

Official Journal

of the European Communities

ISSN 0378-6978

L 288

Volume 31

21 October 1988

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 3222/88 of 17 October 1988 introducing a common measure for the re-establishment of olive groves damaged by frost in certain regions of Greece in 1987** 1
- ★ **Council Regulation (EEC) No 3223/88 of 17 October 1988 amending Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit** 5
- ★ **Council Regulation (EEC) No 3224/88 of 17 October 1988 introducing an emergency common measure to aid the agricultural areas of the Regions of Valencia and Murcia (Spain)** 8
- ★ **Council Regulation (EEC) No 3225/88 of 17 October 1988 laying down general rules for the system of minimum import prices for certain processed cherries** 11
- Commission Regulation (EEC) No 3226/88 of 20 October 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal 12
- Commission Regulation (EEC) No 3227/88 of 20 October 1988 fixing the premiums to be added to the import levies on cereals, flour and malt 14
- Commission Regulation (EEC) No 3228/88 of 20 October 1988 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products 16
- Commission Regulation (EEC) No 3229/88 of 20 October 1988 amending Council Regulation (EEC) No 1678/85 as regards the agricultural conversion rates for the pigmeat sector in Greece 19
- Commission Regulation (EEC) No 3230/88 of 20 October 1988 laying down to what extent applications for issue of export licences submitted during October 1988 for beef and veal products which may benefit from special import treatment in a third country may be accepted 21

Commission Regulation (EEC) No 3231/88 of 20 October 1988 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal	22
Commission Regulation (EEC) No 3232/88 of 20 October 1988 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5	23
Commission Regulation (EEC) No 3233/88 of 20 October 1988 amending Regulation (EEC) No 3142/88 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)	26
Commission Regulation (EEC) No 3234/88 of 20 October 1988 fixing the aid for cotton	27
Commission Regulation (EEC) No 3235/88 of 20 October 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	28
Commission Regulation (EEC) No 3236/88 of 20 October 1988 fixing the corrective amount applicable to the refund on cereals	32
Commission Regulation (EEC) No 3237/88 of 20 October 1988 fixing the export refunds on malt	35
Commission Regulation (EEC) No 3238/88 of 20 October 1988 fixing the corrective amount applicable to the refund on malt	37

II *Acts whose publication is not obligatory*

Council

88/524/EEC :

- ★ **Council Decision of 26 July 1988 concerning the establishment of a plan of action for setting up an information services market** 39

Commission

88/525/EEC :

- ★ **Commission opinion of 28 September 1988 addressed to the Government of the Kingdom of Denmark on a draft law on the carriage of goods by road** 44

88/526/ECSC :

- ★ **Commission Decision of 5 October 1988 approving supplementary aid from the Federal Republic of Germany to the coal industry during 1987** 46

88/527/EEC :

- ★ **Commission Decision of 5 October 1988 approving an integrated Mediterranean programme for the Lazio region** 48

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3222/88

of 17 October 1988

**introducing a common measure for the re-establishment of olive groves
damaged by frost in certain regions of Greece in 1987**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, in order to attain the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty, assistance must be provided for the structural improvement of agriculture in regions which are facing serious problems;

Whereas, in certain regions of Greece, olive trees have been destroyed or seriously damaged by exceptionally severe and protracted frost and whereas such damage has been even greater in certain areas;

Whereas, in those areas in particular, olive-growing represents the only economic way of using the soil and accordingly steps should be taken to encourage the re-establishment of olive groves under certain conditions, in order to ensure the survival of farming while preventing any threat of soil erosion or disturbance of the water balance, to protect the environment and to preserve the landscape;

Whereas such encouragement should take the form of a system of investment aids together with additional aid to compensate olive growers for their loss of income, taking into consideration special conditions which must be met by beneficiaries;

Whereas, at the same time, the re-establishment of olive groves should help improve competitiveness by reducing production costs; whereas, therefore, with due regard for the existing structures in Greece, more advantageous conditions should be laid down where the re-establishment is carried out under a collective scheme involving several holdings;

Whereas the re-establishment of olive groves must guarantee the maintenance of a high level of quality or, where the level reached is not yet satisfactory, an improvement in quality by the use of better varieties;

Whereas, in order to ensure that these measures achieve maximum effectiveness, it is essential that they form part of a programme for the re-establishment of olive groves drawn up by the Hellenic Republic;

Whereas it should be laid down that this package of measures constitutes a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2048/88 ⁽⁴⁾; whereas the expenditure incurred by the Hellenic Republic should be financed by the Community at the rate of 40 % in view of the limited financial resources of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

1. In order to make good the damage caused by frost during the winter of 1986/87, an exceptional measure is hereby introduced to aid olive growing in Greece. This measure shall constitute a common measure within the meaning of Article 6 of Regulation (EEC) No 729/70.

2. The common measure shall be implemented in areas where:

- olive-growing accounts for a major share of agricultural production, and
- at least 50 % of the olive trees were seriously damaged by frost during the winter of 1986/87. However, to qualify for the measures for the re-establishment of olive groves, holdings must have suffered considerable damage corresponding to at least 20 % of the number of their olive trees.

⁽¹⁾ OJ No C 182, 12. 7. 1988, p. 9.

⁽²⁾ Opinion delivered on 14 October 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 1.

In accordance with the procedure laid down in Article 2(5), the Commission may decide, in exceptional cases, not to apply the level of 50 % referred to in the second indent of the first subparagraph of this paragraph where the need for such an exception is clearly shown by the great diversity of the landscape, making it difficult to demarcate the areas.

3. In accordance with Article 4 the Community shall make a contribution towards the common measure by financing out of the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', measures involving:

- (a) collective or individual schemes for re-establishing olive groves affected by frost;
- (b) aid granted to farmers whose income, including any earned away from the holding, does not exceed a certain threshold which shall be defined in the programme referred to in Article 2, for attaining the objectives which are linked to the schemes referred to in point (a), in compliance with the conditions laid down in Articles 3 and 4(2).

Article 2

1. The Greek Government shall draw up before 1 December 1988, a specific action programme containing the most appropriate ways of carrying out the measures referred to in Article 1.

The programme shall provide in particular the following information:

- (a) the list of regions whose areas satisfy the criteria set out in the first subparagraph of Article 1(2);
- (b) a description of the existing situation, the regional importance of olive-growing in terms of gross agricultural product, the nature of the damage caused by the frost and particularly of its regional distribution;
- (c) a definition of the supervisory measures to ensure that the grant of aid for the re-establishment of olive groves to olive growers who have suffered the damage referred to in Article 1(1) meets the requirements laid down in paragraph 2 of that Article;
- (d) in the case of collective re-establishment schemes, the area to be re-established and the varieties recommended for each region, the mandatory overall plan to be followed by all olive growers involved and back-up measures concerned in particular with soil improvement and drainage work connected with the collective scheme;
- (e) in the case of individual re-establishment schemes, the priority areas for re-establishment and the varieties recommended for each region, and the minimum rules to be applied in order to ensure an improvement in olive-growing conditions;

(f) the amount of aid to be granted to the olive grower depending on the method of re-establishment, whether collective or individual, and the production aptitude of the olive trees to be re-established, and on the basis of the economic situation of the olive grower in the case of the aid referred to in Article 1(3)(b);

(g) the estimated cost broken down by type of measure, the economic reasons justifying the schemes and the financial resources required, with details of the proposed schedule of payments;

(h) the measures taken to ensure that the programme is financed and that the aid is granted to olive growers within an appropriate period.

2. The programme and any updating amendments shall be forwarded to the Commission by the Greek Government.

3. At the request of the Commission, the Hellenic Republic shall provide additional information concerning the particulars required under paragraph 1.

4. The duration of the programme shall be at least the same as that of the common measure.

5. The Commission shall approve the programme and any updating amendments to it in accordance with the procedure laid down in Article 25 of Regulation (EEC) No 797/85⁽¹⁾ after consulting the Fund Committee on the financial aspects.

Article 3

1. For the purposes of this Regulation, 'collective schemes for the re-establishment of olive groves' means any re-establishment operation carried out by farmers under a binding agreement between the farmers participating in the operation and the authority responsible for implementing it.

Collective re-establishment schemes shall concern at least 5 000 olive trees and 25 farmers who are members of an olive-growers' cooperative or producer group or other recognized associations with a similar purpose, which shall specify the measures necessary for re-establishment. These bodies shall be authorized to lay down additional rules in order to achieve more readily the objectives set out in paragraph 3.

In accordance with the procedure referred to in Article 2(5) the Commission may, in exceptional circumstances, determine a smaller minimum number of trees to be replanted or a smaller minimum number of participants in a collective scheme than those provided for in the second subparagraph of this paragraph, where the need for such a reduction is duly substantiated on the basis of the programme.

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

2. For the purposes of this Regulation, 'schemes for the individual re-establishment of olive groves' means any re-establishment operation carried out by farmers in respect of not less than 50 olive trees or 0,3 hectare per holding.

The Hellenic Republic shall lay down rules with a view to achieving the objectives set out in paragraph 3.

3. Schemes for the re-establishment of olive groves shall be eligible only if:

- (a) they help restore the landscape in typical olive-growing areas, safeguard the environment, consolidate the soil and regulate the water regime;
- (b) they contribute to a lasting improvement of working conditions on the holdings concerned and thus allow earned incomes to increase;
- (c) they provide every guarantee as to their economic effectiveness;
- (d) they permit the maintenance of a high level of quality or, where the level reached is not yet satisfactory, an improvement in the quality of olive products;
- (e) they provide assurances that the average volume of olive oil produced will not exceed that produced prior to the period in which the frost damage occurred.

Article 4

1. Expenditure incurred in respect of the measures provided for in Article 1 (3)(a) shall be eligible for aid from the Fund up to a maximum of:

- 4 300 ECU per hectare in the case of total re-establishment, or
- 13 ECU per tree where re-establishment is carried out on a major part only of the area in question, as determined by taking into consideration the conditions laid down in the second indent of the first subparagraph of Article 1 (2) together with those in Article 3 (1) and (2),
- and
- 11 ECU per tree where the re-establishment scheme involves sawing the tree off at the base of the trunk, or
- 8 ECU per tree where the re-establishment scheme involves sawing off the main and secondary branches.

The aid for re-establishment referred to in the first subparagraph may not, however, exceed the costs actually incurred.

2. Expenditure incurred in respect of the aid referred to in Article 1 (3)(b) shall be eligible under the Fund for an amount of 3 ECU on average per year and per tree within a limit of five hectares or 1 500 trees per individual holding, such aid being granted for a maximum period of:

- five years in the case of replanting or sawing off at the base of the trunk,
- three years in the case of the sawing-off of the main branches.

The aid may be granted in degressive instalments.

In the case of re-establishment by sawing off the secondary branches only, expenditure incurred in respect of the aid referred to in Article 1 (3)(b) shall be eligible under the Fund for a maximum total amount of 5 ECU per tree within a limit of five hectares or 1 500 trees per individual holding.

However, in the case of collective schemes for the re-establishment of olive groves, the amount referred to in the first and third subparagraphs may be increased by 20 %.

3. The Fund shall re-imburse the Hellenic Republic 40 % of the eligible expenditure referred to in paragraphs 1 and 2 incurred under the period referred to in paragraph 5. However, the eligibility of the re-establishment schemes referred to in paragraph 1 implies a minimum contribution of 20 % by the beneficiary towards the total cost.

4. The total estimated cost to the Fund of the common measure is 73 million ECU for the period laid down in paragraph 5.

5. The duration of the common measure shall be three years with effect from 1 January 1988.

Article 5

When approving the programme referred to in Article 2, the Commission shall, in agreement with the Hellenic Republic, determine the procedure by which it is to be informed at regular intervals of the implementation of the programme.

Article 6

1. Applications for reimbursement shall concern expenditure incurred by the Hellenic Republic during a calendar year and shall be submitted to the Commission before 1 May of the following year.

2. Decisions on the grant of aid from the Fund shall be taken in accordance with Article 7 (1) of Regulation (EEC) No 729/70.

3. Advances in respect of work done referred to in Article 1 (3)(a) may be made in accordance with the financing procedure adopted by the Hellenic Republic and by reference to the state of progress of such work.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 7

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

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

Done at Luxembourg, 17 October 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 3223/88

of 17 October 1988

amending Regulation (EEC) No 2511/69 laying down special measures for improving the production and marketing of Community citrus fruit

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, pursuant to Regulation (EEC) No 2511/69 ⁽³⁾, as last amended by Regulation (EEC) No 3130/86 ⁽⁴⁾, the Hellenic Republic has implemented its plan laying down special measures for improving the production and marketing of citrus fruit in accordance with the programme approved by the Commission on 21 November 1983;

Whereas citrus plantations in certain regions of Greece were destroyed or seriously damaged by particularly severe and protracted frosts during the winter of 1986/87 which, to a large extent, have jeopardized the results obtained and the progress of the plan being implemented; whereas, accordingly, the re-establishment of the plantations concerned should, subject to certain conditions, be encouraged in order to ensure the survival of farming in the affected regions;

Whereas such re-establishment should maintain quality at a high level or improve it by using the best varieties available where the quality level does not yet meet consumer requirements; whereas damaged plantations should therefore be re-established by means of conversion schemes where the varieties grown prior to the frosts did not meet consumer requirements;

Whereas some Greek citrus growers were prevented by the severe weather from starting the conversion and restructuring schemes already provided for in the plan approved by the Commission; whereas they should be given the opportunity, therefore, of making a start on those schemes at the appropriate time;

Whereas, since the frost destroyed a significant proportion of trees which had already been the subject of conversion schemes or formed part of new plantations which had already been established as a result of the restructuring schemes, or which were the subject of schemes in the

course of being implemented, and a significant proportion of grafts intended for the implementation of the plan, new schemes must be started; whereas, consequently, the aids granted for those schemes must be adjusted to take account of the damage caused;

Whereas, in order to remedy the situation thus created by the frost, provision must be made for an emergency scheme to run for a further period of two years and for the subsequent amendment of the plan implemented in Greece,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2511/69 is hereby amended as follows:

1. Article 1 is hereby amended as follows:

(a) The following subparagraph is added to paragraph 2:

'However, the date referred to in the first subparagraph shall be deferred for two years as regards the implementation of the provisions contained in paragraph 4.'

(b) The following paragraphs are added:

'4. In Greece:

(a) the aids referred to in the first subparagraph of paragraph 1 and in paragraph 3 may be granted in respect of operations as referred to in paragraph 1 (a), (c) and (d) on which a start has been made up to 31 December 1990, where citrus plantations were damaged by frost during the winter of 1986/87;

(b) in the case of citrus plantations which were the subject, up to the winter of 1986/87, of operations as referred to in paragraph 1 (a), (c) and (d), the aids referred to in the first subparagraph of paragraph 1 and in paragraph 3 may be granted again where such operations must be recommenced as a result of the winter frosts in question and up to 31 December 1990;

(c) the aids referred to in the first subparagraph of paragraph 1 and in paragraph 3 may be granted for schemes for the re-establishment of trees damaged by frost during the winter of 1986/87 which are begun up to 31 December 1990 in

⁽¹⁾ OJ No C 182, 12. 7. 1988, p. 12.

⁽²⁾ Opinion delivered on 14 October 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 1.

⁽⁴⁾ OJ No L 292, 16. 10. 1986, p. 5.

the case of citrus plantations whose varietal composition already satisfied consumer requirements before the frost, where such re-establishment schemes are carried out by:

- grubbing up and replanting with the varieties grown before the frost or other varieties of citrus fruit which meet consumer requirements,
- cutting off the trunk or main or secondary branches and top grafting of the varieties grown before the frost or other varieties of citrus fruit which meet consumer requirements.

In addition, the aids relating to the measures referred to in paragraph 1 (d) may be granted to the extent necessary to carry out the re-establishment schemes.

5. The aids for the schemes referred to in paragraph 4 shall be eligible under the EAGGF only where the surface area of the citrus trees damaged by frost represents 20 % at least of the area of the holding on which citrus trees were grown prior to the frost.'

2. Article 2 is amended as follows:

- (a) the beginning of the third subparagraph is replaced by the following:

'The Member States concerned shall, by 30 April 1983 at the latest, and for the implementation of the provisions laid down in Article 1 (4), by 31 December 1988 at the latest, draw up a plan ...';

- (b) The following subparagraph is inserted after the fourth subparagraph:

'The plan drawn up in accordance with the provisions of Article 1 (4) and (5) shall specify in particular, in addition to the particulars referred to in the third and fourth subparagraphs, the location of the areas particularly affected by the severe weather, the extent of the damage caused, the number of holdings affected, the extent of the areas for which aid may be granted for the schemes referred to in Article 1 (4), including the varieties cultivated on the plantations which are the subject of those schemes, and the control measures for ensuring that the aids granted to citrus growers whose plantations suffered damage as a result of the frost meet the requirements laid down in Article 1 (5).'

3. The following points are added to Article 3 (1):

- (d) With respect to the work referred to in Article 1 (4) (c):

— to the re-establishment of citrus plantations damaged by frost, by maintaining the varietal composition of the plantations or by an appropriate choice of other varieties adapted to consumer requirements,

— to the rationalization of the means of production, as provided for in the second indent of paragraph 1 (a), where the level of such rationalization is not yet satisfactory.'

4. Article 4 is amended as follows:

- (a) In paragraph 1 the following subparagraph is inserted after the second subparagraph:

'However, for the implementation of Article 1 (4) (a) and (b), the figure given in the second indent of the first subparagraph shall be reduced to 20 %.'

- (b) The following paragraph is inserted:

'2a. As regards the additional aid referred to in Article 1 (3) for the implementation of the provisions contained in Article 1 (4) (c), the conditions referred to in the first subparagraph of paragraph 1 shall apply, with the exception of the rate of 40 % referred to in the second indent of that subparagraph.'

- (c) In paragraph 4 the first subparagraph is replaced by the following:

'4. The first instalment shall be paid during the two months following the start of conversion, or of re-establishment schemes as provided for in Article 1 (4) (c).'

5. Article 5 is amended as follows:

- (a) The following is added to the first indent of paragraph 1:

'... and of the measures referred to in Article 1 (4) (c).'

- (b) Paragraph 2 is replaced by the following:

'2. The EAGGF Guidance Section shall refund to Member States 50 % of the expenditure incurred through the work referred to in Article 1 (1), through payment of the additional aid provided for in Article 1 (3) and through the measures referred to in Article 1 (4) (c).'

Article 2

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

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

Done at Luxembourg, 17 October 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 3224/88

of 17 October 1988

**introducing an emergency common measure to aid the agricultural areas of the
Regions of Valencia and Murcia (Spain)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, in order to attain the objectives of the common agricultural policy set out in Article 39 (1) (a) and (b) of the Treaty, assistance must be provided for the structural improvement of agriculture in regions which are facing serious problems;

Whereas the flooding that occurred between 2 and 5 November 1987 in the Regions of Valencia and Murcia destroyed or seriously damaged rural infrastructures and certain factors of agricultural production, including human habitations, in those regions;

Whereas the flooding damaged agricultural land and, in some cases, removed the topsoil;

Whereas steps should be taken in the most seriously affected areas to promote and speed up the re-establishment of damaged or destroyed investments;

Whereas the information supplied to the Commission by the Spanish Government indicates that the extent and seriousness of the damage exceed the financial resources of the Regions and of the Member State concerned; whereas Community solidarity should consequently take the form of the implementation within a reasonable period of an exceptional emergency measure for the re-establishment and improvement of investments damaged or destroyed;

Whereas such aid should be granted within the framework of measures for the re-establishment and improvement of investments that have been damaged or destroyed;

Whereas, in order to ensure that the measures are as effective as possible and are implemented within a very short period, provision should be made that they are incorporated in an annual action programme to be drawn up by the regional authorities and forwarded by the Spanish Government to the Commission;

Whereas provision should be made for the duration of the common measure to be extended by one year should unforeseen difficulties prevent it from being implemented at the rate originally planned;

Whereas it should be laid down that this package of measures constitutes a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2048/88 ⁽⁴⁾;

Whereas a contribution from the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter called 'the Fund', in the form of a capital subsidy equivalent to 35 % of the cost occasioned to make good the damage represents an appropriate Community contribution to be made in a spirit of solidarity in view of the limited financial resources of Spain,

HAS ADOPTED THIS REGULATION:

Article 1

In order to accelerate and facilitate the re-establishment and improvement of investments damaged or destroyed by the flooding that occurred in November 1987 in the 'Comunidades Autónomas de Valencia e Murcia', an exceptional emergency measure is hereby introduced to aid agriculture in those regions. This measure shall constitute a common measure within the meaning of Article 6 of Regulation (EEC) No 729/70.

Article 2

In accordance with Article 5 the Community may grant aid as part of the common measure by financing out of the Fund, measures for:

- (a) the re-establishment and improvement of agricultural infrastructures, such as:
- the electrification of and supply of mains water to agricultural holdings and villages whose inhabitants depend principally on farming,
 - the reconstruction and improvement of wells in areas where there is no mains water supply network,
 - the reconstruction and improvement of farm roads used mainly for agriculture and sylviculture;
- (b) the re-establishment and improvement of irrigation infrastructures, including individual water supplies, provided that these measures will ensure that production is more in line with the requirements of the common agricultural policy;

⁽¹⁾ OJ No C 182, 12. 7. 1988, p. 14.

⁽²⁾ Opinion delivered on 14 October 1988 (not yet published in the Official Journal).

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 1.

- (c) the prevention of soil erosion, including the construction of new small reservoirs, embankments and wind-breaks, the reinforcement of river beds and the planting of vegetation suitable for improving the retention capacity of the soil or for resisting wind;
- (d) the restoration and improvement of farmland, including the removal of stones, levelling and cleaning and the replacement of the topsoil, first sowing of pasture land and the replanting of fruit trees;
- (e) the rebuilding and improvement of farm buildings, including accommodation.

Article 3

1. The authorities designated by the Kingdom of Spain shall draw up each year a specific action programme listing the most appropriate ways of carrying out the measures referred to in Article 2. The programme shall be presented annually to the Commission during the first month of each year at the latest.

2. The programme shall contain in particular the following information:

- (a) the definition of the geographical areas which qualify for aid from the Fund during the year concerned;
- (b) a description of the damage in each sector and of the re-establishment and improvement measures to be taken and the period in which they are to be carried out;
- (c) the level of public aid granted, of the beneficiary's contribution and of Community co-financing;
- (d) an estimate of the number of hectares of utilized agricultural area and of the number of farmers qualifying for the programme;
- (e) a cost/benefit estimate, where appropriate;
- (f) how co-ordination is to be ensured with all other measures and provisions liable to have an impact on the development of farming in the regions concerned;
- (g) any other information considered necessary by the Commission.

3. The programme referred to in paragraph 1 shall be accompanied by a detailed report on the measures carried out during the previous year.

4. The programme shall be approved by the Commission in accordance with the procedure laid down in Article 25 of Regulation (EEC) No 797/85⁽¹⁾.

5. A committee shall be set up by agreement between the Commission and the Spanish Government to monitor the common measure.

The committee shall assist the Spanish Government and the regions benefiting from the common measure or,

where appropriate, any other authority appointed by the Spanish Government to ensure that the common measure is effectively implemented.

The committee shall meet at least once a year and meetings shall be attended where appropriate by representatives of the agricultural interests concerned.

Article 4

Investments which qualify for Community aid and in particular under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, shall not be eligible for a contribution from the Fund under this Regulation.

Article 5

1. The duration of the common measure shall be limited to two years from 1 January 1988.

2. The estimated total cost to the Fund of the common measure is 21 million ECU for the period referred to in paragraph 1.

3. Aid from the Fund shall consist of capital grants made in one or more instalments.

4. Aid from the Fund shall amount to 35 % of the cost of carrying out the measures referred to in Article 2 subject to the following overall eligible costs:

- 27 million ECU for rural infrastructure work,
- 16 million ECU for irrigation schemes, with a maximum rate of 4 000 ECU per hectare and an overall limit of 2 000 hectares,
- 10 million ECU for the prevention of soil erosion,
- 4,5 million ECU for farmland improvement schemes,
- 2,5 million ECU for work on buildings.

5. The beneficiary's contribution shall, in general, be not less than 10 %. However, when approving the programmes referred to in Article 3, the Commission may permit derogations from this minimum rate.

6. When approving an annual programme, the Commission may adjust, in accordance with the procedure laid down in Article 3 (4), the financial limits laid down in paragraph 4 of this Article but shall not exceed the estimated costs set out in paragraph 2 or go beyond the time limit stipulated in paragraph 1 by more than one additional year.

Article 6

1. Advances may be made, on the basis of the presentation of the annual tranches, for carrying out the measures referred to in Article 2, as the work progresses.

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

2. Advances may not exceed 80 % of the Community contribution towards the costs of an annual tranche of the work referred to in paragraph 1.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 7

1. The aid from the Fund shall be paid to the bodies designated for the purpose by the Kingdom of Spain.

2. During the period in which aid is being granted from the Fund, the authority or body designated for the purpose by the Member State concerned shall forward to the Commission, at its request, all supporting documents and all documents required for establishing that the financial and other requirements imposed for each special programme are met. The Commission may, if necessary, carry out an on-the-spot inspection.

After the Fund Committee has been consulted on the financial aspects, a decision may be taken to suspend, reduce or discontinue the grant of aid from the Fund, in accordance with the procedure laid down in Article 3 (4) :

- if the programme has not been implemented as provided for, or
- if some of the conditions laid down have not been met.

Where it is established that payments have been made which were not or are not justified, the amounts concerned shall be deducted from payments due for subsequent years.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 8

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

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

Done at Luxembourg, 17 October 1988.

For the Council

The President

Y. POTTAKIS

COUNCIL REGULATION (EEC) No 3225/88

of 17 October 1988

laying down general rules for the system of minimum import prices for certain processed cherries

THE COUNCIL 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 (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 conversion 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 10 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 426/86 provides for the application of a minimum import price for each marketing year for certain processed cherries; whereas it is necessary to lay down general rules therefor;

Whereas a consequence of the present monetary situation is that the minimum price in ECU converted into national currency on the basis of the representative rate does not attain the same price level throughout the Community; whereas that could therefore lead to distortion of competition in trade; whereas that possibility could be avoided by applying a coefficient when converting the ECU into national currency;

Whereas the countervailing charge applies only where a product does not comply with the minimum import price; whereas in such cases the charge should be equal to the difference between the import price and the minimum* price,

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum import price for the processed cherries listed in Part B of Annex I to Regulation (EEC) No 426/86 shall be fixed before the beginning of the marketing year.
2. The minimum import price may be fixed for the products in immediate wrappings of a determined net weight.
3. The Commission may set a monetary coefficient for adjusting the minimum price in national currency in order to prevent distortions of trade between Member States.

Article 2

The minimum price to be observed for imports shall be that applicable on the day of acceptance of entry for free circulation.

Article 3

1. Where the import price is less than the minimum price as specified in Article 2, a countervailing charge equal to the difference between those prices shall be levied.
2. Rules on determining the import price shall be adopted by the Commission in accordance with the procedure laid down in Article 22 of Regulation (EEC) No 426/86.

Article 4

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

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

Done at Luxembourg, 17 October 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 21.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 3226/88

of 20 October 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 19 October 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 21 October 1988.

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

Done at Brussels, 20 October 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. 96.

ANNEX

to the Commission Regulation of 20 October 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	0,00	118,23
0712 90 19	0,00	118,23
1001 10 10	26,28	178,24 ⁽¹⁾ ⁽⁵⁾
1001 10 90	26,28	178,24 ⁽¹⁾ ⁽⁵⁾
1001 90 91	0,00	125,52
1001 90 99	0,00	125,52
1002 00 00	31,08	109,39 ⁽⁶⁾
1003 00 10	24,80	115,71
1003 00 90	24,80	115,71
1004 00 10	81,09	50,12
1004 00 90	81,09	50,12
1005 10 90	0,00	118,23 ⁽⁷⁾ ⁽⁸⁾
1005 90 00	0,00	118,23 ⁽⁷⁾ ⁽⁸⁾
1007 00 90	19,45	131,19 ⁽⁴⁾
1008 10 00	24,80	34,70
1008 20 00	24,80	95,36 ⁽⁴⁾
1008 30 00	24,80	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	24,80	0,00
1101 00 00	6,16	188,34
1102 10 00	57,02	166,61
1103 11 10	53,93	289,46
1103 11 90	7,20	202,87

⁽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 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 3227/88

of 20 October 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 19 October 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 21 October 1988.

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

Done at Brussels, 20 October 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 20 October 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 10	1st period 11	2nd period 12	3rd period 1
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	1,21
1004 00 90	0	0	0	1,21
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 3228/88

of 20 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 17 and 18 October 1988 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

HAS ADOPTED THIS REGULATION:

Article 2

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

Article 1

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

Article 3

This Regulation shall enter into force on 21 October 1988.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	67,00 ⁽¹⁾
1509 10 90	67,00 ⁽¹⁾
1509 90 00	78,00 ⁽²⁾
1510 00 10	67,00 ⁽¹⁾
1510 00 90	108,00 ⁽³⁾

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

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	14,74
0711 20 90	14,74
1522 00 31	33,50
1522 00 39	53,60
2306 90 19	5,36

COMMISSION REGULATION (EEC) No 3229/88**of 20 October 1988****amending Council Regulation (EEC) No 1678/85 as regards the agricultural conversion rates for the pigmeat sector in Greece**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 6a of Regulation (EEC) No 1677/85 lays down that the agricultural conversion rates of a Member State should, in accordance with the procedure provided for in Article 12 of that Regulation, be adjusted so as to avoid the creation of new monetary compensatory amounts;

Whereas the movement of the market rate for the drachma during the reference period 12 to 18 October 1988 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85 ⁽³⁾, as last amended by Regulation (EEC) No 2792/88 ⁽⁴⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3770/87 ⁽⁶⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Greece, effective from 24 October 1988; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant Management Committees,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IV to amended Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following:

Products	Agricultural conversion rates			
	1 ECU = ... Dra	Applicable until	1 ECU = ... Dra	Applicable from
Pigmeat	151,971	23 October 1988	153,409	24 October 1988'

Article 2

This Regulation shall enter into force on 24 October 1988.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.⁽⁴⁾ OJ No L 250, 9. 9. 1988, p. 12.⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.⁽⁶⁾ OJ No L 355, 17. 12. 1987, p. 16.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3230/88

of 20 October 1988

laying down to what extent applications for issue of export licences submitted during October 1988 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country⁽¹⁾, and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EEC) No 2248/88⁽³⁾,

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁴⁾, as last amended by Regulation (EEC) No 3182/88⁽⁵⁾, lays down, in Articles 14 and 15, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79⁽⁶⁾, as last amended by Regulation (EEC) No 3434/87⁽⁷⁾; whereas Article 15 (6) (c) of Regulation (EEC) No 2377/80 requires the Commission, where the quantities in respect of which licences are applied for

exceed the quantities available, to reduce the quantities requested by a fixed percentage;

Whereas Commission Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the fourth quarter of 1988;

Whereas the quantities for which licence applications have been lodged for the fourth quarter of 1988 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the fourth quarter of 1988 shall be met in full.

Article 2

This Regulation shall enter into force on 21 October 1988.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 24.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁶⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁷⁾ OJ No L 327, 18. 11. 1987, p. 7.

COMMISSION REGULATION (EEC) No 3231/88

of 20 October 1988

on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 233/88 of 25 January 1988 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within heading Nos 0201 and 0202 of the combined nomenclature (1988) and for products falling within subheadings 0206 10 95 and 0206 29 91 thereof⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 409/88 of 12 February 1988 laying down detailed rules for the application of import arrangements provided for by Regulations (EEC) No 232/88 and (EEC) No 233/88 in the beef and veal sector⁽²⁾, provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 409/88 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1988 at 10 000 tonnes;

Whereas Article 15 (6) (d) of Regulation (EEC) No 2377/80 lays down that the quantities applied for may be reduced; whereas the applications lodged relate to total quantities which exceed the quantities available; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of the fourth quarter of 1988 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 409/88 are hereby met to the extent of 0,0564 % of the quantity requested.

Article 2

This Regulation shall enter into force on 21 October 1988.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 24, 29. 1. 1988, p. 3.

⁽²⁾ OJ No L 40, 13. 2. 1988, p. 17.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

COMMISSION REGULATION (EEC) No 3232/88

of 20 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 12 September 1988, the level of the premium and the amount to be charged on products leaving that region;

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

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

Whereas in the Annex to Commission Regulation (EEC) No 1310/88 of 11 May 1988 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat ⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 9a (3) of Regulation (EEC) No 1837/80;

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 12

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 12 September 1988, the level of the premium is fixed at 74,014 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 12 September 1988, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 12 September 1988.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing
12 September 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	34,787	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	74,014	0
0204 21 00	74,014	0
0204 50 11		0
0204 22 10	51,810	
0204 22 30	81,415	
0204 22 50	96,218	
0204 22 90	96,218	
0204 23 00	134,705	
0204 30 00	55,511	
0204 41 00	55,511	
0204 42 10	38,858	
0204 42 30	61,062	
0204 42 50	72,164	
0204 42 90	72,164	
0204 43 00	101,030	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	96,218	
0210 90 19	134,705	
1602 90 71 :		
— unboned (bone-in)	96,218	
— boned or boneless	134,705	

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

COMMISSION REGULATION (EEC) No 3233/88**of 20 October 1988****amending Regulation (EEC) No 3142/88 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 3142/88⁽³⁾, introduced a countervailing charge on cucumbers originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of cucumbers originating in Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985 must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 6 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the third year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3142/88, '1,49 ECU' is hereby replaced by '19,45 ECU'.

Article 2

This Regulation shall enter into force on 21 October 1988.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 280, 13. 10. 1988, p. 18.

COMMISSION REGULATION (EEC) No 3234/88

of 20 October 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 thereto, as
amended by the Act of Accession of Spain and Portugal,
and in particular Protocol 14 annexed thereto, and Regu-
lation (EEC) 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,

Whereas the amount of the additional aid referred to in
Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by
Commission Regulation (EEC) No 3026/88 ⁽⁴⁾, as
amended by Regulation (EEC) No 3091/88 ⁽⁵⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 3026/88 to
the information at present available to the Commission
that the amount of the aid at present in force should be
altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of
Regulation (EEC) No 2169/81 shall be 55,496 ECU per
100 kilograms.

Article 2

This Regulation shall enter into force on 21 October
1988.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 271, 1. 10. 1988, p. 69.

⁽⁵⁾ OJ No L 275, 7. 10. 1988, p. 28.

COMMISSION REGULATION (EEC) No 3235/88

of 20 October 1988

fixing the export refunds 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)
No 2221/88 ⁽²⁾, and in particular the fourth subparagraph
of Article 16 ⁽²⁾,

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 in 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 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 cereal markets 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 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account when
the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat
and rye flour, groats and meal are concerned, in Article 4
of Regulation (EEC) No 2746/75; whereas furthermore,
when the refund on these products is being calculated,

account must be taken of the quantities of cereals
required for their manufacture; whereas these quantities
were fixed in Commission Regulation No 162/67/EEC ⁽⁴⁾,
as amended by Regulation (EEC) No 1607/71 ⁽⁵⁾;

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 destina-
tion;

Whereas the refund must be fixed 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 rela-
tion 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 Regula-
tion (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regula-
tion (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 rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set
out above to the present situation on the market in
cereals, and in particular to quotations or prices for these
products within the Community and on the world
market, that the refunds should be 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 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 Cereals,

⁽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 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 October 1988.

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

Done at Brussels, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 October 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	01	20,00 (2)
1001 90 91 000	01	0
1001 90 99 000	05	52,00
	06	70,00
	02	0
1002 00 00 000	01	20,00
1003 00 10 000	01	0
1003 00 90 000	05	57,00
	02	0
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	63,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	87,00
1101 00 00 120	01	87,00
1101 00 00 130	01	79,00
1101 00 00 150	01	69,00
1101 00 00 170	01	59,00
1101 00 00 180	01	49,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	87,00
1102 10 00 200	01	87,00
1102 10 00 300	01	87,00
1102 10 00 500	01	87,00
1102 10 00 900	—	—
1103 11 10 100	04	229,00
	02	184,00
1103 11 10 200	04	229,00
	02	174,00
1103 11 10 500	01	155,00
1103 11 10 900	01	147,00
1103 11 90 100	01	87,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Algeria,
- 05 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 06 Zone VIII (b).

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Commission Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum of which 5 % of soft wheat or other cereals.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

COMMISSION REGULATION (EEC) No 3236/88

of 20 October 1988

fixing 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⁾,

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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and,

furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 over a given period in relation to the Community currencies referred to in the preceding 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 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 October 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ 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, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 October 1988 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	— 5,00	— 5,00	— 40,00	— 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	02	0	0	0	— 3,00	— 3,00	— 30,00	— 30,00
	03	0	+ 3,00	+ 3,00	0	0	— 30,00	— 30,00
	04	0	0	0	0	0	0	0
1002 00 00 000	01	0	0	0	— 3,00	— 3,00	— 30,00	— 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	02	0	0	0	— 3,00	— 3,00	— 30,00	— 30,00
	03	0	+ 3,00	+ 3,00	0	0	— 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	0	0	— 30,00	— 30,00	— 30,00	— 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	— 5,00	— 5,00	—	—
1101 00 00 120	01	0	0	0	— 5,00	— 5,00	—	—
1101 00 00 130	01	0	0	0	— 5,00	— 5,00	—	—
1101 00 00 150	01	0	0	0	— 5,00	— 5,00	—	—
1101 00 00 170	01	0	0	0	— 5,00	— 5,00	—	—
1101 00 00 180	01	0	0	0	— 5,00	— 5,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	— 5,00	— 5,00	—	—
1102 10 00 200	01	0	0	0	— 5,00	— 5,00	—	—
1102 10 00 300	01	0	0	0	— 5,00	— 5,00	—	—
1102 10 00 500	01	0	0	0	— 5,00	— 5,00	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	0	— 50,00
1103 11 10 200	01	0	0	0	0	0	0	— 50,00
1103 11 10 500	01	0	0	0	0	0	0	— 50,00
1103 11 10 900	01	0	0	0	0	0	0	— 50,00
1103 11 90 100	01	0	0	0	— 5,00	— 5,00	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

- 01 all third countries,
- 02 other third countries,
- 03 Algeria, Tunisia, Egypt and the Canary Islands,
- 04 Zone VIII (b).

NB: The zones are those defined in Commission 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 3237/88

of 20 October 1988

fixing the export refunds on 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 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 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 ⁽³⁾, laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, 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 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 cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

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 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, 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 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 malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 21 October 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽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, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 October 1988 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	69,00
1107 10 99 000	77,00
1107 20 00 000	89,00

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3238/88

of 20 October 1988

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 2221/88⁽²⁾,

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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation Commission (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 over a given period in relation to the Community currencies referred to in the preceding 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 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 October 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ 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, 20 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 October 1988 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period 4	7th period 5	8th period 6	9th period 7	10th period 8	11th period 9
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 26 July 1988

concerning the establishment of a plan of action for setting up an information services market

(88/524/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

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

Whereas it is essential to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas application of the Community programme for the development of the specialized information market in Europe, adopted by the Council by Decision 84/567/EEC ⁽⁴⁾, has revealed that a much more comprehensive Community information market policy is necessary;

Whereas the Heads of State and of Government, meeting within the European Council in Brussels on 29 and 30 March 1985, approved the creation of a Community information market as a specific objective;

Whereas the Council on 18 March 1986 gave a favourable reception to the communication from the Commission comprising a work programme for creating a common information market;

Whereas the Commission, having consulted representatives of users and suppliers of information services as well as the Senior Officials Advisory Group for information market policy, has been able to draw up an agreed definition of the principle objectives and lines of action of a Community policy which is designed to tackle on a broad front the complex, diverse and overlapping questions arising out of the evolution of the information market;

Whereas it is recognized that information plays a role of fundamental importance in the development of trade and industry, giving strength and coherence to the European economy as a whole, as well as being an essential component of both the cultural identity of the Community and the fabric of a modern society;

Whereas the rapid development and convergence of new technologies has led to considerable difficulties in defining the exact scope of the information market sector;

Whereas fuller statistics on the Community information market are vitally needed to match those for more traditional sectors;

Whereas, by virtue of the economic importance of information, the creation of a common information services market occupies an essential place in the completion of the internal market by the end of 1992;

Whereas there exist numerous technical, administrative and legal barriers to the creation of an internal information market which are hindering the setting-up of new services and causing in some cases distortions of competition;

Whereas the need for simplification of procedures as well as harmonization in the field of database access should undergo priority scrutiny;

⁽¹⁾ OJ No C 249, 17. 9. 1987, p. 6.

⁽²⁾ OJ No C 13, 18. 1. 1988, p. 69.

⁽³⁾ OJ No C 356, 31. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 314, 4. 12. 1984, p. 19.

Whereas the development of information resources and information-based services requires the application of new technologies and the achievement of economies of scale ;

Whereas the Community has a competitive position which is strong in some areas of the information market but which needs to be strengthened in others ;

Whereas public authorities in the Member States are carrying out to a varied extent different activities in the field of the information market ;

Whereas the growing importance of information in international transactions, and of the related problems concerning services, is receiving increasing attention in international fora and this fact serves to emphasize the necessity for Member States to develop common positions in those fora ;

Whereas the needs and legitimate demands of users of information services, and particularly of those in small and medium-sized enterprises and in the less-favoured regions of the Community, merit special attention ;

Whereas the Community already possesses potentially useful instruments for the implementation of the above policy ;

Whereas the Community's financial engineering mechanisms may contribute to the implementation of the present plan of action, in particular with regard to the pilot and demonstration projects designed to exert a catalytic effect on the development of the information services market ;

Whereas that part of the amount deemed necessary which is intended to finance pilot and demonstration projects may be used, in particular, to attract any necessary additional sources of funding from the partners concerned, thereby having a multiplier effect on the development of the European information services market ;

Whereas any information market policy must be complementary to other ongoing Community initiatives, notably in the field of telecommunications,

HAS ADOPTED THIS DECISION :

Article 1

Approval is hereby given to the objectives and broad lines of the plan of action proposed by the Commission with the following aims :

- to set up an internal information services market by the end of 1992 in accordance with the White Paper on completing the internal market,
- to stimulate and reinforce the competitive capability of European suppliers of information services, taking into account, *inter alia*, the role and needs of small and medium-sized undertakings,
- to promote the use of advanced information services in the Community within the context of a world market,
- to reinforce joint efforts to achieve Community cohesion with respect to information services policies.

Article 2

In order to attain the objectives referred to in Article 1, the following measures shall be undertaken under the

responsibility of the Commission, in accordance with the plan of action contained in the Annex :

- the establishment of a European information market observatory to stimulate the provision of fuller statistics, and, in order to keep the Commission informed in drawing up its policy, to identify the European Community's competitive strengths and weaknesses in the sector,
- presentation to the Council of proposals which will aim at eliminating legal, administrative and technical barriers to the establishment of an information market,
- the improvement of the conditions for transmitting and accessing information services, in particular, through greater standardization and simplification,
- the preparation of initiatives concerning the role of the public sector in the information market, to improve the synergy between that sector and the private sector,
- the launching of pilot and demonstration projects which will act as catalysts for the development of a European market,
- the preparation of specific action for the benefit of libraries, further to the Council resolution of 27 September 1985 ⁽¹⁾,
- promotion of the use and further development of European information services available on the market.

None of these measures shall duplicate the work carried out in these areas under Community or national programmes. The Commission shall, wherever possible, utilize instruments and procedures in order to implement such programmes.

Article 3

The measures described in Article 2 shall be implemented from the date of adoption of this Decision.

Article 4

The amount deemed necessary for the implementation of the said measures is 15 million ECU for 1989 and 21 million ECU for 1990.

As a general rule, contractors shall bear a substantial share of the financing amounting to at least 50 % of the total cost.

Article 5

During the second half of 1989, the Commission shall submit to the European Parliament and to the Council an evaluation report on the results obtained through the implementation of the measures and may present, on the basis of those results, guidelines for any continuation of the measures until 1992.

The Commission shall also forward a report to the European Parliament and to the Council in 1989 and 1990 on the most important events and developments which occur in the information market.

⁽¹⁾ OJ No C 271, 23. 10. 1985, p. 1.

Article 6

1. The Commission shall be assisted by a committee of an advisory nature, hereinafter referred to as 'the committee', composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the decisions to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the committee minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

The committee shall assist the Commission in its general work on creating a common market in information services and particularly in defining Community policies to avoid duplication of national measures.

2. When implementing the plan of action provided for in Article 2, the Commission shall consult the Committee on the following points in particular:

- priorities for the plan of action,
- content of calls for tender and calls for expression of interest,
- criteria for selecting projects and contractors,
- appropriations for priorities,
- evaluation of projects,
- derogations from the second subparagraph of Article 4,
- evaluation of the programme for the purposes of drawing up the report provided for in Article 5.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 26 July 1988.

For the Council

The President

Y. PAPANTONIOU

ANNEX

PLAN OF ACTION FOR SETTING UP A COMMON INFORMATION SERVICES MARKET

1989 to 1990

1. European Information Market Observatory (IMO)

An IMO would be established within the Commission to improve the statistical understanding of the Community information market and to inform the Commission's policy-making efforts. The intention of the IMO would be to supplement the efforts of Member States, companies and other organizations with an interest in the development of the market. The activities of the IMO would therefore be undertaken in conjunction with, and not supplant, the efforts of Member States, companies and other organizations. The IMO would:

- work closely with experts from the governments of Member States to improve the quality and availability of statistics on the information market by identifying ways in which statistics could be collected according to an agreed conceptual framework, and
- collect data on the information market and carry out analyses to inform the policy-making of the Commission.

The results of the data collection and analyses would be made public.

Financial allocation: 1 800 000 ECU.

2. Overcoming technical, administrative and legal barriers

The Commission would explore with information providers (IPs) and users the demand for simplification and standardization of access to database services and the prospects for achieving agreement on such standardization.

The Commission would investigate the nature of legal and administrative barriers and possible means of removing them. The monitoring and advisory work of the Legal Advisory Board would continue in the following priority areas: intellectual property, authentication of electronic signatures, computer fraud, liability in relation to information services, confidentiality in relation to information services, confidentiality of database searches and protection of privacy.

The Commission would support the improvement of conditions of dissemination of information services by postal and telecommunications services by encouraging joint action by publishers and postal authorities and through its efforts on the Community telecommunications regime.

Financial allocation: 1 500 000 ECU.

3. Improvement of the synergy between the public and the private sectors

Studies and workshops for the preparation of guidelines, recommendations, etc, to:

- stimulate the setting-up of European information services,
- help the public sector in decision-making related to making information available externally,
- encouraging the private-sector exploitation of public-sector data,
- improve the transfer of Member States' experience in encouraging such private-sector exploitation of public-sector data,
- improve the transparency of public sector policies for such private sector exploitation of public sector data, e.g. conditions for the direct provision of database services by the public sector, pricing policies, etc.

Financial allocation: 200 000 ECU.

4. Launching of pilot/demonstration projects

In accordance with the conditions and criteria set out in the Call for Declarations of Interest (OJ No C 188, 17. 7. 1987), the Commission would:

- analyse and evaluate responses received,
- cluster ideas with similar or complementary goals and, with the help of experts, develop proposals for preparatory and feasibility studies,
- negotiate with potential partners from, e.g. large companies, small and medium-sized undertakings, less-favoured regions, different countries,

- launch pilot or demonstration projects in accordance with the aims set out in the Call for Declarations of Interest, e.g. in new application areas and for demonstrating innovative applications of technology,
- continue projects started under the five-year action programme for the creation of the specialized information market, e.g. the materials database.

Financial allocation : 23 million ECU.

5. Promotion of the use of European Information Services

To supplement the efforts of private-sector information providers (IPs) and Member States by :

- providing objective information about the services available from Community IPs, e.g. by means of multilingual directories,
- giving guidance and training for users where not available from a readily accessible IP by means of amongst other things strengthening of help desk facilities,
- acting as an outlet for new services, if requested by a Community IP,
- performing a promotional campaign for the use of Community information services.

The available Commission infrastructure such as ECHO will be used for these activities.

Financial allocation : 7 million ECU.

6. Preparation of an action in favour of libraries based on the Council resolution of 27 September 1985

Preparation of a project to interconnect libraries in the European Community ; support for the use of libraries and encouragement for the introduction of the application of new information technologies.

Financial allocation : 2 500 000 ECU.

Total financial allocation 36 million ECU.

COMMISSION

COMMISSION OPINION

of 28 September 1988

addressed to the Government of the Kingdom of Denmark on a draft law on the carriage of goods by road

(Only the Danish text is authentic)

(88/525/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by Decision 73/402/EEC⁽²⁾, the Danish Government sent the Commission, under cover of a letter of 8 February 1988 from the Office of its Permanent Representative to the European Communities, the text of a draft law on the carriage of goods by road.

The letter from the Office of the Danish Permanent Representative reached the Commission on 10 February 1988; in accordance with Article 1 of the abovementioned Council Decision, copies were sent to the other Member States.

At the Commission's initiative, an information meeting with representatives of the Danish Government was held in Brussels on 16 May 1988. The Commission did not consider it necessary to consult all the other Member States on the provisions in question; no Member State has requested consultation.

Under Article 2 (1) of the Council Decision the Commission hereby delivers the following opinion:

1. The Commission notes that, according to the Danish Government, the aim of the draft law is to end quantitative restrictions on access to the Danish market for national road haulage services. Henceforth access to this market will be governed solely by quality criteria which all carriers will have to satisfy.

The draft law also seeks to define the conditions for withdrawing transport licences and to abolish the special licences required in order to perform regular road haulage services.

Finally, the new law planned by the Danish Government will include provisions to implement measures taken by the Council of the European Communities to establish the freedom to provide services on the national road haulage market in Denmark.

2. The Commission approves the Danish Government's initiative to create equal conditions of competition between carriers for hire or reward, to improve the social situation of the workers concerned and to improve road safety. The Danish Government's plans to abolish quantitative restrictions and replace them by quality conditions for access to the market are compatible with the approach advocated by the Commission and with Council Regulation (EEC) No 1841/88 of 21 June 1988 amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States⁽³⁾. Consequently, in Denmark the same rules will govern both national operations and international operations between Member States. This can only facilitate these operations and help to complete the internal market in road haulage services.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

⁽³⁾ OJ No L 163, 30. 6. 1988, p. 1.

3. The Commission notes that the definition of 'own account' transport operations, as proposed in Article 1 (4) of the draft Danish law, differs from the definition in point 11 of Annex I to the first Council Directive of 23 July 1962 on the establishment of common rules for certain types of carriage of goods by road between Member States⁽¹⁾, as amended by Directive 80/49/EEC⁽²⁾ in particular. Consequently, the Commission suggests that the Community definitions should be used.
4. The Commission notes that at the abovementioned meeting the representatives of the Danish Government stated that the main aim of Article 1 (2), Article 3 (2) and Article 4 (4) of the draft Danish law was to establish the freedom to provide road haulage services within Denmark. Nevertheless, the Commission feels that the reference in these Articles to 'international agreements' is too vague to ensure the freedom to provide road haulage services for the purposes of secondary Community legislation, i.e. the decisions adopted by the Council of the European Communities under Article 75 (1) (b) of the EEC Treaty. The Commission suggests that these Articles should be reworded and that an explicit reference to the 'Treaty establishing the European Economic Community and the secondary legislation derived therefrom' be added to the abovementioned Articles in the draft Danish law, possibly before the phrase 'international agreements'.
5. The Commission notes that Article 14 (2) would allow road haulage undertakings to continue to operate in the event of the death or physical or legal incapacity of the person engaged in the occupation of transport operator. The Commission reminds the Danish Government that, under Article 4 (1) of Council Directive 74/561/EEC of 12 November 1974 on admission to the occupation of road haulage operator in national and international transport operations⁽³⁾, as amended by Directive 85/578/EEC⁽⁴⁾, road haulage undertakings may continue to operate on a temporary basis for not more than one year, which may be extended by a maximum of six months in duly justified special cases. Article 4 (2) of Directive 74/561 EEC empowers the Danish authorities, by way of exception in certain special cases, definitively to authorize a person not fulfilling the professional competence condition laid down in Article 3 (1) (c) of the Directive to operate the transport undertaking, provided he possesses at least three years practical experience in the day-to-day management of the undertaking.
6. The Commission requests the Danish Government to notify to it in due course the implementing measures adopted to apply the law on the carriage of goods by road.

Done at Brussels, 28 September 1988.

For the Commission

Stanley CLINTON DAVIS

Member of the Commission

⁽¹⁾ OJ No 70, 6. 8. 1962, p. 2005/62.

⁽²⁾ OJ No L 18, 24. 1. 1980, p. 23.

⁽³⁾ OJ No L 308, 19. 11. 1974, p. 18.

⁽⁴⁾ OJ No L 372, 31. 12. 1985, p. 34.

COMMISSION DECISION

of 5 October 1988

approving supplementary aid from the Federal Republic of Germany to the coal industry during 1987

(Only the German text is authentic)

(88/526/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

I

In its communication of 12 July 1988 the Government of the Federal Republic of Germany informed the Commission, pursuant to Article 9(3) of Decision No 2064/86/ECSC, of a supplementary financial measure it intends to take in support of the coal industry with retroactive effect for 1987, in respect of sales of coal and coke to the Community iron-and-steel industry.

On 31 July 1987 the Commission adopted Decision 87/451/ECSC⁽²⁾ approving aid from the Federal Republic of Germany to the coal industry during 1987. This authorized the Government of the Federal Republic of Germany to grant directly or indirectly the financial support to the coal industry planned for 1987, where this had been submitted to the Commission for approval.

As stated in that Decision, the Government of the Federal Republic of Germany planned, under Decision No 2064/86/ECSC, to give aid in 1987 amounting to DM 3 450 million to sales of coal and coke to the Community iron-and-steel industry.

The Government of the Federal Republic of Germany informed the Commission in its communication of 12 July 1988 that the amount of aid to sales of coal and coke to the Community iron-and-steel industry specified in the Decision would not be sufficient.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 241, 25. 8. 1987, p. 10.

The proposed increase for 1987 over the volume of aid authorized by the Commission would be DM 137 million, bringing the total amount of aid to sales of coal and coke in 1987 to DM 3 587 million.

This increase is necessary to make up the difference between the world market price and production costs in Germany, which is greater than originally estimated as a result primarily of the exchange-rate trend of the United States dollar in 1987.

With regard to the year 1987, the aid to sales of blast-furnace coal and coke for the Community iron-and-steel industry, totalling DM 3 587 million, is compatible with Article 4 of Decision No 2064/86/ECSC, as its purpose is to make up the difference observed in 1987 between the world market price and production costs in respect of an output of 24,1 million tonnes, in conformity with the conditions set out in Article 12 of the Decision.

The planned aid should make it possible to stagger the closure of certain production sites. It therefore contributes to solving the social and regional problems related to developments in the coal industry, in conformity with the third indent of Article 2(1).

II

Pursuant to Article 11(2) of Decision No 2064/86/ECSC, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed of the amount of the payments and the manner in which they are apportioned,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany is hereby authorized to grant supplementary aid for 1987 not exceeding DM 137 million to sales of blast-furnace coal and coke for the Community iron-and-steel industry, bringing the total amount of aid authorized for 1987 to DM 3 587 million.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 5 October 1988.

For the Commission

Nicolas MOSAR

Member of the Commission

COMMISSION DECISION

of 5 October 1988

approving an integrated Mediterranean programme for the Lazio region

(Only the Italian text is authentic)

(88/527/EEC)

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

Having regard to Council Regulation (EEC) No 2088/85 of 23 July 1985 concerning the integrated Mediterranean programmes⁽¹⁾, and in particular Article 7 thereof,

Whereas Italy has presented to the Commission an integrated Mediterranean programme for the Lazio region (hereinafter Lazio IMP);

Whereas, in accordance with Article 7 of Regulation (EEC) No 2088/85, the Lazio IMP has been submitted in amended form to the Advisory Committee for Integrated Mediterranean Programmes, which has given a favourable opinion;

Whereas the Lazio IMP including its financial plan, may therefore be approved by the Commission;

Whereas the Lazio IMP relates to the period from 1 January 1987 to 31 December 1992 inclusive;

Whereas the Lazio IMP contains measures which constitute a specific programme of action eligible for assistance from the European Agricultural Guidance and Guarantee Fund, Guidance Section, by virtue of the second paragraph of Article 12 (1) of Regulation (EEC) No 2088/85;

Whereas in order to ensure its effectiveness the Lazio IMP will be carried out in successive phases and will be subject to later decisions when the conditions for the granting of Community contributions have been met;

Whereas the expenditure on the measures constituting the Lazio IMP is estimated at 103 763 000 ECU;

Whereas the Community contribution from the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85 is estimated at 15 446 000 ECU,

HAS ADOPTED THIS DECISION:

Article 1

The Lazio IMP in the version submitted to the Commission on 18 December 1986, as subsequently

modified after examination by the Commission and following consultation of the Advisory Committee for Integrated Mediterranean Programmes, is hereby approved. The estimates of total expenditure and the estimated contributions from each Community budgetary source are shown in the financial plan of the Lazio IMP.

In so far as the measures are carried out in accordance with the Lazio IMP, within the limits of the overall expenditure estimates and in compliance with the rules and procedures relating to each source of Community financing, the Commission shall pay the Community contributions specified in the Lazio IMP.

Article 2

The contribution from the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85 shall not exceed 15 446 000 ECU in respect of the expenditure to be incurred in the period from 1 January 1987 to 31 December 1992 on measures to be financed in the context of the Lazio IMP, estimated at 103 763 000 ECU.

Article 3

Pursuant to Article 15 (2) of Regulation (EEC) No 2088/85, a first instalment from the special budget heading referred to in Article 11 (2) of that Regulation amounting to 703 000 ECU is hereby committed in accordance with the financial plan of the Lazio IMP.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 5 October 1988.

For the Commission

Grigoris VARFIS

Member of the Commission

⁽¹⁾ OJ No L 197, 27. 7. 1985, p. 1.