUST FOR THE
PURPOSE OF MANUFACTURING CERTAIN PRODUCTS IN THE UNITED KINGDOM
AND IN IRELAND

(SECOND AND THIRD INDENTS OF ARTICLE 46 (1) OF REGULATION (EEC) No 822/87)

1988/89 WINE YEAR

	(ECU per kg)	
	EUR 10	Spain
Flat-rate amount of the aid :		
1. Products referred to in the second indent of Article 46 (1) of Regulation (EEC) No 822/87	0,20	0
2. Products referred to in the third indent of Article 46 (1) of Regulation (EEC) No 822/87	0,26	0

ANNEX VIII

AID FOR THE USE IN ANIMAL FEED OF CONCENTRATED GRAPE MUST

(ARTICLE 45 (4) OF REGULATION (EEC) No 822/87)

1988/89 WINE YEAR

	(ECU/% vol/hl)	
	EUR 10	Spain
Amount of the aid	1,52	0,99

ANNEX IX

AID FOR THE USE OF GRAPES, GRAPE MUST AND CONCENTRATED GRAPE MUST FOR THE PURPOSE OF MANUFACTURING GRAPE JUICE

(FIRST INDENT OF ARTICLE 46 (1) OF REGULATION (EEC) No 822/87)

1988/89 WINE YEAR

	(ECU)	
	EUR 10	Spain
Flat-rate amount of the aid :		
(a) grapes (per 100 kg)	6,4	6,4
(b) grape must (per hl)	8,0	8,0
(c) concentrated grape must (per hl)	28,0	28,0
Percentage of the amount of the aid withheld for the financing of the promotion campaign	35	35

ANNEX X

REDUCTION IN THE BUYING-IN PRICE OF WINE AS PROVIDED FOR IN ARTICLE 44 OF REGULATION (EEC) No 822/87

(ECU/% vol/hl)			
Zone A	Zone B	Zone C	
		Spanish part	Other parts
0,30	0,25	0,08	0,15

COMMISSION REGULATION (EEC) No 2721/88

of 31 August 1988

laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87

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 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2253/88 ⁽²⁾, and in particular Articles 47 (3), 38 (5), 41 (10), 42 (6) and 81 thereof,

Whereas the voluntary distillation operations provided for in Articles 38 and 41 of Regulation (EEC) No 822/87 should restore balance to the market without the quantities in keeping with good market management being exceeded; whereas, to that end, provision should be made so that only a certain maximum quantity of table wine may be distilled by each producer, depending on the area used for the production of table wine; whereas, however, to take account of national provisions on the recognition of quality wines *psr* in certain Member States, the maximum quantities of table wine which may be distilled in the zones concerned should be related not to the area used for the production of table wine but to the total area used by each producer concerned; whereas, however, in all cases where a precise reference to the area from which the wine comes is difficult to establish, provision should be made so that for one further wine year the quantity which may be distilled does not exceed a certain percentage of the quantity of table wine produced during the wine year; whereas that percentage must enable results to be achieved which are comparable with those obtained by limiting the quantity in relation to the area used; whereas that percentage must consequently be established taking into account the average yield recorded per hectare; whereas, as the yields in the Greek parts of zone C III and in the Spanish parts of the C zones are markedly lower than those recorded in the rest of the Community, a different percentage must be laid down for those parts of the wine-growing zones concerned;

Whereas Article 1 (4) of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for the distillation of wine and the by-products of wine-making ⁽³⁾, as last amended by Commission Regulation (EEC) No 2505/88 ⁽⁴⁾, provides that the producer may

deliver wine for distillation only after the contract or the delivery declaration has been approved by the intervention agency; whereas, in accordance with Article 11 of Commission Regulation (EEC) No 3929/87 of 17 December 1987 on harvest, production and stock declarations relating to wine-sector products ⁽⁵⁾, that approval is subject to the presentation of the production declaration; whereas production declarations may be made until 15 December in the Federal Republic of Germany and until 30 November in the other Member States; whereas those provisions are liable to delay distillation operations; whereas, for that reason, provision should be made so that Member States may authorize the approval of contracts at an earlier date, on condition that they introduce a system for penalizing, where appropriate those producers who have not complied with the provisions referred to above or the provisions of this Regulation, and in particular those of Article 2 (1);

Whereas Article 41 (4) of Regulation (EEC) No 822/87 fixes the total quantity to be distilled at not more than 6,2 million hectolitres; whereas a procedure for meeting that requirement must consequently be defined;

Whereas a prerequisite for the opening of distillation as referred to in the second indent of the second subparagraph of Article 42 (2) of Regulation (EEC) No 822/87 for a certain type of table wine is that its representative price must be recorded as less than the activating price for three consecutive weeks; whereas, accordingly, the three-week period in question should be defined; whereas the maximum quantity to be distilled by each holder of a long-term storage contract is expressed as a percentage of the total quantity of table wine produced by that holder during the wine year in which the long-term storage contract was concluded; whereas that percentage is to be determined by the Commission; whereas, in accordance with Article 42 (3) of Regulation (EEC) No 822/87, that percentage cannot exceed 18 %;

Whereas during the storage period the volatile acidity of the wine undergoes a natural change which is likely to exceed the limit provided for in the Regulation whereby long-term private storage contracts may be concluded for certain table wines for a given wine year, such limit being fixed by reference to a storage period of nine months; whereas wine should be deemed to meet the conditions laid down even if the volatile acidity is higher than that laid down in the said Regulation, provided that the limit

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁴⁾ OJ No L 225, 15. 8. 1988, p. 14.

⁽⁵⁾ OJ No L 369, 29. 12. 1987, p. 59.

laid down for table wine of the type in question is not exceeded and that any other condition of an administrative or technical nature is fulfilled;

Whereas the percentage of wine which a producer may have distilled as provided for in this Regulation relates to the quantity of table wine produced on the basis of the production declaration provided for in Regulation (EEC) No 3929/87 and the registers provided for by Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers⁽¹⁾, as last amended by Regulation (EEC) No 418/86⁽²⁾;

Whereas Article 47 of Regulation (EEC) No 822/87 provides that only producers who have complied with the obligations laid down in Article 35 and, where appropriate, Articles 36 and 39 of the said Regulation during a reference period may benefit from intervention measures; whereas, in certain cases, the relevant evidence may only be furnished at a date subsequent to the activating of the measures provided for in this Regulation and whereas this provision may therefore delay their implementation; whereas, for that reason, provision should be made so that Member States may authorize recourse to such measures at a subsequent date; whereas this should be made subject to conditions ensuring that producers who have not complied with the said obligations are excluded from benefiting under the measures in question;

Whereas it should be specified that delivery contracts and declarations must contain in particular the information necessary to identify the wine they cover;

Whereas certain time limits must be laid down for the completion of the operation, both for producers and for distillers, in order to ensure that the measure is as effective as possible;

Whereas steps must be taken to ensure that the products of distillation of certain wines cannot disturb the market for spirits distilled from wine with a designation of origin; whereas, to that end, pursuant to Article 3 (2) of Regulation (EEC) No 2179/83, provision should be made to the effect that products obtained from the direct distillation of such wine may not have an alcoholic strength of less than 92 %;

Whereas the price of the wine for distillation does not normally permit the products obtained by distillation to be sold at market prices; whereas provision must therefore be made for aid, the amount of which should be fixed on the basis of the criteria laid down in Article 7 of Regulation (EEC) No 2179/83, while taking account also

of the current uncertainty affecting market prices for products obtained from distillation;

Whereas provision must be made so that the minimum guaranteed price is paid to producers, as a general rule, within time limits enabling them to obtain a profit comparable to that which they would obtain from a commercial sale;

Whereas, this being the case, the aid due to them for the distillation in question must be paid at the earliest opportunity, an appropriate system of securities ensuring that operations are conducted properly;

Whereas, in the absence of a Community definition of rosé wine or Spanish red-white coupage wine and for the sake of clarity, it should be stipulated that rosé table wines are to be treated in the same way as red table wines and Spanish coupage wines are to be treated in the same ways as white table wines of type A I on account of the close economic relationship existing between them;

Whereas Article 38 of Regulation (EEC) No 822/87 provides for the opening of distillation to all table wines and to wines suitable for yielding table wine; whereas, however, the minimum buying-in prices for wines delivered for distillation are fixed as a percentage of the guide prices for the various types of table wine; whereas table wines having a close economic relationship with each type of table wine should therefore be defined;

Whereas certain wines delivered for distillation may be processed into wines fortified for distillation; whereas the provisions applicable to distillation operations should be adjusted accordingly, pursuant to the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83;

Whereas the intervention agencies and the Commission must be informed of the progress of distillation operations and must know in particular the quantities of wine distilled and the quantities of alcohol obtained;

Whereas the storage contracts covering wine for distillation as provided for in Article 42 of Regulation (EEC) No 822/87 were concluded during the previous wine year, and the last representative rate applicable during that wine year should be used for such distillation;

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

This Regulation lays down:

- (a) in Title I, the detailed rules for distillation as provided for in Articles 38 and 41 of Regulation (EEC) No 822/87;

⁽¹⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽²⁾ OJ No L 48, 26. 2. 1986, p. 8.

- (b) in Title II, detailed rules for distillation for holders of long-term storage contracts for table wine as provided for in the second indent of the second subparagraph of Article 42 (2) of Regulation (EEC) No 822/87;
- (c) in Title III, provisions for distillation as referred to in both Titles I and II.

TITLE I

Distillation as provided for in Articles 38 and 41 of Regulation (EEC) No 822/87

Article 2

1. Where distillation as provided for in Articles 38 and 41 of Regulation (EEC) No 822/87 is opened for a particular wine year, producers may have distilled a quantity of table wine or, in the case of distillation as provided for in Article 38, of table wine and wine suitable for yielding table wine not exceeding quantities to be determined per hectare of area used by the producers for the production of table wine.

The number of hectares to which the quantities to be determined mentioned in the first subparagraph refer shall be that appearing in the third column of Table B on the production declaration in Annex I to Regulation (EEC) No 3929/87.

Where:

- the area does not appear in the abovementioned production declaration,
or
- the wine-growing area is not broken down in accordance with the categories of vineyard referred to in Article 12 (2) of Regulation (EEC) No 3929/87,

the number of hectares shall be calculated by dividing the quantity of table wine obtained by the yield per hectare of the products used.

Producers intending to have their wine distilled shall conclude one or more delivery contracts or shall submit one or more declarations.

2. The approval of the contracts or the delivery declarations provided for in Article 6 shall be authorized before the producer has submitted the production declaration provided for in Regulation (EEC) No 3929/87, provided that the payment of the aid to the distiller or the release of the security is subject to the presentation of the said production declaration.

However, in the case referred to in the preceding subparagraph, the total quantities specified in the contract or the declaration may not exceed those resulting from the application of the provisions of paragraph 1 to the quantities of table wine obtained by the producer since the beginning of the wine year in question and entered in the records provided for in Article 14 of Regulation (EEC) No 1153/75.

3. For the 1988/89 wine year, by way of derogation from paragraph 1, producers may have distilled a quantity of table wine or, in the case of distillation as provided for

in Article 38 of Regulation (EEC) No 822/87, of table wine and wine suitable for yielding table wine not exceeding percentages to be determined of the quantity of table wine which they have produced in the Greek part of wine-growing zone C III, in the Spanish part of wine-growing zones C or in the other wine-growing zones.

The quantity of table wine produced to which the percentages referred to in the first subparagraph apply shall be, for each producer, that resulting from the sum of the quantities appearing as wine in the column headed 'Table wine' in the production declaration which he has submitted pursuant to Regulation (EEC) No 3929/87 where so required and the quantities obtained by himself after the date of submission of the said declaration and entered in the records provided for in Article 14 of Regulation (EEC) No 1153/75.

For the 1988/89 wine year, where the first subparagraph of paragraph 2 is applied, the total quantities in the contract or declaration may not exceed those resulting from the application of the first subparagraph to the quantities of table wine obtained by the producer since the beginning of the wine year in question and entered in the records provided for in Article 14 of Regulation (EEC) No 1153/75.

Article 3

1. In the case of distillation as provided for in Article 41 of Regulation (EEC) No 822/87, where the notifications referred to in Article 12 (1) indicate that the total quantity of table wine in the contracts presented to intervention agencies exceeds the quantity fixed pursuant to Article 41 of Regulation (EEC) No 822/87, contracts may be executed for only a certain percentage of the quantity laid down.

That percentage shall be fixed by the Commission, in accordance with the procedure provided for in Article 83 of Regulation (EEC) No 822/87, no later than one month after it has received the figures referred to in the preceding subparagraph.

2. Distillation operations may not begin before the date on which the percentage referred to in paragraph 1 is fixed.

TITLE II

Distillation for holders of long-term storage contracts for table wine as provided for in the second indent of the second subparagraph of Article 42 (2) of Regulation (EEC) No 822/87

Article 4

1. The period of three consecutive weeks referred to in Article 42 (1) of Regulation (EEC) No 822/87 shall fall between 15 July and 30 November of the wine year in question.

2. Where in a given wine year distillation as provided for in the second indent of the second subparagraph of Article 42 (2) of Regulation (EEC) No 822/87 is decided on, holders of long-term storage contracts for the types of table wine for which the decision is adopted and for wines having a close economic relationship therewith may have distilled a quantity of wine under a storage contract not exceeding a percentage to be determined of the total quantity of table wine which they have produced during the previous wine year.

3. Only wine which has been the subject of a long-term storage contract concluded during the previous wine year pursuant to the Regulation opening the possibility of concluding such contracts may be the subject of distillation as referred to in paragraph 2. Such wine must have the characteristics laid down by that Regulation authorizing the conclusion of long-term private storage contracts, with the exception of the volatile acidity, which may not, however, exceed the limit laid down in Article 66 of Regulation (EEC) No 822/87.

4. The quantity of table wine produced to which the percentage referred to in paragraph 2 is applied shall, for each producer, be that given by the sum of the quantities for wine in the column headed 'Table wine' in the production declaration which he has submitted pursuant to Regulation (EEC) No 3929/87 where so required and of the quantities produced by him after the date of submission of the said declaration and entered in the records provided for in Article 14 of Regulation (EEC) No 1153/75.

TITLE III

Provisions for distillation as referred to in both Titles I and II

Article 5

In accordance with Article 47 (1) of Regulation (EEC) No 822/87, producers who were subject during the previous wine year to the obligations referred to in Articles 35, 36 or 39 of Regulation (EEC) No 822/87 shall only be entitled to benefit under the measures provided for in this Regulation where they submit evidence that they have complied with their obligations during the reference periods fixed in Article 16 of Commission Regulations (EEC) No 2352/87 ⁽¹⁾, 2353/87 ⁽²⁾, and 441/88 ⁽³⁾.

However, Member States may authorize approval of the delivery contracts or declarations referred to in Article 6 before the producer has submitted the evidence referred to in the first paragraph provided that a declaration by the producer appears in those contracts or delivery declara-

tions to the effect that he has complied with the obligations referred to in the first paragraph or that he fulfils the condition referred to in Article 11 (2) of Regulation (EEC) No 2179/83 and undertakes to deliver the residual quantities required to comply fully with the obligation within the time limits laid down by the competent national authority.

The evidence referred to in the first paragraph shall be submitted before 1 June of the wine year in question.

Article 6

1. The contracts and declarations referred to respectively in Article 4 (1) and in Article 5 (1) of Regulation (EEC) No 2179/83 shall be submitted for approval to the competent intervention agency no later than four months after the opening of each distillation operation for the wine year in question.

However, as regards distillation as provided for in Article 41 of Regulation (EEC) No 822/87, the contracts and declarations shall be submitted for approval no later than two months after the opening of the distillation operation.

2. The contracts and declarations referred to in paragraph 1 shall indicate at least:

- (a) the quantity, colour and actual alcoholic strength by volume of the wine to be distilled, stating whether it is table wine or wine suitable for yielding table wine;
- (b) the name and address of the producer;
- (c) the place where the wine is stored;
- (d) the name of the distiller of the business name of the distillery;
- (e) the address of the distillery;
- (f) the type of table wine in the case of table wine of types A II, A III or R III;
- (g) where appropriate, a reference to the storage contract concluded in respect of the wine in question.

3. The approval referred to in paragraph 1 shall be subject to compliance with the conditions laid down in Article 11 of Regulation (EEC) No 3929/87.

4. The intervention agency shall notify the producer of the outcome of the approval procedure no later than one month after the expiry of the time limit referred to in paragraph 1.

5. The quantity of wine delivered for distillation by each producer having concluded a contract may not be less than 10 hectolitres.

Article 7

1. Distillation operations may not take place after the end of the wine year in question.

2. Only a product having an alcoholic strength equal to or greater than 92 % vol may be obtained by the direct

⁽¹⁾ OJ No L 213, 4. 8. 1987, p. 17.

⁽²⁾ OJ No L 213, 4. 8. 1987, p. 22.

⁽³⁾ OJ No L 45, 18. 2. 1988, p. 15.

distillation of wines obtained from grapes of varieties classified for the same administrative unit as both wine-grape varieties and varieties intended for preparing spirits distilled from wine.

Article 8

1. The minimum buying-in prices and the amounts of the aid shall be fixed before the beginning of each wine year.

2. The minimum buying-in prices referred to in paragraph 1 shall be paid by the distiller to the producer within three months from the date of entry into the distillery of each batch of wine delivered provided that the producer has furnished the evidence referred to in Article 5 to the competent authority within two months following the delivery of the wine. If that evidence is furnished after two months, the distiller shall pay within one month.

Article 9

1. The amount of the advance referred to in Article 9 (1) of Regulation (EEC) No 2179/83 shall be paid within three months following submission of evidence that the security has been lodged.

2. Subject to the provisions of Article 23 of Regulation (EEC) No 2179/83, the security referred to in paragraph 1 shall be released only if evidence that the total quantity of wine has been distilled and, where appropriate, that the buying-in price has been paid for the wine within the time limits laid down is provided by the end of the fifth month following the date referred to in Article 7 (1).

If that evidence is not provided within the time limit laid down but within the following two months and where such delay is not due to serious negligence on the part of the distiller, the intervention agency shall release 80 % of the security only.

3. Distillers who have not applied for the advance referred to in paragraph 1 shall, where appropriate, be required to provide the intervention agency, within one month after lodging the evidence of distillation, with evidence that the minimum buying-in price has been paid for the distilled wine within the time limits laid down.

Where such evidence is not furnished within the time limit laid down but within the following two months and where such delay is not the result of serious negligence on the part of the distiller, the intervention agency shall, pay 80 % of the aid only.

Evidence that the wine has been distilled may not be provided by the distiller before the producer has furnished the evidence referred to in Article 5.

4. If it is ascertained that the distiller has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before 1 June following the wine year in question, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Article 10

1. The provisions of this Regulation relating to red wine shall also apply to rosé wine.

2. The provisions of this Regulation relating to a given type of table wine shall also apply to table wines which are in a close economic relationship with that type of table wine.

For the purposes of this Regulation, the following shall be considered to be in a close economic relationship with the type of table wine indicated:

- A I: white table wines which are not of types A I, A II or A III,
- R I: red table wines with an actual alcoholic strength of less than 12,5 % vol which are not of types R I or R III,
- R II: red table wines with an actual alcoholic strength exceeding 15 % vol which are not of type R III.

3. In Spain, for the 1988/89 and 1989/90 wine years, a producer may deliver for distillation the product obtained from the coupage of a wine suitable for yielding white table wine either with a white table wine from his own production with a wine suitable for yielding red table wine or with a red table wine from his own production. To that end that product shall be treated as a white table wine of type A I.

Article 11

1. In the case referred to in Article 26 of Regulation (EEC) No 2179/83, the contract or declaration relating to delivery for fortification shall be submitted for approval to the competent intervention agency, depending on the distillation operation concerned, before the dates laid down in Article 6 (1).

The intervention agency shall inform the producer of the outcome of the approval procedure not later than one month after the expiry of the time limits referred to in paragraph 1.

2. The wine may be fortified for distillation only after approval of the contract or declaration and not later than 31 July of the wine year in question.

3. Fortified wine may not be distilled after the following 31 August.

4. The fortifier shall send to the intervention agency not later than the 10th day of each month a statement of the quantities of wine delivered to him during the previous month.

5. For wine fortified for distillation, the fortifier shall receive an aid, calculated per hectolitre and per % vol of actual alcoholic strength before fortification. The amount of the aid shall be fixed before the beginning of each wine year.

To receive the aid, the fortifier shall submit an application to the competent intervention agency no later than 31 August of the wine year in question, attaching copies of the accompanying documents relating to the carriage of the wine in respect of which the aid is applied for or a summary of those documents.

Member States may require that such copies or summary be endorsed by a supervisory authority.

The aid shall be paid not later than three months after the date of submission of evidence that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration is approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, before 30 November following the wine year in question, evidence is furnished :

- that the total quantity of wine covered by the contract or declaration has been fortified and distilled,
- that the buying-in price for the wine has been paid to the producer within the time limits laid down in Article 10 (2) of Regulation (EEC) No 2179/83.

However, if such evidence is submitted after the expiry of the time limit laid down but not later than the following 31 January, the intervention agency shall release 80 % of the security only.

If it is ascertained that the fortifier has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before the following 1 May, an amount equal to the aid, where appropriate, through the intervention agency of the producer's Member State.

Article 12

1. Member States shall notify the Commission, not later than one month after the expiry of the time limit for

the approval of the contract or declaration, of quantities of wine and fortified wine covered by the approved delivery contracts and declarations.

2. Distillers shall forward to the intervention agency not later than the 10th day of each month, a statement of the quantities of wine distilled during the previous month, broken down according to the categories referred to in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

3. Member States shall inform the Commission not later than the 20th day of each month, in respect of the previous month, of the quantities of wine and fortified wine distilled, broken down by colour, and of the quantities, expressed in pure alcohol, of products obtained, distinguishing between the latter in accordance with paragraph 2.

4. Member States shall inform the Commission, not later than 30 September following the wine year in question, of any cases where the distiller or fortifier has failed to fulfil his obligations and of the measures taken in consequence.

Article 13

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, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2722/88

of 31 August 1988

introducing preventive distillation as provided for in Article 38 of Regulation (EEC) No 822/87 for the 1988/89 wine year

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 2253/88 ⁽²⁾, and in particular Article 38 (5) thereof,Whereas Commission Regulation (EEC) No 2721/88 ⁽³⁾ lays down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas Commission Regulation (EEC) No 2720/88 ⁽⁴⁾, fixes the prices, the aid and certain other factors applicable to preventive distillation for the 1988/89 wine year;

Whereas, in view of the foreseeable situation on the market, the harvest forecasts and the level of end-of-year stocks, the quantities eligible should be fixed at levels which, in combination with the other distillation measures for the wine year, will enable the market to be stabilized, without however exceeding the quantities compatible with sound management of the market;

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

1. Preventive distillation of table wine and of wine suitable for yielding table wine as provided for in Article

38 of Regulation (EEC) No 822/87 is hereby introduced for the 1988/89 wine year.

The quantity of table wine or of wine suitable for yielding table wine which producers may have distilled in accordance with Regulation (EEC) No 2721/88 shall be equal to 13 hectolitres per hectare. However, in the case of producers whose holdings are located in the Spanish part of wine-growing zones C, the total quantity of table wine or of wine suitable for yielding table wine which may be distilled must in no circumstances exceed 26 % of their table-wine production.

2. Where producers avail themselves of the option provided for in Article 2 (3) of Regulation (EEC) No 2721/88, the quantity referred to in paragraph 1 shall be equal to:

- 26 % of their table-wine production in the Greek part of wine-growing zone C III,
- 20 % of their table-wine production in the Spanish part of wine-growing zones C,
- 13 % of their table-wine production in the other wine-growing zones.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ See page 88 of this Official Journal.

⁽⁴⁾ See page 79 of this Official Journal.

COMMISSION REGULATION (EEC) No 2723/88**of 31 August 1988****implementing additional measures applicable to holders of long-term storage contracts for table wine for the 1987/88 wine year**

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 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 2253/88⁽²⁾, and in particular Article 42 (6) thereof,

Whereas the measures implemented to support the wine market have not fully produced the results expected; whereas, in particular, the representative prices for table wine of types A I, A II, A III, R I and R II have remained lower than the respective activating prices; whereas, therefore, the first condition laid down in Article 42 (1) of Regulation (EEC) No 822/87 for the adoption of additional measures applicable to holders of long-term storage contracts is satisfied; whereas the second condition, namely that the representative price should remain lower than the activating price for three consecutive weeks, is likely to be fulfilled for table wine of types A I, A II, A III, R I and R II during the reference period;

Whereas, in view of the market situation, distillation as provided for in Article 42 (2) should be opened for a quantity enabling at the same time stocks to be reduced and sound conditions to be restored on the market, both of which are vital for proper management; whereas, to the same end, the storage of the wine in question as provided for in that Article should be permitted for a period of four months;

Whereas Commission Regulation (EEC) No 2721/88⁽³⁾ lays down detailed rules for the application of voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas Commission Regulation (EEC) No 2720/88⁽⁴⁾ fixes the prices and the aid applicable to distillation as provided for in Article 42 of Regulation (EEC) No 822/87 for the 1988/89 wine year;

Whereas storage contracts must be concluded in accordance with Commission Regulation (EEC) No 1059/83 of 29 April 1983 on storage contracts for table

wine, grape must, concentrated grape must and rectified concentrated grape must⁽⁵⁾, as last amended by Regulation (EEC) No 3949/86⁽⁶⁾; whereas, in order to be able to take account of changes in the market situation, provision should be made for the possibility of terminating contracts;

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

1. The additional measures provided for in Article 42 (1) of Regulation (EEC) No 822/87 shall apply for the 1988/89 wine year.
2. Holders of long-term storage contracts for the 1987/88 wine year for table wine of types A I, A II, A III, R I and R II may, in accordance with the provisions of Regulation (EEC) No 2721/88:
 - (a) undertake distillation of a quantity of table wine covered by a contract of up to 7 % of the total quantity of table wine which they produced in the 1987/88 wine year;
 - (b) conclude one or more storage contracts for a period of four months under the conditions laid down in Regulation (EEC) No 1059/83 for all or part of the quantity of table wine covered by a contract exceeding 7 % of the total quantity of table wine which they produced during the 1987/88 wine year.

Article 2

1. Contracts as referred to in Article 1 (2) (b) shall be concluded not later than 15 January 1989.

If a holder of a long-term storage contract decides to take advantage of the possibility laid down in Article 1 (2) (b) in respect of all the wine covered by a long-term storage contract, the intervention agency may extend the old contract for the new period by altering the relevant wording.

2. In the case of storage contracts as referred to in Article 1 (2) (b), the amount of the aid shall be that laid down for long-term storage contracts for the 1987/88 wine year.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ See page 88 of this Official Journal.

⁽⁴⁾ See page 79 of this Official Journal.

⁽⁵⁾ OJ No L 116, 30. 4. 1983, p. 77.

⁽⁶⁾ OJ No L 365, 24. 12. 1986, p. 40.

3. Storage contracts as referred to in Article 1 (2) (b) shall be terminated at the request of the producers concerned.

— wine covered by the contract may not be distilled as provided for in Article 1 (2) (a).

In that case :

— the storage aid shall remain payable for the period during which the wine was placed under such a contract,

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 from 16 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2724/88**of 30 August 1988****suspending Regulation (EEC) No 2409/86 on the sale of intervention butter
intended for incorporation in compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽¹⁾, as last amended by Regulation (EEC) No 842/88⁽²⁾, and in particular Article 7a thereof,

Whereas the sale of butter under Commission Regulation (EEC) No 2409/86⁽³⁾, as last amended by Regulation (EEC) No 1646/88⁽⁴⁾, constitutes a special disposal measure, the purpose of which was to bring the quantities of butter in public storage down to an acceptable level; whereas, given the present level of the stocks concerned, the said Regulation should be suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2409/86 is hereby suspended, except as regards those quantities of butter for which contracts were awarded before the date of this Regulation's entry into force.

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, 30 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽²⁾ OJ No L 87, 31. 3. 1988, p. 4.

⁽³⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽⁴⁾ OJ No L 147, 14. 6. 1988, p. 55.

COMMISSION REGULATION (EEC) No 2725/88**of 30 August 1988****amending Regulation (EEC) No 1609/88 as regards the latest time of entry into storage for butter sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88**

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1109/88⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, as provided for in Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter⁽³⁾, as last amended by Regulation (EEC) No 2097/88⁽⁴⁾, butter put up for sale must have entered storage before a date to be determined; whereas the same procedure is to be followed for the sale of butter under the arrangements laid down by Commission Regulation (EEC) No 570/88⁽⁵⁾, as amended by Regulation (EEC) No 949/88⁽⁶⁾; whereas, in view of the level of butter stocks, the dates in Article 1 of Commission Regulation (EEC) No 1609/88⁽⁷⁾, as amended by Regulation (EEC) No

2206/88⁽⁸⁾, which fixes the latest time of entry into storage of butter sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88, should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the first and second subparagraphs of Article 1 of Regulation (EEC) No 1609/88, '1 March 1987' is replaced by '1 April 1987'.

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, 30 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 184, 15. 7. 1988, p. 19.

⁽⁵⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁶⁾ OJ No L 92, 9. 4. 1988, p. 43.

⁽⁷⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 195, 23. 7. 1988, p. 60.

COMMISSION REGULATION (EEC) No 2726/88

of 30 August 1988

determining the quantity of potatoes required for the manufacture of one tonne of starch, and the minimum price payable for that quantity

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾,

Having regard to Council Regulation (EEC) No 1008/86 of 25 March 1986 laying down detailed rules for production refunds applicable to potato starch⁽³⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2225/88 of 19 July 1988 setting for the 1988/1989 cereals marketing year the minimum price for potatoes to be paid by the starch manufacturer to the potato producer⁽⁴⁾, and in particular Article 2 thereof,

Whereas Article 1 of Regulation (EEC) No 1008/86 provides for the fixing by the Council of a minimum price to be paid by the starch manufacturer to the potato producer for the quantity of potatoes required to manufacture one tonne of starch and that this price is to be adjusted according to the quantity and starch content of the potatoes actually delivered; whereas Regulation (EEC) No 2225/88 fixes the said minimum price at 264,74 ECU for the 1988/1989 cereals marketing year;

Whereas it is necessary to lay down the exact minimum price to be paid in application of the abovementioned rules;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantity of potatoes required for the manufacture of one tonne of starch and the minimum delivered factory price to be paid by the starch manufacturer shall be established using the Annex hereto.

2. Where the starch content of potatoes is calculated by Reimann's or Perow's weight and corresponds to a figure which appears on two or three lines in the second column of the Annex, the scales applicable shall be those corresponding to the second or to the third line.

Article 2

Commission Regulation (EEC) No 2208/87⁽⁵⁾ is hereby repealed.

Article 3

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 30 August 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 5.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 22.

⁽⁵⁾ OJ No L 204, 25. 7. 1987, p. 31.

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

Peso bajo agua de 5 050 g de patatas (en gramos)	Tenor en fécula de patatas (en porcentaje)	Cantidad de patatas necesaria para la fabricación de 1 000 kg de fécula (en kilogramos)	Precio mínimo a percibir por los productores para 1.000 kg de patatas (en ECU)
Vægt under vand af 5 050 g kartofler (g)	Kartoffernes stivelsesindhold (i vægtprocent)	Kartoffelmængde, der medgår til fremstilling af 1 000 kg stivelse (kg)	Producentens mindstepris pr. 1 000 kg kartofler (i ECU)
Unterwassergewicht von 5 050 g Kartoffeln (in Gramm)	Stärkegehalt der Kartoffeln (in Prozent)	Zur Erzeugung von 1 000 kg Kartoffelstärke nötige Kartoffelmenge (in Kilogramm)	Dem Erzeuger für 1 000 kg Kartoffeln zu zahlender Mindestpreis (in ECU)
Βάρος υπό το ύδωρ 5 050 πατατών (σε γραμμάρια)	Περιεκτικότητα σε άμυλο των πατατών (%)	Ποσότητα πατατών απαραίτητη για παραγωγή 1 000 χγρ άμυλου (σε χιλιόγραμμα)	Ελάχιστη τιμή προς είσπραξη από τον παραγωγό για 1 000 χγρ πατατών (σε ECU)
Underwater weight of 5 050 g of potatoes (grams)	Starch content of potatoes (%)	Quantity of potatoes required for the manufacture of 1 000 kg of starch (kg)	Minimum price to be paid to the potato producer per 1 000 kg of potatoes (ECU)
Poids sous l'eau de 5 050 g de pommes de terre (en grammes)	Teneur en fécule de la pomme de terre (en pourcentage)	Quantité de pommes de terre nécessaire à la fabrication de 1 000 kg de fécule (en kilogrammes)	Prix minimal à percevoir par le producteur pour 1 000 kg de pommes de terre (en Écus)
Peso sotto l'acqua di 5 050 g di patate (in grammi)	Tenore in fecola delle patate (in %)	Quantità di patate necessaria alla fabbricazione di 1 000 kg di fecola (in kg)	Prezzo minimo da percepire dal produttore per 1 000 kg di patate (in ECU)
Onderwatergewicht van 5 050 g aardappelen (in gram)	Zetmeelgehalte van de aardappelen (in percent)	Hoeveelheid aardappelen benodigd voor de vervaardiging van 1 000 kg zetmeel (in kg)	Minimaal te ontvangen prijs door de producent per 1 000 kg aardappelen (in Ecu)
Peso debaixo de água de 5 050 gr de batata	Teor de fécula de batata (em percentagem)	Quantidade de batata necessária ao fabrico de 1 000 kg de fécula (em quilogramas)	Preço mínimo a cobrar pelos produtores para 1 000 kg de batata (em ECUs)
1	2	3	4
352	13,0	6 533	40,52
353	13,1	6 509	40,67
354	13,1	6 486	40,82
355	13,2	6 463	40,96
356	13,2	6 439	41,12
357	13,3	6 416	41,26
358	13,3	6 393	41,41
359	13,4	6 369	41,57
360	13,4	6 346	41,72
361	13,5	6 322	41,88
362	13,5	6 299	42,03
363	13,6	6 276	42,18
364	13,6	6 252	42,34
365	13,7	6 229	42,50
366	13,7	6 206	42,66
367	13,8	6 182	42,82
368	13,8	6 159	42,98
369	13,9	6 136	43,15

1	2	3	4
370	13,9	6 112	43,31
371	14,0	6 089	43,48
372	14,0	6 065	43,65
373	14,1	6 047	43,78
374	14,1	6 028	43,92
375	14,2	6 005	44,09
376	14,2	5 981	44,26
377	14,3	5 963	44,40
378	14,3	5 944	44,54
379	14,4	5 921	44,71
380	14,4	5 897	44,89
381	14,5	5 879	45,03
382	14,5	5 860	45,18
383	14,6	5 841	45,32
384	14,6	5 822	45,47
385	14,7	5 799	45,65
386	14,7	5 776	45,83
387	14,8	5 757	45,99
388	14,8	5 738	46,14
389	14,9	5 720	46,28
390	14,9	5 701	46,44
391	15,0	5 682	46,59
392	15,0	5 664	46,74
393	15,1	5 626	47,06
394	15,2	5 607	47,22
395	15,2	5 589	47,37
396	15,3	5 570	47,53
397	15,3	5 551	47,69
398	15,4	5 542	47,77
399	15,4	5 533	47,85
400	15,4	5 523	47,93
401	15,5	5 486	48,26
402	15,6	5 467	48,43
403	15,6	5 449	48,59
404	15,7	5 430	48,76
405	15,7	5 411	48,93
406	15,8	5 393	49,09
407	15,8	5 374	49,26
408	15,9	5 364	49,35
409	15,9	5 355	49,44
410	15,9	5 346	49,52
411	16,0	5 327	49,70
412	16,0	5 308	49,88
413	16,1	5 280	50,14
414	16,2	5 266	50,27
415	16,2	5 252	50,41
416	16,3	5 234	50,58
417	16,3	5 215	50,77
418	16,4	5 206	50,85
419	16,4	5 196	50,95
420	16,4	5 187	51,04
421	16,5	5 150	51,41
422	16,6	5 136	51,55
423	16,6	5 121	51,70
424	16,7	5 107	51,84
425	16,7	5 093	51,98
426	16,8	5 075	52,17
427	16,8	5 056	52,36
428	16,9	5 042	52,51
429	16,9	5 028	52,65
430	17,0	5 000	52,95
431	17,1	4 986	53,10
432	17,1	4 972	53,25
433	17,2	4 963	53,34
434	17,2	4 953	53,45
435	17,2	4 944	53,55
436	17,3	4 930	53,70
437	17,3	4 916	53,85
438	17,4	4 902	54,01

1	2	3	4
439	17,4	4 888	54,16
440	17,5	4 874	54,32
441	17,5	4 860	54,47
442	17,6	4 846	54,63
443	17,6	4 832	54,79
444	17,7	4 818	54,95
445	17,7	4 804	55,11
446	17,8	4 790	55,27
447	17,8	4 776	55,43
448	17,9	4 762	55,59
449	17,9	4 748	55,76
450	18,0	4 720	56,09
451	18,1	4 706	56,26
452	18,1	4 692	56,42
453	18,2	4 685	56,51
454	18,2	4 679	56,58
455	18,2	4 673	56,65
456	18,3	4 645	56,99
457	18,4	4 631	57,17
458	18,4	4 617	57,34
459	18,5	4 607	57,46
460	18,5	4 598	57,58
461	18,6	4 584	57,75
462	18,6	4 570	57,93
463	18,7	4 561	58,04
464	18,7	4 551	58,17
465	18,7	4 542	58,29
466	18,8	4 523	58,53
467	18,9	4 509	58,71
468	18,9	4 495	58,90
469	19,0	4 481	59,08
470	19,0	4 467	59,27
471	19,1	4 458	59,39
472	19,1	4 449	59,51
473	19,2	4 437	59,67
474	19,2	4 425	59,83
475	19,3	4 414	59,98
476	19,3	4 402	60,14
477	19,4	4 390	60,31
478	19,4	4 379	60,46
479	19,5	4 367	60,62
480	19,5	4 355	60,79
481	19,6	4 343	60,96
481,6	19,6	4 337	61,04
482	19,7	4 335	61,07
483	19,7	4 332	61,11
483,2	19,7	4 332	61,11
484	19,8	4 325	61,21
484,8	19,8	4 318	61,31
485	19,9	4 317	61,32
486	19,9	4 311	61,41
486,4	19,9	4 309	61,44
487	20,0	4 305	61,50
488	20,0	4 299	61,58
489	20,1	4 294	61,65
490	20,1	4 290	61,71
491	20,2	4 287	61,75
492	20,2	4 285	61,78
493	20,3	4 283	61,81
494	20,3	4 280	61,86
495	20,4	4 278	61,88
496	20,4	4 276	61,91
497	20,5	4 273	61,96
498	20,5	4 271	61,99
499	20,6	4 266	62,06
500	20,6	4 262	62,12
501	20,7	4 259	62,16
502	20,7	4 257	62,19
503	20,8	4 255	62,22

1	2	3	4
504	20,8	4 252	62,26
505	20,9	4 248	62,32
506	20,9	4 243	62,39
507	21,0	4 238	62,47
508	21,0	4 234	62,53
509	21,1	4 229	62,60
509,9	21,1	4 224	62,68
510	21,1	4 224	62,68
511	21,2	4 219	62,75
511,8	21,2	4 215	62,81
512	21,3	4 214	62,82
513	21,3	4 209	62,90
513,7	21,3	4 206	62,94
514	21,4	4 204	62,97
515	21,4	4 199	63,05
515,6	21,4	4 196	63,09
516	21,5	4 194	63,12
517	21,5	4 189	63,20
517,5	21,5	4 187	63,23
518	21,6	4 184	63,27
519	21,6	4 180	63,33
519,4	21,6	4 178	63,37
520	21,7	4 175	63,41
521	21,7	4 170	63,49
521,3	21,7	4 168	63,52
522	21,8	4 165	63,56
523	21,8	4 160	63,64
523,2	21,8	4 159	63,65
524	21,9	4 155	63,72
525	21,9	4 150	63,79
525,1	21,9	4 150	63,79
526	22,0	4 145	63,87
527	22,0	4 140	63,95
528	22,1	4 135	64,02
528,8	22,1	4 131	64,09
529	22,2	4 130	64,10
530	22,2	4 125	64,18
530,6	22,2	4 122	64,23
531	22,3	4 119	64,27
532	22,3	4 114	64,35
532,4	22,3	4 112	64,38
533	22,4	4 111	64,40
534	22,4	4 108	64,44
534,2	22,4	4 108	64,44
535	22,5	4 103	64,52
536	22,5	4 098	64,60
537	22,6	4 093	64,68
537,8	22,6	4 089	64,74
538	22,7	4 088	64,76
539	22,7	4 083	64,84
539,6	22,7	4 080	64,89
540	22,8	4 078	64,92
541	22,8	4 076	64,95
541,4	22,8	4 075	64,97
542	22,9	4 072	65,01
543	22,9	4 066	65,11
543,2	22,9	4 066	65,11
544	23,0	4 061	65,19
545	23,0	4 056	65,27

COMMISSION REGULATION (EEC) No 2727/88

of 31 August 1988

fixing, for unginned cotton, the actual production for the 1987/88 marketing year and the estimated production, the adjustment in the maximum guaranteed quantity and the reduction in the aid for the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽¹⁾, as last amended by Regulation (EEC) No 2261/88⁽²⁾, and in particular Article 11 thereof,

Whereas Article 7 (1) of Regulation (EEC) No 2169/81 provides that the actual production in each marketing year is to be determined each year, taking account in particular of the quantities for which the aid has been applied for; whereas the application of that criterion gives the actual production for the 1987/88 marketing year indicated below;

Whereas Article 8 of Regulation (EEC) No 2169/81 provides that the estimated production of cotton must be established at the beginning of each marketing year; whereas, on the basis of the figures available, the estimated production for the 1988/89 marketing year should be fixed at the figure given below;

Whereas the third subparagraph of Article 2 (2) of Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton introduced by Protocol No 4 annexed to the Act of Accession of Greece⁽³⁾ provides that if the actual production in a given marketing year exceeds the estimated production for that year, the maximum guaranteed quantity for the following marketing year must be adjusted to take account of the amount of the aid which would have been paid; whereas the actual production in the 1987/88 marketing year exceeds the estimated production, established by Commission Regulation (EEC) No 2619/87⁽⁴⁾; whereas the quantity which must be used to determine the maximum guaranteed quantity fixed, for the 1988/89 marketing year, by Council Regulation (EEC) No 2260/88⁽⁵⁾ should be fixed;

Whereas, pursuant to Article 7 (2) of Regulation (EEC) No 2169/81, where the maximum guaranteed quantity is

exceeded by the estimated production, the aid should be reduced in accordance with the criteria laid down in that paragraph; whereas the estimated production for the 1988/89 marketing year exceeds the maximum guaranteed quantity fixed for that year, as given after the adjustment carried out pursuant to the third subparagraph of Article 2 (2) of Regulation (EEC) No 1964/87; whereas the application of the abovementioned provisions leads to the fixing of a reduction in the aid equal to that indicated below;

Whereas, pursuant to the second subparagraph of Article 2 (2) of Regulation (EEC) No 1964/87, for the 1987/88, 1988/89 and 1989/90 marketing years the reduction in the amount of the aid may not exceed the percentages of the guide price laid down;

Whereas this Regulation is in accordance with the opinion of the Management Committee for Flax and Hemp,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1987/88 marketing year, actual production of unginned cotton is hereby determined at 875 608 tonnes.
2. For the 1988/89 marketing year:
 - the estimated production is hereby fixed at 1 086 902 tonnes,
 - the maximum guaranteed quantity fixed by Regulation (EEC) No 2260/88 is hereby reduced by 46 758 tonnes,
 - the reduction in the amount of the aid is hereby fixed at 19,200 ECU per 100 kilograms.

Article 2

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

It shall apply with effect from 1 September 1988.

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 199, 26. 7. 1988, p. 8.

⁽³⁾ OJ No L 184, 3. 7. 1987, p. 14.

⁽⁴⁾ OJ No L 248, 1. 9. 1987, p. 18.

⁽⁵⁾ OJ No L 199, 26. 7. 1988, p. 7.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2728/88

of 31 August 1988

on the reduction of the buying-in price for wine as referred to in Article 44 of
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 2253/88 ⁽²⁾, and in particular Articles 44 and 81
thereof,

Whereas Article 44 of Council Regulation (EEC) No
822/87 stipulates for certain distillations a reduction in
the buying-in price for wine to be paid to producers who
have increased alcoholic strength by adding sucrose or by
adding concentrated grape must for which they have
either received aid under Article 45 of that Regulation or
have applied for aid;

Whereas it is very difficult to link the increase in
alcoholic strength obtained by each producer to the wine
delivered for distillation; whereas because of this the
exact determination of the economic advantage accruing
to each producer would require an excessive amount of
administrative work liable to delay payment of the aid
and affect the whole intervention system; whereas the
buying-in price should therefore be reduced on the basis
of the average increase in the alcoholic strength in each
wine-growing zone; whereas in order to avoid the
excessive amount of administrative work that would be
required to verify the increase in alcoholic strength for
every producer the buying-in price for the wine in
question delivered for distillation should be reduced by a
fixed amount for each zone or zone division;

Whereas it is only fair that producers should receive the
full price if they have not increased the alcoholic strength
of any part of their table wine by the addition of either
sucrose or of concentrated grape must on which the aid
provided for in Article 45 of Regulation (EEC) No 822/87
has been received;

Whereas producers who have increased the alcoholic
strength of less of their production than they deliver for
distillation should be able to receive the full price for the
difference between the volume enriched and that
delivered;

Whereas the aid for the product obtained by distillation
and the price of the products taken over by the

intervention agency under the distillation arrangements
referred to in Articles 36 and 39 of Regulation (EEC) No
822/87 must be adjusted in line with the reduction in the
buying-in price for the 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

1. The buying-in price for wine delivered for distil-
lation under one of the arrangements indicated in Articles
36 (2), 38, 39, 41 and 42 of Regulation (EEC) No 822/87
shall be reduced by an amount to be set before the
beginning of each wine year. This amount shall vary by
wine-growing zone in accordance with the maximum
increase in alcoholic strength indicated in Article 18 (1)
and (2) of Regulation (EEC) No 822/87.

The reduction referred to in the first subparagraph shall
not apply to:

- wine delivered by producers who are located in
regions where alcoholic strength may be increased
only by the addition of must and who, for the wine
year in question, forego all aid made available under
Article 45 of Regulation (EEC) No 822/87. These
producers shall present to the distiller a copy, stamped
by the competent authority designated by the Member
State, of a statement waiving entitlement to the aid
provided by Commission Regulation (EEC) No
2640/88 ⁽³⁾,
- wine taken into a distillery after the dates laid down
for the various wine-growing zones in Article 23 (3) of
Regulation (EEC) No 822/87 and delivered by
producers who provide the competent authorities with
satisfactory evidence that during the wine year they
have neither increased the alcoholic strength of their
table wine by adding sucrose nor lodged an
application for the aid referred to in Article 45 of the
said Regulation in respect of their production.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 236, 26. 8. 1988, p. 20.

2. An amount equal to the reduction referred to in paragraph 1 shall be paid, for the quantity of wine delivered for distillation under one of the arrangements referred to in that paragraph, to producers who make application before 1 September to the competent authority either directly or through a distiller and who, in the course of the wine year, have neither increased the alcoholic strength of their table wine production by adding sucrose nor applied for the aid referred to in Article 45 of Regulation (EEC) No 822/87 in respect of such production.

Producers who apply before 1 September and who, in the course of the wine year, have increased alcoholic strength by adding sucrose or have applied for the said aid only in respect of less of their table wine production than the quantity delivered for distillation under all of the said arrangements during the wine year shall receive the amount indicated in the first subparagraph in respect of the difference between the quantity of table wine the alcoholic strength of which was increased and the quantity that they delivered or had delivered for distillation.

The competent authorities of the Member States may require from these producers any evidence needed to demonstrate the validity of the application.

3. The second subparagraph of paragraph 2 shall not apply to any quantity delivered by a producer who purchased it.

4. Paragraphs 1 and 2 shall not apply to producers in Member States that do not authorize natural alcoholic strength by volume to be increased as provided for in Article 18 (1) of Regulation (EEC) No 822/87.

Article 2

Where wine is delivered for distillation as referred to in Article 1 and where the reduction has been applied to such wine,

- the aid to be paid to the distiller,
- the price to be paid to the distiller for delivery to the intervention agency under Article 36 (6) or 39 (7) of Regulation (EEC) No 822/87,
- the EAGGF contribution to expenditure incurred by the intervention agency in taking over alcohol under Article 36 of Regulation (EEC) No 822/87

shall be reduced by an amount equal to the reduction indicated in Article 1.

Article 3

1. Member States shall adopt all measures required for the verification of data and of compliance with the provisions of Article 1.

2. They shall immediately notify these measures to the Commission.

Article 4

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2729/88

of 31 August 1988

laying down detailed rules for the application of Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums of wine-growing areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas⁽¹⁾, and in particular Article 20 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

Whereas the conditions under which Member States may grant the premiums provided for in Regulation (EEC) No 1442/88 should be determined for all classes of wine-growing area;

Whereas the grape varieties referred to in the first indent to Article 2 (1) (c) of Regulation (EEC) No 1442/88 should be listed;

Whereas the levels of premium to apply to Spain in accordance with Article 2 (4) of Regulation (EEC) No 1442/88 should be determined;

Whereas in the interests of ensuring that the system runs efficiently and can be supervised, the nature of the information to be entered on the application for a premium must be laid down, and provision must be made for the checking of that information;

Whereas the applicant may be paid the premium in full as an advance, provided that the first furnishes a security amounting to 110 % of the premium;

Whereas before the premium is paid or, should an advance have been made, the security released, the production capacity of the areas to be grubbed up should be assessed, and whereas it should be verified that grubbing up of the said areas has actually taken place; whereas these findings must be certified in order to enable the applicant to prove that grubbing up has been carried out; whereas, however, an assessment of production capacity shall not be necessary in every case if growing is to cease on all wine-growing areas of a holding;

Whereas Article 8 of Regulation (EEC) No 1442/88 provides that growers entitled to the premium as a result of taking a wine-growing area out of production shall qualify for an exemption from the obligation referred to in Article 39 of Council Regulation (EEC) No 822/87⁽²⁾,

as last amended by Regulation (EEC) No 2253/88⁽³⁾, varying in degree according to the reduction in production potential obtained; whereas the partial exemption is intended to encourage growers to grub up on a large scale, without being too small an incentive to be attractive to producers who wish to cease growing over a limited area; whereas an exemption factor of between 0,61 and 1 should therefore be applied to the figure denoting the decrease in production potential in the case of abandonment which accounts for between 20 and 50 % of the holding's potential;

Whereas the five-year period used for establishing the average production of a holding is too long to apply to Spain;

Whereas the method of calculation should be adjusted in the case of wine cooperatives or associations of wine-growers who make a production declaration applying to their members as a body;

Whereas Member States should forward to the Commission yearly details of the results of grubbing up, including, in particular, information relating to the exemption from the obligation referred to in Article 39 of Regulation (EEC) No 822/87, before these measures begin to operate for the wine year in question;

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

This Regulation lays down detailed rules for applying the system of permanent abandonment premiums introduced by Regulation (EEC) No 1442/88.

Article 2

The varieties referred to in the first indent of Article 2 (1) (c) of Regulation (EEC) No 1442/88 are listed in Annex I.

Article 3

The levels of premium applicable to Spain for the 1988/89 to 1991/92 wine years are listed in Annex II.

⁽¹⁾ OJ No L 132, 28. 5. 1988, p. 3.

⁽²⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 35.

Article 4

1. Applications for premiums shall include the following information:

(a) as regards the holding:

- the applicant's name and address,
- the area he has under vines, whether these be a specialized crop or grown in a mixed system,
- the areas under vines, in hectares, ares and centiares, to be grubbed up,
- the age and method of training of the vines to be grubbed up,
- the varieties concerned,
- the date of scheduled grubbing up,
- the request for an advance, if applicable; if this is the case, proof that the security has been furnished shall accompany the request;

(b) as regards the owner(s):

- his/her/their name(s) and address(es),
- the information needed to identify the plot on which wine growing is to cease definitively and for which the premium is being requested,
- the written agreement of the owner of the area, as mentioned in Article 4 (3) of Regulation (EEC) No 1442/88, where applicable.

2. On receiving the application, the competent body shall:

- verify the information mentioned in paragraph 1,
- register the declaration provided for in Article 4 (2) of Regulation (EEC) No 1442/88,
- determine the production capacity of the wine-growing area to be grubbed up on the basis of its age, its state of upkeep and the proportion of missing vines, among other considerations,
- calculate the yield per hectare of the areas concerned, in accordance with Article 2 (3) of Regulation (EEC) No 1442/88,
- notify the applicant of the level of premium granted, after allowing him to submit his own observations.

3. In cases where the application relates to the entire area producing wine grapes on a given holding, Member States may rule that the production capacity mentioned under the third indent of paragraph 2 need not be determined.

Article 5

Payment of the advance referred to in Article 6 of Regulation (EEC) No 1442/88 may take place only if the applicant has first furnished a security equal to 110 % of

the aid applied for. The advance shall be paid within three months of the lodging of the application.

The advance applied for may not exceed the premium for the average yield declared for the holding in question over the preceding three wine years.

Article 6

1. The competent body shall, at the applicant's request and within two months of the complete grubbing up of the vines located on the plots identified in accordance with Article 3, verify that the operation has taken place and certify when it took place.

The declaration referred to in the first subparagraph of this Article shall constitute the proof of grubbing up referred to in the first subparagraph of Article 6 of Regulation (EEC) No 1442/88.

2. The security shall be released by the end of the calendar year following that in which the application for a premium was submitted.

Article 7

1. For the purpose of calculating the exemption provided for in Article 8 (1) of Regulation (EEC) No 1442/88:

- the decrease in the production potential of the grower who has grubbed up his vines shall be the product of the yield determined in accordance with Article 2 (3) of Regulation (EEC) No 1442/88 and the corresponding grubbed-up area,
- the percentage decrease in potential table-wine shall be as described in Article 8 (2) of Regulation (EEC) No 1442/88.

The average table-wine production declared for the holding in question over the five years preceding the grubbing-up operation shall be calculated by multiplying the grower's total wine-growing area at the time the application for grubbing up is made by the average wine yield for the holding as a whole; the average shall be obtained using the harvest declarations, production declarations or declarations of deliveries to wine cooperatives, as appropriate, covering the five wine years preceding grubbing up, but disregarding the highest and lowest yield figures for that period.

2. The size of the exemption entitlement for decreases in production potential as provided for in Article 8 (1) of Regulation (EEC) No 1442/88 shall be calculated by multiplying the decrease in production potential by the exemption factor corresponding to the percentage of capacity that decrease represents, as listed in Annex II hereto.

The size of the exemption shall under no circumstances exceed that of the potential remaining once grubbing up has been carried out.

3. The exemption provided for in Article 8 (1) of Regulation (EEC) No 1442/88 shall apply with effect from the wine year following that in which grubbing up has taken place, and shall be granted to the grower who performed this operation and submitted an application by the end of the August preceding the beginning of that wine year.

For each wine year, the obligation referred to in Article 39 of Regulation (EEC) No 822/87 shall apply to the size of the grower's output less the size of the exemption.

Article 8

By way of derogation from Article 8 (2) of Regulation (EEC) No 1442/88 and from Article 7 of this Regulation, the period of five wine years shall be decreased, in the case of Spain, to three wine years for the 1988/89 wine year, and to four wine years for the 1989/90 wine year. The requirement that the highest-producing and lowest-producing years be disregarded shall also be waived.

Article 9

In the case of wine cooperatives or associations of wine-growers which make a single production declaration for their members as a body, the size of the exemption from the obligation referred to in Article 39 of Regulation (EEC) No 822/87 shall be equal to the sum of the

individual exemptions granted to each of the members who has grubbed up; in cases where a member has not turned his entire production over to the cooperative, each exemption shall be weighted according to the average annual contribution the member has made to the cooperative expressed as a percentage of the quantity declared as harvested over the five wine years preceding grubbing up. However, the highest and lowest percentages shall be disregarded for the purposes of calculating the average.

Article 10

Member States shall communicate to the Commission the total extent of exemption from the obligation referred to in Article 39 of Regulation (EEC) No 822/87 at the latest by 31 October of the year in which grubbing up has taken place. The figures shall be broken down according to wine production per hectare and area grubbed up per administrative unit.

Article 11

In the title of Commission Regulation (EEC) No 2475 ('), '1989/90' is replaced by '1987/88'.

Article 12

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

(¹) OJ No L 234, 31. 8. 1985, p. 80.

ANNEX I

List of varieties referred to in Article 2

1. SPAIN

Aledo
Alfonso Lavallée
Cardinal
Dominga
Imperial Napoléon, Don Mariano
Italia
Moscatel de Málaga, Moscatel de Alejandria, Moscatel Romano
Ohanes
Planta Mula
Planta Nova
Ragol
Roseti, Rosaki, Regina, Dattier de Beyrouth
Valenci Blanco
Valenci Negro

2. FRANCE

Alphonse Lavallée
Cardinal
Dattier de Beyrouth
Ignea
Italia (Ideal)
Muscat d'Alexandrie
Olivette blanche
Olivette noire
Dabouki

3. GREECE

Alphonse Lavallée
Cardinal
Italia (Ideal)
Muscat d'Alexandrie
Ohanez
Dattier de Beyrouth (Rozaki)
Fraoula

4. ITALY

Almeria (Ohanez)
Alphonse Lavallée
Angela
Baresana (Turchesa, Lattuario bianco, Uva di Bisceglie)
Cardinal
Regina (Mennavacca bianca)
Italia (Ideal)
Olivetta Vibonese
Perlona
Red Emperor
Regina nera (Mennavacca nera, Lattuario nero)
Zibibbo

ANNEX II

Levels of premium applicable to Spain

Type of premium	1988/89 wine year	1989/90 wine year	1990/91 wine year	1991/92 wine year
1. As mentioned in Article 2 (1) (a) of Regulation (EEC) No 1442/88	2 971	3 128	3 286	3 443
2. As mentioned in Article 2 (1) (b) of Regulation (EEC) No 1442/88 :				
— first indent	1 086	1 114	1 143	1 171
— second indent	2 286	2 414	2 543	2 671
— third indent	2 928	3 071	3 214	3 357
— fourth indent	3 400	3 500	3 600	3 700
— fifth indent	4 250	4 500	4 750	5 000
— sixth indent	5 921	6 228	6 536	6 843
— seventh indent	7 486	7 914	8 343	8 771
— eighth indent	8 086	8 614	9 143	9 671
3. As mentioned in Article 2 (1) (c) of Regulation (EEC) No 1442/88 :				
— first indent	8 164	8 823	9 482	10 141
— second indent	6 350	6 862	7 375	7 887
— third indent	5 268	5 751	6 234	6 717
— fourth indent	4 390	4 792	5 195	5 597
4. As mentioned in Article 2 (1) (d) of Regulation (EEC) No 1442/88	6 514	6 686	6 857	7 028
5. As mentioned in Article 2 (1) (e) of Regulation (EEC) No 1442/88	4 571	5 028	5 486	5 943
6. As mentioned in Article 2 (1) (f) of Regulation (EEC) No 1442/88	4 571	4 928	5 286	5 643
7. As mentioned in Article 2 (2) of Regulation (EEC) No 1442/88	428	471	514	557

ANNEX III

Exemption factors for use in determining the size of the exemption mentioned in Article 7 (2).

Decrease in production potential	Factor by which the decrease in production potential should be multiplied
20 %	0,610
21 %	0,623
22 %	0,636
23 %	0,649
24 %	0,662
25 %	0,675
26 %	0,688
27 %	0,701
28 %	0,714
29 %	0,727
30 %	0,740
31 %	0,753
32 %	0,766
33 %	0,779
34 %	0,792
35 %	0,805
36 %	0,818
37 %	0,831
38 %	0,844
39 %	0,857
40 %	0,870
41 %	0,883
42 %	0,896
43 %	0,909
44 %	0,922
45 %	0,935
46 %	0,948
47 %	0,961
48 %	0,974
49 %	0,987

COMMISSION REGULATION (EEC) No 2730/88

of 31 August 1988

amending Regulation (EEC) No 3540/85 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3a (6) thereof,

Whereas the way in which the system of maximum guaranteed quantities provided for in Article 3a of Regulation (EEC) No 1431/82 is to operate should be specified and Commission Regulation (EEC) No 3540/85⁽³⁾, as last amended by Regulation (EEC) No 3741/87⁽⁴⁾, should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 24a is hereby inserted in Regulation (EEC) No 3540/85:

Article 24a

1. Before the end of the second month of each marketing year, the Commission shall fix for peas, field beans and sweet lupins entitled to the aid, on the basis of the data provided by the Member State or obtained by other means, and in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1117/78.

— estimated production as referred to in the first subparagraph of Article 3a (3) of Regulation (EEC) No 1431/82, in respect of the current marketing year,

— actual production as referred to in the second subparagraph of Article 3a (3) of Regulation (EEC) No 1431/82, in respect of the preceding marketing year,

— the adjustment to be made, where appropriate, to the amount of the aid for the marketing year in question.

2. In order to determine the production of peas, field beans and sweet lupins entitled to the aid, where appropriate, harvested production shall be reduced by:

— a quantity corresponding to seed and assessed on the basis of 0,22 tonne per hectare harvested,

— a quantity corresponding to uses other than those for which the aid is granted, taking into account the trends observed in the past.

3. The adjustment in the amount of the aid for a given marketing year shall be given by the algebraic sum of:

— the reduction for the marketing year in question, calculated on the basis of production estimated in accordance with the first subparagraph of Article 3a (3) of Regulation (EEC) No 1431/82 and with Article 3b of Regulation (EEC) No 2036/82, and

— the positive or negative reduction carried over from the previous year and resulting from the difference between, on the one hand, the reduction which would have been calculated for that marketing year if actual production had been taken into account instead of estimated production and, on the other hand, the reduction on the basis of estimated production.

4. The amounts of the aid fixed provisionally for a given marketing year before publication in the *Official Journal of the European Communities* of the adjustment for that marketing year shall be adjusted accordingly by the Commission.

Article 2

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 352, 15. 12. 1987, p. 26.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2731/88

of 31 August 1988

fixing, for peas, field beans and sweet lupins, the level of estimated production and the abatement to be applied to the aid for the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3a (3) thereof,

Whereas Article 24a of Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 2730/88⁽⁴⁾, specifies the factors which must be in order to implement the system of maximum guaranteed quantities; whereas, for the 1988/89 marketing year, the estimated production of peas, field beans and sweet lupins and the consequent abatement to be applied to the aid should be fixed on the basis of the available data;

Whereas this Regulation is in accordance with the opinion of the Management Committee for Dried Fodder

Article 1

For the 1988/89 marketing year the estimated production of peas, field beans and sweet lupins intended to qualify for aid is hereby fixed at 4 200 000 tonnes.

Article 2

For the 1988/89 marketing year the abatement to be applied to the aid is hereby fixed at

- 2,66 ECU per 100 kilograms for peas and field beans,
- 2,83 ECU per 100 kilograms for sweet lupins collected in Spain,
- 2,94 ECU per 100 kilograms for sweet lupins collected in the other Member States.

The minimum price is consequently reduced by the same amount as the abatement to be applied to the aid.

Article 3

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

It shall apply with effect from 1 July 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ See page 114 of this Official Journal.

COMMISSION REGULATION (EEC) No 2732/88

of 31 August 1988

fixing the monetary coefficient applicable on imports of dried grapes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2247/88 ⁽²⁾, and in particular Article 9 (6) thereof,Having regard to Commission Regulation (EEC) No 2237/85 of 30 July 1985 laying down detailed rules for the application of the minimum import price system for dried grapes ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2237/85 provides that the Commission shall fix a monetary coefficient equal to the real monetary gap between the agricultural conversion rate for the currency of a Member State and the central rate, or, where applicable, the market rate when that gap is equal to or more than 2,5 percentage points;

Whereas Article 4 (2) of Regulation (EEC) No 2237/85 provides that the monetary coefficient shall be fixed before the commencement of the marketing year and, subsequently, on the first Monday of the months of November, January, March, May and July;

Whereas Commission Regulation (EEC) No 2303/88 ⁽⁴⁾ fixes the minimum import price applicable to dried

grapes during the marketing year 1988/89 as well as the countervailing charges to be imposed where that price is not observed; whereas the import prices as set out in Annex II of that Regulation are calculated as specific percentages of the minimum import price; whereas as a result the monetary coefficient should apply both to the minimum import prices and the import prices,

HAS ADOPTED THIS REGULATION:

Article 1

After having converted the minimum import prices and the import prices as set out in Annexes I and II of Regulation (EEC) No 2303/88 into one of the following national currencies by applying the agricultural conversion rate, the resulting amount shall be multiplied by the following coefficient:

— for the Greek drachma:	1,261
— for the pound sterling:	1,122
— for the French franc:	1,050
— for the Irish pound:	1,051
— for the Italian lira:	1,060

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ/No L 49, 27. 2. 1986, p. 1.⁽²⁾ OJ No L 198, 26. 7. 1988, p. 21.⁽³⁾ OJ No L 209, 6. 8. 1985, p. 24.⁽⁴⁾ OJ No L 201, 27. 7. 1988, p. 43.

COMMISSION REGULATION (EEC) No 2733/88

of 31 August 1988

altering the import levies on products processed from cereals and rice

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2350/88⁽⁷⁾, as last amended by Regulation (EEC) No 2665/88⁽⁸⁾;

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 30 August 1988;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2350/88 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 204, 29. 7. 1988, p. 25.

⁽⁸⁾ OJ No L 237, 27. 8. 1988, p. 30.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 31 August 1988 altering the import levies on products processed from cereals and rice

CN code	Import levies (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10	114,28	109,45 ⁽¹⁾
0714 10 90	111,26 ⁽¹⁾	109,45 ⁽¹⁾ ⁽²⁾
0714 90 10	111,26 ⁽¹⁾	109,45 ⁽¹⁾ ⁽²⁾
1102 90 10 ⁽²⁾	206,31	200,27
1103 19 30 ⁽²⁾	206,31	200,27
1103 29 20 ⁽²⁾	206,31	200,27
1104 11 10 ⁽²⁾	116,51	113,49
1104 11 90 ⁽²⁾	228,56	222,52
1104 21 10 ⁽²⁾	181,04	178,02
1104 21 30 ⁽²⁾	181,04	178,02
1104 21 50 ⁽²⁾	284,19	278,15
1104 21 90 ⁽²⁾	116,51	113,49
1106 20 10	114,28	107,63 ⁽²⁾
1107 10 91	208,92 ⁽⁴⁾	198,04
1107 10 99	158,86	147,98
1107 20 00	183,33 ⁽⁴⁾	172,45

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:

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

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

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within subheading 0714 90 10,
- flours and meal of arrow-root falling within subheading 1106 20,
- arrow-root starch falling within subheading 1108 19 90.

COMMISSION REGULATION (EEC) No 2734/88
of 31 August 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 2306/88 ⁽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 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 2690/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 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 1 September 1988.

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

Done at Brussels, 31 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 240, 31. 8. 1988, p. 34.

ANNEX

to the Commission Regulation of 31 August 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,49 ⁽¹⁾
1701 11 90	35,49 ⁽¹⁾
1701 12 10	35,49 ⁽¹⁾
1701 12 90	35,49 ⁽¹⁾
1701 91 00	44,87
1701 99 10	44,87
1701 99 90	44,87 ⁽²⁾

⁽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.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.