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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3384/88

of 28 October 1988

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is

calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹⁰⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 57.

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

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as amended by Regulation (EEC) No 1821/87 ⁽²⁾;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾,

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 28 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.
⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.
⁽³⁾ OJ No L 43, 13. 2. 1987, p. 9.
⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.
⁽⁵⁾ OJ No L 134, 31. 5. 1988, p. 1.

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

ANNEX

to the Commission Regulation of 28 October 1988 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10	29,32	120,35	115,52 (?)
0714 10 90	26,30	117,33 (?)	115,52 (?) (?)
0714 90 10	26,30	117,33 (?)	115,52 (?) (?)
1102 20 10 (?)	6,04	220,04	214,00
1102 20 90 (?)	3,02	124,29	121,27
1102 30 00 (?)	3,02	117,82	114,80
1102 90 10 (?)	53,38	217,23	211,19
1102 90 30 (?)	154,70	94,38	88,34
1102 90 90 (?)	24,39	137,02	134,00
1103 12 00 (?)	154,70	94,38	88,34
1103 13 11 (?)	6,04	211,04	205,00
1103 13 19 (?)	6,04	220,04	214,00
1103 13 90 (?)	3,02	124,29	121,27
1103 14 00 (?)	3,02	117,82	114,80
1103 19 10 (?)	64,68	202,22	196,18
1103 19 30 (?)	53,38	217,23	211,19
1103 19 90 (?)	24,39	137,02	134,00
1103 21 00 (?)	6,04	230,19	224,15
1103 29 10 (?)	64,68	202,22	196,18
1103 29 20 (?)	53,38	217,23	211,19
1103 29 30 (?)	154,70	94,38	88,34
1103 29 40 (?)	6,04	220,04	214,00
1103 29 50 (?)	3,02	117,82	114,80
1103 29 90 (?)	24,39	137,02	134,00
1104 11 10 (?)	29,85	122,70	119,68
1104 11 90 (?)	58,64	240,70	234,66
1104 12 10 (?)	87,26	53,08	50,06
1104 12 90 (?)	171,22	104,20	98,16
1104 19 10 (?)	6,04	230,19	224,15
1104 19 30 (?)	64,68	202,22	196,18
1104 19 50 (?)	6,04	220,04	214,00
1104 19 91 (?)	6,04	200,98	194,94
1104 19 99 (?)	43,75	242,51	236,47
1104 21 10 (?)	45,10	190,75	187,73
1104 21 30 (?)	45,10	190,75	187,73
1104 21 50 (?)	71,79	299,37	293,33
1104 21 90 (?)	29,85	122,70	119,68
1104 22 10 (?)	151,68	91,36	88,34
1104 22 30 (?)	151,68	91,36	88,34
1104 22 50 (?)	135,16	81,55	78,53
1104 22 90 (?)	87,26	53,08	50,06
1104 23 10 (?)	3,02	193,24	190,22
1104 23 30 (?)	3,02	193,24	190,22
1104 23 90 (?)	3,02	124,29	121,27

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*10 (?) ⁽⁹⁾	3,02	168,64	165,62
1104 29 10*20 (?) ⁽⁷⁾	46,35	147,98	144,96
1104 29 10*30 (?) ⁽⁸⁾	36,54	213,21	210,19
1104 29 10*40 (?) ⁽⁹⁾	36,54	213,21	210,19
1104 29 10*90 (?) ⁽¹⁰⁾	36,54	213,21	210,19
1104 29 30*10 (?) ⁽⁹⁾	3,02	202,27	199,25
1104 29 30*20 (?) ⁽⁷⁾	55,15	177,40	174,38
1104 29 30*30 (?) ⁽⁸⁾	36,54	213,21	210,19
1104 29 30*40 (?) ⁽⁹⁾	36,54	213,21	210,19
1104 29 30*90 (?) ⁽¹⁰⁾	36,54	213,21	210,19
1104 29 91 (?)	3,02	130,04	127,02
1104 29 95 (?)	36,25	114,19	111,17
1104 29 99 (?)	24,39	137,02	134,00
1104 30 10	6,04	99,44	93,40
1104 30 90	6,04	95,21	89,17
1106 20 10	29,32	120,35	113,70 (?)
1106 20 91	20,55	203,91	179,73 (?)
1106 20 99	20,55	211,96	187,78 (?)
1107 10 11	10,88	232,54	221,66
1107 10 19	10,88	176,50	165,62
1107 10 91	57,69	219,73 (?)	208,85
1107 10 99	45,86	166,93	156,05
1107 20 00	51,65	192,74 (?)	181,86
1108 11 00	20,55	279,12	258,57
1108 12 00	20,55	203,91	183,36
1108 13 00	20,55	203,91	183,36
1108 14 00	20,55	203,91	91,68 (?)
1108 19 10	30,83	186,33	155,50
1108 19 90	20,55	203,91	91,68
1109 00 00	181,34	651,46	470,12
1702 30 91 (?)	96,72	335,89	239,17
1702 30 99 (?)	66,49	249,85	183,36
1702 40 90 (?)	66,49	249,85	183,36
1702 90 50	66,49	249,85	183,36
1702 90 75	96,72	347,28	250,56
1702 90 79	66,49	240,74	174,25
2106 90 55	66,49	249,85	183,36
2302 10 10	9,68	56,51	50,51
2302 10 90	13,89	114,23	108,23
2302 20 10	9,68	56,51	50,51
2302 20 90	13,89	114,23	108,23
2302 30 10	9,68	56,51	50,51
2302 30 90	13,89	114,23	108,23
2302 40 10	9,68	56,51	50,51
2302 40 90	13,89	114,23	108,23
2303 10 11	181,34	409,12	227,78

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

COMMISSION REGULATION (EEC) No 3385/88

of 28 October 1988

fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 61, 26. 2. 1986, p. 4.

⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽¹⁰⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹¹⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 28 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 October 1988 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	Third countries (other than ACP and OCT)	ACP and OCT
2309 10 11	10,88	29,90	19,02
2309 10 13	10,88	595,05	584,17
2309 10 31	10,88	70,33	59,45
2309 10 33	10,88	635,48	624,60
2309 10 51	10,88	129,77	118,89
2309 10 53	10,88	694,92	684,04
2309 90 31	10,88	29,90	19,02
2309 90 33	10,88	595,05	584,17
2309 90 41	10,88	70,33	59,45
2309 90 43	10,88	635,48	624,60
2309 90 51	10,88	129,77	118,89
2309 90 53	10,88	694,92	684,04

COMMISSION REGULATION (EEC) No 3386/88
of 28 October 1988
altering the corrective amount applicable to the refund on cereals

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

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

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

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 3345/88 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 3345/88 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 28 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 295, 28. 10. 1988, p. 68.

ANNEX

to the Commission Regulation of 28 October 1988 modifying the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
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	0	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	02	0	0	0	0	- 30,00	- 30,00	- 30,00
	03	0	+ 3,00	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00
	04	0	0	0	0	0	0	0
1002 00 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	02	0	0	0	0	- 30,00	- 30,00	- 30,00
	03	0	+ 3,00	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	- 1,50	- 3,00	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	—	—
1101 00 00 120	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
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	0	0	—	—
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 3387/88

of 28 October 1988

altering 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 Regulation (EEC)
No 3989/87 ⁽²⁾, and in particular the fourth sentence of
the second subparagraph of Article 16 (4) thereof,

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

Whereas the corrective amount applicable to the refund
on malt was fixed by Regulation (EEC) No 3238/88 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the
market into account, the corrective amount at present
applicable to the refund on malt should be altered,

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 the
export refunds fixed in advance in respect of malt is
hereby altered to the amount set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November
1988.

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

Done at Brussels, 28 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 288, 21. 10. 1988, p. 37.

ANNEX

to the Commission Regulation of 28 October 1988 altering the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
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 5	7th period 6	8th period 7	9th period 8	10th period 9	11th period 10
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

COMMISSION REGULATION (EEC) No 3388/88

of 31 October 1988

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3384/88⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 27 October 1988;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 3384/88 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ See page 1 of this Official Journal.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

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

CN code	Import levies (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10	126,39	121,56 (?)
0714 10 90	123,37 (1)	121,56 (1) (?)
0714 90 10	123,37 (1)	121,56 (1) (?)
1102 20 10 (?)	236,35	230,31
1102 20 90 (?)	133,53	130,51
1102 30 00 (?)	124,22	121,20
1102 90 10 (?)	228,11	222,07
1102 90 30 (?)	105,26	99,22
1102 90 90 (?)	146,26	143,24
1103 12 00 (?)	105,26	99,22
1103 13 11 (?)	227,35	221,31
1103 13 19 (?)	236,35	230,31
1103 13 90 (?)	133,53	130,51
1103 14 00 (?)	124,22	121,20
1103 19 10 (?)	218,53	212,49
1103 19 30 (?)	228,11	222,07
1103 19 90 (?)	146,26	143,24
1103 21 00 (?)	246,50	240,46
1103 29 10 (?)	218,53	212,49
1103 29 20 (?)	228,11	222,07
1103 29 30 (?)	105,26	99,22
1103 29 40 (?)	236,35	230,31
1103 29 50 (?)	124,22	121,20
1103 29 90 (?)	146,26	143,24
1104 11 10 (?)	128,86	125,84
1104 11 90 (?)	252,78	246,74
1104 12 10 (?)	59,24	56,22
1104 12 90 (?)	116,28	110,24
1104 19 10 (?)	246,50	240,46
1104 19 30 (?)	218,53	212,49
1104 19 50 (?)	236,35	230,31
1104 19 91 (?)	211,85	205,81
1104 19 99 (?)	258,81	252,77
1104 21 10 (?)	200,41	197,39
1104 21 30 (?)	200,41	197,39
1104 21 50 (?)	314,47	308,43
1104 21 90 (?)	128,86	125,84
1104 22 10 (?)	102,24	99,22
1104 22 30 (?)	102,24	99,22
1104 22 50 (?)	91,21	88,19
1104 22 90 (?)	59,24	56,22
1104 23 10 (?)	207,74	204,72
1104 23 30 (?)	207,74	204,72
1104 23 90 (?)	133,53	130,51

CN code	Import levies (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*10 (2) (6)	180,69	177,67
1104 29 10*20 (2) (7)	160,03	157,01
1104 29 10*30 (2) (8)	227,71	224,69
1104 29 10*40 (2) (9)	227,71	224,69
1104 29 10*90 (2) (10)	227,71	224,69
1104 29 30*10 (2) (6)	216,76	213,74
1104 29 30*20 (2) (7)	191,90	188,88
1104 29 30*30 (2) (8)	227,71	224,69
1104 29 30*40 (2) (9)	227,71	224,69
1104 29 30*90 (2) (10)	227,71	224,69
1104 29 91 (2)	139,28	136,26
1104 29 95 (2)	123,43	120,41
1104 29 99 (2)	146,26	143,24
1104 30 10	106,23	100,19
1104 30 90	102,00	95,96
1106 20 10	126,39	119,74 (5)
1106 20 91	218,50	194,32 (5)
1106 20 99	226,55	202,37 (5)
1107 10 11	248,67	237,79
1107 10 19	188,55	177,67
1107 10 91	230,48 (*)	219,60
1107 10 99	174,96	164,08
1107 20 00	202,10 (*)	191,22
1108 11 00	299,05	278,50
1108 12 00	218,50	197,95
1108 13 00	218,50	197,95
1108 14 00	218,50	98,97 (5)
1108 19 10	195,51	164,68
1108 19 90	218,50	98,97
1109 00 00	687,70	506,36
1702 30 91 (2)	354,92	258,20
1702 30 99 (2)	264,44	197,95
1702 40 90 (2)	264,44	197,95
1702 90 50	264,44	197,95
1702 90 75	367,21	270,49
1702 90/79	254,60	188,11
2106 90 55	264,44	197,95
2302 10 10	59,04	53,04
2302 10 90	119,67	113,67
2302 20 10	59,04	53,04
2302 20 90	119,67	113,67
2302 30 10	59,04	53,04
2302 30 90	119,67	113,67
2302 40 10	59,04	53,04
2302 40 90	119,67	113,67
2303 10 11	427,24	245,90

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

COMMISSION REGULATION (EEC) No 3389/88

of 31 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

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

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4549	—
1702 20 90	0,4549	—
1702 30 10	—	55,16
1702 40 10	—	55,16
1702 60 10	—	55,16
1702 60 90	0,4549	—
1702 90 30	—	55,16
1702 90 60	0,4549	—
1702 90 71	0,4549	—
1702 90 90	0,4549	—
2106 90 30	—	55,16
2106 90 59	0,4549	—

COMMISSION REGULATION (EEC) No 3390/88

of 31 October 1988

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

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

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

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

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

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 210, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

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

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

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

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		38,01
1702 60 10 000		38,01
1702 60 90 000	0,3801	
1702 90 30 000		38,01
1702 90 60 000	0,3801	
1702 90 71 000	0,3801	
1702 90 90 900	0,3801	
2106 90 30 000		38,01
2106 90 59 000	0,3801	

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

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

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

COMMISSION REGULATION (EEC) No 3391/88

of 31 October 1988

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾ and in particular Article 16 ⁽⁸⁾ thereof,

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

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 3019/88 ⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

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

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at 24,56 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 271, 1. 10. 1988, p. 52.

COMMISSION REGULATION (EEC) No 3392/88

of 28 October 1988

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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 Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 28 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 October 1988 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	51,00
1509 10 90 900	100,00
1509 90 00 100	55,00
1509 90 00 900	105,00
1510 00 90 100	10,00
1510 00 90 900	52,00

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

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 3393/88

of 28 October 1988

fixing the maximum export refunds on olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3129/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3129/87 ⁽⁴⁾, as amended by Regulation (EEC) 834/88 ⁽⁵⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3129/87 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by amended Regulation (EEC) No 3129/87 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 October 1988.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 28 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 296, 21. 10. 1987, p. 10.

⁽⁵⁾ OJ No L 85, 30. 3. 1988, p. 22.

ANNEX

to the Commission Regulation of 28 October 1988 fixing the maximum export refunds on olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3129/87

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	51,00
1509 10 90 900	—
1509 90 00 100	55,50
1509 90 00 900	—
1510 00 90 100	—
1510 00 90 900	—

NB: The products 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 3394/88

of 31 October 1988

fixing for November 1988 the levy applicable in Spain to products subject to the price control system

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 2937/88 ⁽²⁾, and in particular Article 14 thereof,

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

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

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 327,70 ECU per tonne of oil for November 1988.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 264, 24. 9. 1988, p. 44.

COMMISSION REGULATION (EEC) No 3395/88
of 31 October 1988
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 2792/88⁽⁶⁾,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulation (EEC) No 2761/88⁽¹⁴⁾;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁵⁾ as last amended by Regulation (EEC) No 1815/84⁽¹⁶⁾ provides that the amount of the refund must be calculated on the

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

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

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 250, 9. 9. 1985, p. 12.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁹⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽¹⁰⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹¹⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽¹²⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 247, 6. 9. 1988, p. 7.

⁽¹⁵⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁶⁾ OJ No L 170, 29. 6. 1984, p. 46.

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

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

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

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

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate,

(b) for the other Member States, the difference between :

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of

the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage ; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84 ;

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 November 1988.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 200, 21. 7. 1987, p. 9.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 31 October 1988 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross refunds (ECU):						
— Spain	17,342	17,660	—	—	—	—
— Portugal	21,502	21,820	—	—	—	—
— other Member States	17,000	17,318	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	40,57	41,32	—	—	—	—
— Netherlands (Fl)	45,20	46,04	—	—	—	—
— BLEU (Bfrs/Lfrs)	812,30	827,59	—	—	—	—
— France (FF)	118,90	121,28	—	—	—	—
— Denmark (Dkr)	145,02	147,80	—	—	—	—
— Ireland (£ Irl)	13,207	13,472	—	—	—	—
— United Kingdom (£)	9,407	9,616	—	—	—	—
— Italy (Lit)	24 359	24 867	—	—	—	—
— Greece (Dr)	1 628,85	1 667,06	—	—	—	—
— Spain (Pta)	2 680,30	2 729,34	—	—	—	—
— Portugal (Esc)	3 960,85	4 020,64	—	—	—	—

COMMISSION REGULATION (EEC) No 3396/88

of 31 October 1988

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 35.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 199, 26. 7. 1988, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 173, 5. 7. 1988, p. 9.

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

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

Aid applicable from 1 November 1988 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat-drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	47,293	62,806	64,943	4,293	19,806	21,943

Aid in case of advance fixing for the month of:

(ECU/tonne)

December 1988	45,593	61,074	63,243	2,593	18,074	20,243
January 1989	39,036	54,394	56,686	0,000	11,394	13,686
February 1989	38,695	54,047	56,345	0,000	11,047	13,345
March 1989	38,695	54,047	56,345	0,000	11,047	13,345
April 1989	35,425	50,715	53,075	0,000	7,715	10,075

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

COMMISSION REGULATION (EEC) No 3397/88

of 31 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 3197/88⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1105/88⁽⁶⁾;

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor;

(1) OJ No L 162, 12. 6. 1982, p. 28.

(2) OJ No L 110, 29. 4. 1988, p. 16.

(3) OJ No L 342, 19. 12. 1985, p. 1.

(4) OJ No L 284, 19. 10. 1988, p. 19.

(5) OJ No L 219, 28. 7. 1982, p. 1.

(6) OJ No L 110, 29. 4. 1988, p. 18.

(7) OJ No L 199, 26. 7. 1988, p. 1.

(8) OJ No L 199, 26. 7. 1988, p. 5.

(9) OJ No L 219, 28. 7. 1982, p. 36.

(10) OJ No L 117, 5. 5. 1987, p. 9.

(11) OJ No L 133, 21. 5. 1986, p. 21.

(12) OJ No L 164, 24. 6. 1985, p. 1.

(13) OJ No L 153, 13. 6. 1987, p. 1.

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

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

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted

into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has been fixed by Commission Regulation (EEC) No 2731/88⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 185, 4. 7. 1987, p. 21.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 116.

ANNEX I

Gross aid

Products intended for human consumption :

(in ECU per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
Peas used :							
— in Spain	5,954	6,134	6,314	6,494	6,674	6,854	6,854
— in Portugal	6,006	6,186	6,366	6,546	6,726	6,906	6,906
— in another Member State	6,400	6,580	6,760	6,940	7,120	7,300	7,300
Field beans used :							
— in Spain	6,400	6,580	6,760	6,940	7,120	7,300	7,300
— in Portugal	6,006	6,186	6,366	6,546	6,726	6,906	6,906
— in another Member State	6,400	6,580	6,760	6,940	7,120	7,300	7,300

Products used in animal feed :

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
A. Peas used :							
— in Spain	7,955	8,092	8,185	8,279	8,459	8,639	8,639
— in Portugal	7,807	7,943	8,035	8,128	8,308	8,488	8,488
— in another Member State	8,085	8,222	8,317	8,412	8,592	8,772	8,772
B. Field beans used :							
— in Spain	9,323	9,459	9,537	9,647	9,827	10,007	10,007
— in Portugal	9,195	9,331	9,407	9,515	9,695	9,875	9,875
— in another Member State	9,435	9,572	9,652	9,762	9,942	10,122	10,122
C. Sweet lupins harvested in Spain and used :							
— in Spain	8,317	8,260	8,144	8,029	8,029	8,029	8,029
— in Portugal	8,120	8,061	7,944	7,827	7,827	7,827	7,827
— in another Member State	8,491	8,434	8,320	8,206	8,206	8,206	8,206
D. Sweet lupins harvested in another Member State and used :							
— in Spain	9,467	9,410	9,294	9,179	9,179	9,179	9,179
— in Portugal	9,270	9,211	9,094	8,977	8,977	8,977	8,977
— in another Member State	9,641	9,584	9,470	9,356	9,356	9,356	9,356

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
Products harvested in :							
— BLEU (Bfrs/Lfrs)	307,62	316,27	326,42	335,11	343,80	352,49	352,49
— Denmark (Dkr)	56,03	57,61	59,77	61,36	62,95	64,54	64,54
— Federal Republic of Germany (DM)	15,11	15,54	15,96	16,39	16,81	17,24	17,24
— Greece (Dr)	285,50	312,65	339,81	366,97	394,12	421,28	421,28
— Spain (Pta)	986,96	1 014,72	1 042,48	1 070,24	1 098,00	1 125,75	1 125,75
— France (FF)	47,80	49,15	51,23	52,59	53,96	55,32	55,32
— Ireland (£ Irl)	5,302	5,452	5,685	5,837	5,989	6,141	6,141
— Italy (Lit)	9 714	10 005	11 168	11 465	11 762	12 060	12 060
— Netherlands (Fl)	16,94	17,42	17,89	18,37	18,85	19,32	19,32
— Portugal (Esc)	1 203,24	1 237,09	1 270,93	1 304,77	1 338,61	1 372,45	1 372,45
— United Kingdom (£)	3,281	3,400	4,031	4,153	4,274	4,396	4,396

Amounts to be deducted in the case of :

- Peas used in Spain (Pta) : 68,78,
- Peas, and field beans used in Portugal (Esc) : 74,07.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
Products harvested in :							
— BLEU (Bfrs/Lfrs)	388,61	395,20	401,60	406,19	414,88	423,57	423,57
— Denmark (Dkr)	70,78	71,98	73,54	74,38	75,97	77,56	77,56
— Federal Republic of Germany (DM)	19,09	19,41	19,64	19,86	20,29	20,71	20,71
— Greece (Dr)	594,27	613,55	625,13	636,71	663,86	691,02	691,02
— Spain (Pta)	1 246,81	1 267,94	1 282,59	1 297,24	1 325,00	1 352,76	1 352,76
— France (FF)	60,40	61,43	63,04	63,76	65,12	66,49	66,49
— Ireland (£ Irl)	6,705	6,819	7,001	7,081	7,233	7,385	7,385
— Italy (Lit)	12 485	12 705	13 740	13 897	14 194	14 491	14 491
— Netherlands (Fl)	21,40	21,76	22,02	22,27	22,74	23,22	23,22
— Portugal (Esc)	1 520,04	1 545,79	1 563,65	1 581,51	1 615,36	1 649,20	1 649,20
— United Kingdom (£)	4,467	4,555	5,125	5,187	5,309	5,430	5,430
Amounts to be deducted in the case of use :							
— Spain (Pta)	20,05	20,05	20,36	20,51	20,51	20,51	20,51
— Portugal (Esc)	52,27	52,45	53,02	53,39	53,39	53,39	53,39

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	84,72	0,00	0,13	0,52	8,62	0,00	0,00	30,38
— Denmark (Dkr)	0,00	0,00	0,00	15,43	0,00	0,02	0,09	1,57	0,00	0,00	5,53
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,16	0,00	0,01	0,03	0,42	0,00	0,00	1,49
— Greece (Dr)	0,00	0,00	0,00	323,00	0,00	0,50	1,97	32,86	0,00	0,00	115,80
— Spain (Pta)	0,00	0,00	0,00	271,82	0,00	0,42	1,66	27,65	0,00	0,00	97,45
— France (FF)	0,00	0,00	0,00	13,18	0,00	0,02	0,08	1,34	0,00	0,00	4,73
— Ireland (£ Irl)	0,000	0,000	0,000	1,467	0,000	0,002	0,009	0,149	0,000	0,000	0,526
— Italy (Lit)	0	0	0	2 899	0	4	18	295	0	0	1 039
— Netherlands (Fl)	0,00	0,00	0,00	4,67	0,00	0,01	0,03	0,47	0,00	0,00	1,67
— Portugal (Esc)	0,00	0,00	0,00	331,39	0,00	0,51	2,02	33,71	0,00	0,00	118,81
— United Kingdom (£)	0,000	0,000	0,000	1,240	0,000	0,002	0,008	0,126	0,000	0,000	0,445

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
Products harvested in :							
— BLEU (Bfrs/Lfrs)	453,50	460,09	466,07	471,38	480,07	488,76	488,76
— Denmark (Dkr)	82,60	83,80	85,34	86,31	87,90	89,50	89,50
— Federal Republic of Germany (DM)	22,28	22,60	22,79	23,05	23,47	23,90	23,90
— Greece (Dr)	841,66	860,93	869,77	884,09	911,25	938,41	938,41
— Spain (Pta)	1 455,00	1 476,13	1 488,46	1 505,43	1 533,19	1 560,94	1 560,94
— France (FF)	70,50	71,52	73,17	74,00	75,37	76,73	76,73
— Ireland (£ Irl)	7,828	7,942	8,129	8,221	8,373	8,525	8,525
— Italy (Lit)	14 705	14 925	15 945	16 127	16 424	16 722	16 722
— Netherlands (Fl)	24,97	25,34	25,55	25,84	26,32	26,79	26,79
— Portugal (Esc)	1 773,85	1 799,60	1 814,64	1 835,32	1 869,17	1 903,01	1 903,01
— United Kingdom (£)	5,417	5,505	6,063	6,135	6,257	6,379	6,379
Amounts to be deducted in the case of use :							
— Spain (Pta)	17,27	17,43	17,73	17,73	17,73	17,73	17,73
— Portugal (Esc)	45,12	45,31	46,06	46,44	46,44	46,44	46,44

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	84,72	0,00	0,13	0,52	8,62	0,00	0,00	30,38
— Denmark (Dkr)	0,00	0,00	0,00	15,43	0,00	0,02	0,09	1,57	0,00	0,00	5,53
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,16	0,00	0,01	0,03	0,42	0,00	0,00	1,49
— Greece (Dr)	0,00	0,00	0,00	323,00	0,00	0,50	1,97	32,86	0,00	0,00	115,80
— Spain (Pta)	0,00	0,00	0,00	271,82	0,00	0,42	1,66	27,65	0,00	0,00	97,45
— France (FF)	0,00	0,00	0,00	13,18	0,00	0,02	0,08	1,34	0,00	0,00	4,73
— Ireland (£ Irl)	0,000	0,000	0,000	1,467	0,000	0,002	0,009	0,149	0,000	0,000	0,526
— Italy (Lit)	0	0	0	2 899	0	4	18	295	0	0	1 039
— Netherlands (Fl)	0,00	0,00	0,00	4,67	0,00	0,01	0,03	0,47	0,00	0,00	1,67
— Portugal (Esc)	0,00	0,00	0,00	331,39	0,00	0,51	2,02	33,71	0,00	0,00	118,81
— United Kingdom (£)	0,000	0,000	0,000	1,240	0,000	0,002	0,008	0,126	0,000	0,000	0,445

ANNEX VII

Partial aid

Sweet lupins intended for used in animal feed :

(in national currency per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
Products harvested in :							
— BLEU (Bfrs/Lfrs)	463,40	460,66	457,28	451,77	451,77	451,77	451,77
— Denmark (Dkr)	84,41	83,91	83,73	82,72	82,72	82,72	82,72
— Federal Republic of Germany (DM)	22,76	22,63	22,36	22,09	22,09	22,09	22,09
— Greece (Dr)	804,60	794,16	773,27	752,38	752,38	752,38	752,38
— Spain (Pta)	1 486,77	1 477,98	1 460,40	1 442,82	1 442,82	1 442,82	1 442,82
— France (FF)	72,04	71,61	71,78	70,92	70,92	70,92	70,92
— Ireland (£ Irl)	7,998	7,950	7,973	7,877	7,877	7,877	7,877
— Italy (Lit)	14 976	14 882	15 644	15 456	15 456	15 456	15 456
— Netherlands (Fl)	25,52	25,37	25,07	24,77	24,77	24,77	24,77
— Portugal (Esc)	1 812,58	1 801,86	1 780,43	1 758,99	1 758,99	1 758,99	1 758,99
— United Kingdom (£)	5,459	5,419	5,884	5,804	5,804	5,804	5,804
Amounts to be deducted in the case of use in :							
— Spain (Pta)	26,83	26,83	27,14	27,30	27,30	27,30	27,30
— Portugal (Esc)	69,75	70,13	70,69	71,25	71,25	71,25	71,25

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	61,62	0,00	0,10	0,38	6,27	0,00	0,00	22,09
— Denmark (Dkr)	0,00	0,00	0,00	11,22	0,00	0,02	0,07	1,14	0,00	0,00	4,02
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,03	0,00	0,00	0,02	0,31	0,00	0,00	1,09
— Greece (Dr)	0,00	0,00	0,00	234,91	0,00	0,36	1,44	23,90	0,00	0,00	84,22
— Spain (Pta)	0,00	0,00	0,00	197,69	0,00	0,30	1,21	20,11	0,00	0,00	70,88
— France (FF)	0,00	0,00	0,00	9,59	0,00	0,01	0,06	0,98	0,00	0,00	3,44
— Ireland (£ Irl)	0,000	0,000	0,000	1,067	0,000	0,002	0,007	0,109	0,000	0,000	0,383
— Italy (Lit)	0	0	0	2 108	0	3	13	214	0	0	756
— Netherlands (Fl)	0,00	0,00	0,00	3,39	0,00	0,01	0,02	0,35	0,00	0,00	1,22
— Portugal (Esc)	0,00	0,00	0,00	241,01	0,00	0,37	1,47	24,52	0,00	0,00	86,41
— United Kingdom (£)	0,000	0,000	0,000	0,902	0,000	0,001	0,006	0,092	0,000	0,000	0,323

ANNEX IX

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	167,671	135,347	6,90403	0,768411	1 516,86	2,31943	168,823	0,647488

COMMISSION REGULATION (EEC) No 3398/88
of 31 October 1988
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 3355/88⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1988/89 marketing year were fixed by Regulations (EEC) No 2213/88⁽⁷⁾ and (EEC) No 2214/88⁽⁸⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 2213/88;

Whereas the abatement of the subsidy for colza, rape and sunflower seed which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulations (EEC) No 2761/88⁽⁹⁾ and (EEC) No 3042/88⁽¹⁰⁾;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1988/89 marketing year; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation (EEC) No 2869/87⁽¹¹⁾;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 17.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽⁹⁾ OJ No L 247, 6. 9. 1988, p. 7.

⁽¹⁰⁾ OJ No L 271, 1. 10. 1988, p. 104.

⁽¹¹⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹⁴⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 % ; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point ; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam ; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest ; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0,242 ECU ;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk ;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation ; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation ; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied ; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds ;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake ; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC ; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation ;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis

for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC ; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration ;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community ;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds ⁽¹⁾, as last amended by Regulation (EEC) No 2215/88 ⁽²⁾, laid down rules for granting the subsidy on oil seeds ; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount ; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds ⁽³⁾, as last amended by Regulation (EEC) No 3378/88 ⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83 ;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 9.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 71.

the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/76 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽²⁾, as amended by Regulation (EEC) No 1930/88⁽³⁾, provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain;

Whereas Council Regulation (EEC) No 1920/87⁽⁴⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal; whereas the amount of this subsidy should be fixed;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁵⁾, as last amended by Regulation (EEC) No 2138/87⁽⁶⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price less 7,5 % or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and

- the conversion rate resulting from the central rate,
- (b) for the other Member States, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

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

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ECU and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ECU in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.

Article 2

This Regulation shall enter into force on 1 November 1988.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 170, 2. 7. 1988, p. 3.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 200, 21. 7. 1987, p. 9.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

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

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	0,580	0,580
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,828	21,068	21,232	20,695	20,858	21,022
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,54	50,10	50,49	49,28	49,67	50,31
— Netherlands (Fl)	55,30	55,93	56,37	54,95	55,39	56,05
— BLEU (Bfrs/Lfrs)	997,15	1 008,67	1 025,23	999,30	1 007,17	1 015,09
— France (FF)	148,97	150,74	156,18	151,88	153,09	154,29
— Denmark (Dkr)	179,21	181,30	186,12	181,30	182,73	184,14
— Ireland (£ Irl)	16,554	16,751	17,731	16,893	17,027	17,161
— United Kingdom (£)	12,228	12,381	13,219	12,773	12,875	12,881
— Italy (Lit)	30 966	31 342	33 031	31 973	32 227	32 193
— Greece (Dr)	2 348,20	2 374,12	2 373,59	2 235,39	2 253,80	2 190,70
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	89,44	89,44
— in another Member State (Pta)	3 106,06	3 143,08	3 161,05	3 066,78	3 091,82	3 081,47
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 492,02	4 536,92	4 551,11	4 427,19	4 457,06	4 432,20

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,080	3,080
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	23,328	23,568	23,732	23,195	23,358	23,522
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,44	56,01	56,40	55,19	55,57	56,21
— Netherlands (Fl)	61,91	62,55	62,99	61,57	62,00	62,67
— BLEU (Bfrs/Lfrs)	1 117,32	1 128,84	1 145,94	1 120,01	1 127,89	1 135,80
— France (FF)	167,66	169,43	175,14	170,84	172,05	173,26
— Denmark (Dkr)	201,10	203,19	208,23	203,41	204,84	206,24
— Ireland (£ Irl)	18,632	18,829	19,481	19,003	19,136	19,271
— United Kingdom (£)	13,868	14,021	14,906	14,461	14,563	14,569
— Italy (Lit)	34 958	35 335	37 119	36 061	36 314	36 280
— Greece (Dr)	2 720,19	2 746,12	2 745,59	2 607,38	2 625,80	2 562,70
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	474,98	474,98
— in another Member State (Pta)	3 491,59	3 528,62	3 546,59	3 452,31	3 477,35	3 467,00
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	470,02	470,02	470,02	470,02	470,02
— in another Member State (Esc)	4 962,03	5 006,94	5 021,12	4 897,21	4 927,08	4 902,22

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	5,170
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	22,583	22,961	23,131	22,522	22,900
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	53,74	54,63	55,04	53,67	54,56
— Netherlands (Fl)	59,97	60,97	61,42	59,82	60,82
— BLEU (Bfrs/Lfrs)	1 080,81	1 098,99	1 116,92	1 087,52	1 105,77
— France (FF)	160,91	163,75	169,75	164,88	167,75
— Denmark (Dkr)	194,03	197,34	202,64	197,17	200,52
— Ireland (£ Irl)	17,880	18,195	18,880	18,338	18,657
— United Kingdom (£)	13,128	13,379	14,310	13,803	14,060
— Italy (Lit)	33 368	33 975	35 848	34 643	35 264
— Greece (Dr)	2 478,26	2 526,91	2 521,85	2 363,62	2 421,13
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	797,28
— in another Member State (Pta)	3 408,43	3 466,72	3 484,38	3 377,06	3 435,38
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 525,52	6 598,82	6 612,07	6 467,16	6 540,52
— in another Member State (Esc)	6 336,64	6 407,82	6 420,69	6 279,97	6 351,21
3. Compensatory aids:					
— in Spain (Pta)	3 361,60	3 419,89	3 434,79	3 327,48	3 385,79
4. Special aid:					
— in Portugal (Esc)	6 336,64	6 407,82	6 420,69	6 279,97	6 351,21

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

ANNEX IV

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

(value of 1 ECU)

	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4
DM	2,072150	2,067930	2,063760	2,059890	2,059890	2,048560
Fl	2,336610	2,332830	2,329380	2,325130	2,325130	2,314270
Bfrs/Lfrs	43,435400	43,434400	43,436800	43,423500	43,423500	43,412800
FF	7,076570	7,082230	7,088050	7,094760	7,094760	7,111510
Dkr	7,993410	7,997300	8,003260	8,011890	8,011890	8,034930
£Irl	0,775606	0,775706	0,775669	0,775805	0,775805	0,775258
£	0,657241	0,659014	0,660741	0,662383	0,662383	0,667276
Lit	1 543,06	1 548,42	1 553,44	1 558,56	1 558,56	1 572,78
Dr	170,19000	171,51900	172,74600	174,08900	174,08900	178,95500
Esc	171,33200	172,15400	173,01200	173,93300	173,93300	176,57500
Pta	136,35800	136,84400	137,39800	137,92700	137,92700	139,55900

COMMISSION REGULATION (EEC) No 3399/88
of 31 October 1988
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas, pursuant to Commission Regulation (EEC) No 2329/85 of 12 August 1985 laying down detailed rules for

the application of the special measures for soya beans ⁽⁶⁾, as last amended by Regulation (EEC) No 2674/88 ⁽⁷⁾, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

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

Whereas the abatement of the subsidy for soya beans which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulation (EEC) No 3404/88 ⁽⁸⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹⁰⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 197, 26. 7. 1988, p. 14.

⁽⁴⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁵⁾ OJ No L 197, 26. 7. 1988, p. 12.

⁽⁶⁾ OJ No L 218, 15. 8. 1985, p. 16.

⁽⁷⁾ OJ No L 239, 30. 8. 1988, p. 19.

⁽⁸⁾ See page 58 of this Official Journal.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁰⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

*Article 2**Article 1*

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

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	27,058	27,058
— Portugal	16,748	0,000	27,058
— another Member State	16,748	27,058	27,058

COMMISSION REGULATION (EEC) No 3400/88

of 31 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 3209/88⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

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

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

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

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

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

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁹⁾, as amended by Regula-

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this

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

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

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

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

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

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

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

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	11,032 11,145
1001 90 99	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	6,066 6,698 6,766
1002 00 00	Rye	5,335
1003 00 90	Barley	6,169
1004 00 90	Oats	1,666
1005 90 00	Maize, other than hybrid maize for sowing : — For the manufacture of starch — Other than for the manufacture of starch	6,668 7,168
1006 20	Round grain husked rice Medium grain husked rice Long grain husked rice	36,331 34,825 34,825
1006 30	Round grain wholly milled rice Medium grain wholly milled rice Long grain wholly milled rice	46,879 50,471 50,471
1006 40 00	Broken rice : — For the manufacture of starch — Other than for the manufacture of starch	10,230 10,830
1007 00 90	Sorghum	5,912
1101 00 00	Wheat or meslin flour : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	7,989 8,070
1102 10 00	Rye flour	14,974
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	17,099 17,272
1103 11 90	Common wheat groats and meal : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	7,989 8,070

COMMISSION REGULATION (EEC) No 3401/88

of 31 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3209/88⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

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

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

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

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 2306/88⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within subheadings ex 1702 60 90 and ex 1702 90 90 of the combined nomenclature having a certain purity, and unprocessed isoglucose falling within subheadings 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 471/87⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽¹⁰⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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

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

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

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

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

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

<i>Rate of refund in ECU/100 kg:</i>	White sugar :	38,01
	Raw sugar :	33,23
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$38,01 \times \frac{S^{(1)}}{100}$
	Molasses :	—
	Isoglucose ⁽²⁾ :	38,01 ⁽³⁾

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

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

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

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

COMMISSION REGULATION (EEC) No 3402/88

of 31 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

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

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

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

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

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

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 698/86 ⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁹⁾, as last amended by Regulation (EEC) No 2951/88 ⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹¹⁾, as last amended by Regulation (EEC) No 1471/88 ⁽¹²⁾, has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 266, 27. 9. 1988, p. 28.

⁽¹¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹²⁾ OJ No L 134, 31. 5. 1988, p. 1.

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

This Regulation shall enter into force on 1 November 1988.

Article 2

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

Done at Brussels, 31 October 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

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

CN code	Description	Rate of refund (ECU/100 kg)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 62,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	112,06
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 197,00 185,00

COMMISSION REGULATION (EEC) No 3403/88

of 31 October 1988

amending Regulation (EEC) No 3153/85 laying down detailed rules for the calculation of monetary compensatory amounts

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

Having regard to Council Regulation (EEC) No 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 Commission Regulation (EEC) No 1859/88 of 30 June 1988 amending Regulation (EEC) No 3472/85 on the buying-in and storage of olive oil by intervention agencies ⁽³⁾ discontinues buying in olive-pomace oil and of the price increases applicable to that quality of oil from 1 July 1988; whereas, as a consequence, a reference price for olive-pomace oil should be defined for the calculation of the monetary compensatory amounts in accordance with Commission Regulation (EEC) No 3153/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 3770/87 ⁽⁵⁾; whereas the present and foreseeable situation on the market in the various producer Member States shows some correlation between the price of lampante virgin olive oil and that of crude olive-pomace oil of a degree of acidity representative of oil in intra-Community trade;

Whereas, for the period from 1 July to 31 October 1988, the validity of the reference price for olive-pomace oil used at the beginning of the marketing year should be extended to avoid introducing distortion during the marketing year;

Whereas Regulation (EEC) No 3153/85 should therefore be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the management committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 (3) (g) of Regulation (EEC) No 3153/85, the wording opposite GN code 1510 00 00 is hereby replaced by the following:

'1510 00 10 price used for subheading 1509 10 10, multiplied by a coefficient of 0,47 and reduced by 9,1 ECU/100 kg'.

Article 2

For the period 1 July to 31 October 1988, the monetary compensatory amount for olive-pomace oil falling within by CN code 1510 00 10 shall be calculated on the basis of the intervention price for crude olive-pomace oil with 10 % acidity applicable on 30 June 1988.

Article 3

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

It shall apply from 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 166, 1. 7. 1988, p. 13.

⁽⁴⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁵⁾ OJ No L 355, 17. 12. 1987, p. 16.

COMMISSION REGULATION (EEC) No 3404/88

of 31 October 1988

fixing for the 1988/89 marketing year the estimated production and the abatement to be applied to the subsidy for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 3a (6) thereof,Whereas Article 10a of Commission Regulation (EEC) No 2329/85 of 12 August 1985 laying down detailed rules for the application of the special measures for soya beans ⁽³⁾, as last amended by Regulation (EEC) No 3118/88 ⁽⁴⁾, specifies the factors which must be fixed in order to implement the system of maximum guaranteed quantities; whereas the estimated production of soya beans and the consequent abatement to be applied to the subsidy should be fixed, for the 1988/89 marketing year, on the basis of the available data;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year, the estimated production of soya beans shall be 1 600 000 tonnes.

Article 2

For the 1988/89 marketing year, the abatement to be applied to the subsidy for soya beans shall be 4,59 ECU per 100 kilograms for Spain and 5,78 ECU per 100 kilograms for other Member States.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.⁽³⁾ OJ No L 218, 15. 8. 1985, p. 16.⁽⁴⁾ OJ No L 278, 11. 10. 1988, p. 24.

COMMISSION REGULATION (EEC) No 3405/88**of 31 October 1988****amending Regulation (EEC) No 1609/88 as regards the latest time of entry into storage for butter sold under Regulation (EEC) No 3143/85**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, as provided for in Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced price of intervention butter intended for direct consumption in the form of concentrated butter⁽³⁾, as last amended by Regulation (EEC) No 3036/88⁽⁴⁾, butter put up for sale must have entered storage before a date to be determined; whereas, in view of the level of butter stocks, the date in the first subparagraph of Article 1 of Commission Regulation (EEC) No 1609/88⁽⁵⁾, as last amended by Regulation (EEC) No 3055/88⁽⁶⁾, which fixes the latest time of entry into storage of butter sold under Regulation (EEC) No 3143/85, should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 1 of Regulation (EEC) No 1609/88 is hereby replaced by the following:

'The butter referred to in Article 1 (1) of Regulation (EEC) No 3143/85 must have been taken into storage between 1 August and 31 October 1987.'

Article 2

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

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 271, 1. 10. 1988, p. 93.

⁽⁵⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽⁶⁾ OJ No L 272, 4. 10. 1988, p. 22.

COMMISSION REGULATION (EEC) No 3406/88
of 31 October 1988

**repealing Regulation (EEC) No 3040/88 suspending advance fixing of export
refunds on certain cereal and rice products exported in the form of goods not
covered by Annex II to the Treaty**

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

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 2221/88 ⁽²⁾, and in particular the first paragraph of
Article 16 (7) thereof,

Having regard to Council Regulation (EEC) No 3035/80
of 11 November 1980 laying down general rules for
granting export refunds on certain agricultural products
exported in the form of goods not covered by Annex II to
the Treaty, and the criteria for fixing the amount of such
refunds ⁽³⁾, as last amended by Regulation (EEC) No
3209/88 ⁽⁴⁾, and in particular the first subparagraph of
Article 5 (3) thereof,

Whereas Article 16 (7) of Regulation (EEC) No 2727/75
and Article 5 (3) of Regulation (EEC) No 3035/80 make
provision for advance fixing of the refund to be suspended
for basic products exported in the form of certain goods ;

Whereas Commission Regulation (EEC) No 3040/88 ⁽⁵⁾,
suspended advance fixing of the export refund for in

barley exported in the form of goods listed in Annex B to
Regulation (EEC) No 2727/75 ;

Whereas under present circumstances suspension of
advance fixing is no longer necessary ; whereas Regulation
(EEC) No 3040/88 should therefore be repealed ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Regulation (EEC) No 3040/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 November
1988.

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

Done at Brussels, 31 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 323, 29. 11. 1980, p. 27.
⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.
⁽⁵⁾ OJ No L 271, 1. 10. 1988, p. 102.

COMMISSION REGULATION (EEC) No 3407/88

of 31 October 1988

modifying Regulation (EEC) No 4122/87 concerning the import quotas subject to quantitative restrictions (1988 fishing year)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

having regard to Council Regulation (EEC) No 360/86 of 17 February 1986 laying down rules for the application by Spain and Portugal of quantitative restrictions on fishery products⁽¹⁾, as amended by Regulation (EEC) No 4064/86⁽²⁾, and in particular Article 2 thereof,

Whereas Article 2 (3) of Regulation (EEC) No 360/86 provides for the possibility of revising during the course of the year the quantity of the quotas, as well as their quarterly instalments, as laid down in Commission Regulation (EEC) No 4122/87⁽³⁾, as amended by Regulation (EEC) No 2276/88⁽⁴⁾;

Whereas Spain has made a request for an increase of 5 000 tonnes in the quota level for frozen hake of the genus *Merluccius* spp., as well as of 1 000 tonnes in the quota level for fresh or chilled hake of the genus *Merluccius* spp., for the 1988 fishing year; whereas it is therefore necessary to modify the quota levels in question as well as their quarterly instalments;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the table in Part A of the Annex to Regulation (EEC) No 4122/87 the figures for frozen hake of the

genus *Merluccius* spp., frozen falling within CN codes 0303 78 10 and 0304 90 47 are hereby replaced by the following:

'Annual quota of import	Quarterly instalments			
	1	2	3	4
27 750	5 687	5 687	5 688	10 688'

2. In the table in part A of the Annex to Regulation (EEC) No 4122/87 the figures for fresh or chilled hake of the genus *Merluccius* spp., falling within CN codes ex 0302 69 65 and ex 0304 10 99 are hereby replaced by the following:

'Annual quota of import	Quarterly instalments			
	1	2	3	4
3 000	200	620	740	1 440'

Article 2

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

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

Done at Brussels, 31 October 1988.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 43, 20. 2. 1986, p. 8.

⁽²⁾ OJ No L 371, 31. 12. 1986, p. 9.

⁽³⁾ OJ No L 386, 31. 12. 1987, p. 24.

⁽⁴⁾ OJ No L 200, 26. 7. 1988, p. 13.

COMMISSION REGULATION (EEC) No 3408/88

of 31 October 1988

amending Regulation (EEC) No 4123/87 fixing, for the 1988 fishing year, the overall foreseeable level of imports for the products subject to the supplementary trade mechanism in the fisheries sector

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

Having regard to the Act of Accession of Spain and Portugal and in particular Article 361 thereof,

Whereas Commission Regulation (EEC) No 4123/87⁽¹⁾, as amended by Regulation 2277/88⁽²⁾, has fixed for certain fishery products the overall foreseeable level of imports for the 1988 fishing year; whereas this foreseeable level includes, for each product in question, an annual quota for imports from third countries;

Whereas, as regards Spain, the quota for fresh or chilled hake of the genus *Merluccius spp.*, initially laid down for the 1988 marketing year by Commission Regulation (EEC) No 4122/87⁽³⁾, as last amended by Regulation (EEC) No 3407/88⁽⁴⁾, has been increased by 1 000 tonnes by Regulation (EEC) No 3407/88; whereas it is consequently appropriate to adapt for that Member State the overall foreseeable level of imports of the product in question, set out in Regulation (EEC) No 4123/87;

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

accordance with the opinion of the Management Committee for Fishery Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 4123/88 is hereby amended as follows:

In the table in part A.1, the figure '11 130' for the overall level of imports of fresh or chilled hake of the genus *Merluccius spp.* falling within CN codes ex 0302 69 65 and ex 0304 10 99 is replaced by '12 130'.

Article 2

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

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

Done at Brussels, 31 October 1988.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 386, 31. 12. 1987, p. 27.

⁽²⁾ OJ No L 200, 26. 7. 1988, p. 14.

⁽³⁾ OJ No L 386, 31. 12. 1987, p. 24.

⁽⁴⁾ See page 61 of this Official Journal.

COMMISSION REGULATION (EEC) No 3409/88

of 31 October 1988

adjusting the indicative ceilings and the 'guide' quantities provided for in Regulation (EEC) No 3960/87 under the supplementary mechanism applicable to trade in beef and veal and repealing Regulation (EEC) No 1864/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 84 (4) and 85 (3) thereof,

Whereas the 'guide' quantities applicable in 1988 to imports into Spain of live animals of the bovine species and of fresh or chilled meat from the Community as constituted at 31 December 1985 were fixed at 27 350 head and 5 225 tonnes respectively by Commission Regulation (EEC) Nos 3960/87 of 22 December 1987 fixing the indicative ceilings and the 'guide' quantities for 1988 under the supplementary mechanism applicable to trade in beef and veal ⁽¹⁾ and 1864/88 ⁽²⁾ amending certain 'guide' quantities provided for in Regulation (EEC) No 3960/87; whereas Article 1 (3) of Regulation (EEC) No 1864/88 also provides for a review of the situation on the Spanish market with a view to increasing the 'guide' quantities subsequently;

Whereas the said quantities have been totally used up during the last few months; whereas, in order to avoid a major increase in prices of such products in Spain and to ensure supplies to that market, provision should be made for the quantities laid down for the abovementioned products to be exceeded on the basis of the anticipated trend in Spanish demand; whereas the indicative ceiling provided for in Article 83 of the Act of Accession should be reviewed accordingly to take account of the increase in the 'guide' quantities;

Whereas, for the sake of clarity, Regulation (EEC) No 1864/88 should be repealed while retaining the provisions of that Regulation requiring the conditions for the

application of Article 6 of Regulation (EEC) No 3960/87 to be specified for the abovementioned products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For fresh or chilled meat of animals of the bovine species, the indicative ceiling in the Annex to Regulation (EEC) No 3960/87 shall be 6 225 tonnes equivalent carcase weight.
2. For the products referred to in paragraph 1, the 'guide' quantity in the Annex to Regulation (EEC) No 1864/88 may be exceeded by 9 350 head and 1 000 tonnes equivalent carcase weight respectively.
3. The figure of 20 % in Article 6 of Regulation (EEC) No 3960/87 shall be calculated on the basis of the quantities originally laid down in the Annex thereto.

Article 2

Regulation (EEC) No 1864/88 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 371, 30. 12. 1987, p. 33.

⁽²⁾ OJ No L 166, 1. 7. 1988, p. 25.

COMMISSION REGULATION (EEC) No 3410/88**of 31 October 1988****amending Regulation No 80/63/EEC and (EEC) No 496/70 on quality control of fruit and vegetables imported from or exported to third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 Articles 10 and 12 thereof,

Whereas Annex 1 to Commission Regulation No 80/63/EEC of 31 July 1963 on quality inspection of fruit and vegetables imported from third countries ⁽³⁾, as last amended by Regulation (EEC) No 3075/87 ⁽⁴⁾, lists the authorities appointed by each Member State to be responsible for the inspection operations referred to in Article 10 of Regulation (EEC) No 1035/72; whereas Commission Regulation (EEC) No 496/70 of 17 March 1970 laying down initial provisions on quality control of fruit and vegetables exported to third countries ⁽⁵⁾ as last amended by Regulation (EEC) No 3075/87, lists the national authorities responsible for the inspection work specified in Article 12 (2) of Regulation (EEC) No 1035/72;

Whereas Belgium has notified the Commission of the amendments concerning the addresses of those responsible for the said inspection work; whereas it is therefore appropriate to amend the abovementioned list;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I of Regulation No 80/63/EEC:

— under KINGDOM OF BELGIUM the following:

	<i>Telephone</i>	<i>Telex</i>
'Office national des débouchés agricoles et horticoles (ONDAH) rue de Laeken 166 1000 Bruxelles	02/218 70 06	AFZET B 213 81
Nationale Dienst voor afzet van land- en tuinbouwprodukten (NDALTP), Lakenstraat 166, 1000 Brussel	02/218 70 06	AFZET B 213 81'

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.⁽³⁾ OJ No 121, 3. 8. 1963, p. 2137/63.⁽⁴⁾ OJ No L 291, 15. 10. 1987, p. 13.⁽⁵⁾ OJ No L 62, 18. 3. 1970, p. 11.

is replaced by :

	<i>Telephone</i>	<i>Telex</i>
'Office national des débouchés agricoles et horticoles (ONDAH)	02/210 17 11	AFZET B
Place de Louvain 4, boîtes 6 et 7	<i>Telefax</i>	213 81
1000 Bruxelles	02/218 46 67	

	<i>Telephone</i>	
Nationale Dienst voor afzet van land- en tuinbouwprodukten (NDALTP)	02/210 17 11	AFZET B
Leuvenseplein 4, bussen 6 en 7	<i>Telefax</i>	213 81'
1000 Brussel	02/218 46 67	

Article 2

In Annex I of Regulation (EEC) No 496/70

— under KINGDOM OF BELGIUM the following

	<i>Telephone</i>	<i>Telex</i>
'Office national des débouchés agricoles et horticoles (ONDAH)	02/218 70 06	AFZET B
rue de Laeken 166		213 81
1000 Bruxelles		

Nationale Dienst voor afzet van land- en tuinbouwprodukten (NDALTP),	02/218 70 06	AFZET B
Lakenstraat 166, 1000 Brussel		213 81'

is replaced by :

	<i>Telephone</i>	
'Office national des débouchés agricoles et horticoles (ONDAH)	02/210 17 11	AFZET B
Place de Louvain 4, boîtes 6 et 7	<i>Telefax</i>	213 81
1000 Bruxelles	02/218 46 67	

	<i>Telephone</i>	
Nationale Dienst voor afzet van land- en tuinbouwprodukten (NDALTP)	02/210 17 11	AFZET B
Leuvenseplein 4, bussen 6 en 7	<i>Telefax</i>	213 81'
1000 Brussel	02/218 46 67	

Article 3

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

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3411/88**of 31 October 1988****fixing the accession compensatory amounts for olive oil for 1988/89**

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 473/86 of
25 February 1986 laying down the general rules for the
system of accession compensatory amounts for olive
oil ⁽¹⁾, and in particular Article 7 (3) thereof,

Whereas Council Regulation (EEC) No 2211/88 ⁽²⁾, fixed
for 1989, the intervention prices for olive oil;

Whereas the detailed rules for the application of accession
compensatory amounts are laid down in Commission
Regulation (EEC) No 583/86 laying down the detailed
rules for the application of accession compensatory

amounts for olive oil ⁽³⁾, as last amended by Regulation
(EEC) No 576/88 ⁽⁴⁾;

HAS ADOPTED THIS REGULATION:

Article 1

The accession compensatory amounts applicable in
1988/89 for olive oil shall be as shown in the Annexes.

Article 2

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

It shall apply with effect from 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 43.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 3.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 31.

⁽⁴⁾ OJ No L 56, 2. 3. 1988, p. 23.

ANNEX I

Olive oil

(ECU/100 kg)

CN code	Table	Additional code	Notes	Accession compensatory amount to be charged (–) or granted (+) in trade as follows							
				from third countries to Spain	from the Community of Ten to Spain	from Spain to third countries or to EEC of Ten	from third countries to Portugal	from the Community of Ten to Portugal	from Portugal to third countries or to EEC of Ten	from Spain to Portugal	from Portugal to Spain
1509 10 10	1	7 298		—	+ 61,23	– 61,23	—	+ 12,45	– 12,45	– 48,78	+ 48,78
	1	7 299		—	+ 61,23	– 61,23	—	+ 12,45	– 12,45	– 48,78	+ 48,78
	1	7 314		+ 2,67	—	—	– 46,11	—	—	—	—
1509 10 90	2	7 709		—	+ 61,23	– 61,23	—	+ 12,45	– 12,45	– 48,78	+ 48,78
	2	7 713		—	+ 2,67	– 2,67	—	– 46,11	+ 46,11	– 48,78	+ 48,78
	2	7 714		+ 2,67	—	—	– 46,11	—	—	—	—
1509 90 00	3	7 717		—	+ 63,68	– 63,68	—	+ 12,95	– 12,95	– 50,73	+ 50,73
	3	7 718		—	+ 5,12	– 5,12	—	– 45,61	+ 45,61	– 50,73	+ 50,73
	3	7 719		+ 5,12	—	—	– 45,61	—	—	—	—
1510 00 10	4	7 724		—	+ 28,78	– 28,78	—	+ 5,85	– 5,85	– 22,93	+ 22,93
	4	7 729		—	+ 28,78	– 28,78	—	+ 5,85	– 5,85	– 22,93	+ 22,93
	4	7 733		– 29,78	—	—	– 52,71	—	—	—	—
1510 00 90	5	7 734		—	+ 34,54	– 34,54	—	+ 7,02	– 7,02	– 27,52	+ 27,52
	5	7 737		—	– 24,02	+ 24,02	—	– 51,54	+ 51,54	– 27,52	+ 27,52
	5	7 738		– 24,02	—	—	– 51,54	—	—	—	—

Appendix to Annex I

ADDITIONAL CODES

TABLE 1

CN code	Description	Additional code
1509 10 10	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7298
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7299
	– Other	7314

TABLE 2

CN code	Description	Additional code
1509 10 90	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7709
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7713
	– Other	7714

TABLE 3

CN code	Description	Additional code
1509 90 00	– Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:	
	– – Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7717
	– – Presented in immediate packings of a net capacity not exceeding 5 litres	7718
	– Other	7719

TABLE 4

CN code	Description	Additional code
1510 00 10	— Olive oil which satisfies the requirements of Article 9 (2) of the Treaty :	
	— — Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7724
	— — Presented in immediate packings of a net capacity not exceeding 5 litres	7729
	— Other	7733

TABLE 5

CN code	Description	Additional code
1510 00 90	— Olive oil which satisfies the requirements of Article 9 (2) of the Treaty :	
	— — Presented in bulk or in immediate packings of a net capacity of more than 5 litres	7734
	— — Presented in immediate packings of a net capacity not exceeding 5 litres	7737
	— Other	7738

ANNEX II

Products containing olive oil

(ECU/100 kg)

CN code	Accession compensatory amount deducted (—) or granted (+) in the following exchanges		
	From third countries or from EEC of 10 to Spain	From third countries or from EEC of 10 to Portugal	From Spain to Portugal
0709 90 39	(+) 13,47	(+) 2,74	(—) 10,73
0711 20 90	(+) 13,47	(+) 2,74	(—) 10,73
1522 00 31	(+) 30,62	(+) 6,23	(—) 24,39
1522 00 39	(+) 48,98	(+) 9,96	(—) 39,02
2306 90 19	(+) 2,30	(+) 0,47	(—) 1,83

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

COMMISSION REGULATION (EEC) No 3412/88

of 31 October 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 3316/88 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3316/88 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 3316/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 31 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 293, 27. 10. 1988, p. 69.

ANNEX

to the Commission Regulation of 31 October 1988 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,96 ⁽¹⁾	
1701 11 90 910	33,23 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,96 ⁽¹⁾	
1701 12 90 910	33,23 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3801
1701 99 10 100	38,01	
1701 99 10 910	37,87	
1701 99 10 950	37,87	
1701 99 90 100		0,3801

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

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