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Contents

I Acts whose publication is obligatory

Commission Regulation (EEC) No 3414/88 of 3 November 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 3415/88 of 3 November 1988 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 3416/88 of 3 November 1988 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	5
* Commission Regulation (EEC) No 3417/88 of 31 October 1988 concerning the classification of certain goods in the combined nomenclature	8
* Commission Regulation (EEC) No 3418/88 of 28 October 1988 fixing the free-at-frontier reference prices applicable to imports of certain wine products with effect from 1 September 1988	10
* Commission Regulation (EEC) No 3419/88 of 3 November 1988 fixing the maximum quantity of sunflower oil to be released for consumption and exported to Spain for the 1988/89 marketing year	33
* Commission Regulation (EEC) No 3420/88 of 3 November 1988 amending for the second time Regulation (EEC) No 480/87 laying down rules for implementing the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff, originating in Thailand and exported from that country in 1987, 1988, 1989 and 1990	34
Commission Regulation (EEC) No 3421/88 of 3 November 1988 issuing a standing invitation to tender in order to determine refunds on exports of olive oil for the 1988/89 marketing year	39

Commission Regulation (EEC) No 3422/88 of 3 November 1988 fixing the import levy on molasses	42
Commission Regulation (EEC) No 3423/88 of 3 November 1988 altering the export refunds on white sugar and raw sugar exported in the natural state	43
Commission Regulation (EEC) No 3424/88 of 3 November 1988 fixing the import levies on white sugar and raw sugar	45
Commission Regulation (EEC) No 3425/88 of 3 November 1988 fixing the amount of the subsidy on oil seeds	47
Commission Regulation (EEC) No 3426/88 of 3 November 1988 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5	51
Commission Regulation (EEC) No 3427/88 of 3 November 1988 fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88	54
Commission Regulation (EEC) No 3428/88 of 3 November 1988 altering the basic amount of the import levies on syrups and certain other products in the sugar sector	55
* Commission Regulation (EEC) No 3429/88 of 3 November 1988 extending the period of validity of Regulation (EEC) No 1245/87 introducing temporary Community surveillance prior to importation of certain products originating in Japan	57
Commission Regulation (EEC) No 3430/88 of 3 November 1988 abolishing the countervailing charge on tomatoes originating in Spain (except the Canary Islands)	58
Commission Regulation (EEC) No 3431/88 of 3 November 1988 amending for the third time Regulation (EEC) No 3142/88 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)	59
Commission Regulation (EEC) No 3432/88 of 3 November 1988 altering the import levies on products processed from cereals and rice	60
Commission Regulation (EEC) No 3433/88 of 3 November 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	63
* Information on the date of entry into force of the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations	67
* Information concerning the date of entry into force of the Agreement between the European Economic Community and the Kingdom of Morocco on relations in the sea fisheries sector	67

II *Acts whose publication is not obligatory*

Commission

88/541/EEC:

- * Commission Decision of 11 October 1988 relating to a proceeding under Article 85 of the EEC Treaty (IV/32.368 — BBC Brown Boveri) 68

Contents (continued)

88/542/ECSC :

- * **Commission Decision of 14 October 1988 derogating from High Authority recommendation No 1-64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (134th derogation) 74**

88/543/EEC :

Commission Decision of 18 October 1988 on applications for import licences for Basmati rice submitted during the first five working days of the month of October 1988 under the arrangements provided for in Council Regulation (EEC) No 3877/86 75

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3414/88

of 3 November 1988

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) 2221/88 ⁽²⁾, and in particular Article 13 ⁽⁵⁾ thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2401/88 ⁽⁵⁾ and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 2 November 1988;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2401/88 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 November 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 3 November 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	0,00	126,06
0712 90 19	0,00	126,06
1001 10 10	29,07	182,73 ⁽¹⁾ ⁽²⁾
1001 10 90	29,07	182,73 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	126,16
1001 90 99	0,00	126,16
1002 00 00	33,13	114,43 ⁽³⁾
1003 00 10	26,87	121,33
1003 00 90	26,87	121,33
1004 00 10	83,03	54,54
1004 00 90	83,03	54,54
1005 10 90	0,00	126,06 ⁽²⁾ ⁽³⁾
1005 90 00	0,00	126,06 ⁽²⁾ ⁽³⁾
1007 00 90	21,52	136,04 ⁽⁴⁾
1008 10 00	26,87	39,43
1008 20 00	26,87	99,78 ⁽⁴⁾
1008 30 00	26,87	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	26,87	0,00
1101 00 00	2,95	190,30
1102 10 00	60,06	173,88
1103 11 10	58,31	296,49
1103 11 90	3,91	204,80

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 3415/88

of 3 November 1988

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2402/88 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

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

Whereas these exchange rates being those recorded on 2 November 1988;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 3 November 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 11	1st period 12	2nd period 1	3rd period 2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	11,88
1001 90 99	0	0	0	11,88
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	1,14	1,14	1,14
1004 00 90	0	1,14	1,14	1,14
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	16,63

B. Malt

CN code	(ECU/tonne)				
	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	0	21,15	21,15
1107 10 19	0	0	0	15,80	15,80
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3416/88**of 3 November 1988****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

HAS ADOPTED THIS REGULATION:

Article 2

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

Article 1

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

Article 3

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	72,00 ⁽¹⁾
1509 10 90	72,00 ⁽¹⁾
1509 90 00	83,00 ⁽²⁾
1510 00 10	72,00 ⁽¹⁾
1510 00 90	114,50 ⁽³⁾

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

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	15,84
0711 20 90	15,84
1522 00 31	36,00
1522 00 39	57,60
2306 90 19	5,76

COMMISSION REGULATION (EEC) No 3417/88

of 31 October 1988

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 1858/88⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 166, 1. 7. 1988, p. 10.

ANNEXE

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. Electromechanical food processor with a total weight of 9 kg, a power input of 1 kW and a 3,5 capacity bowl	8438 80 99	Classification is determined by the provisions of general rule 1 and the texts of CN codes 8438 and 8438 80 99. Due to its power and capacity this machine is not of a kind normally used in the household and does not comply with the text of CN code 8509.
2. Electronic system for printing from digital data	8472 90 90	Classification is determined by the provisions of general rule 1 and the texts of CN codes 8472 and 8472 90 90. A laser beam discharges selectively a precharged electro-sensitive surface corresponding to the required image. Negatively charged particles of dry ink are then applied to the photoreceptor where they adhere to the positive area to form the desired image. This image is then transferred onto a positively charged sheet of paper, and subsequently fixed by heat. Heading 9009 does not apply as the print is produced directly from digital data and not by means of an original document.

COMMISSION REGULATION (EEC) No 3418/88

of 28 October 1988

fixing the free-at-frontier reference prices applicable to imports of certain wine products with effect from 1 September 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2964/88 ⁽²⁾, and in particular Article 54 (8) thereof,

Whereas Article 54 of Regulation (EEC) No 822/87 lays down special rules for imports of certain wine products; whereas Commission Regulation (EEC) No 1393/76 ⁽³⁾, as last amended by Regulation (EEC) No 2135/84 ⁽⁴⁾, laid down detailed rules for implementing those provisions;

Whereas the list of free-at-frontier reference prices must be structured to take account of trading requirements and the need to simplify administrative procedures;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁵⁾, as last amended by Regulation (EEC) No 1858/88 ⁽⁶⁾, introduced a new combined nomenclature which meets the requirements of both the Common Customs Tariff and the Community's external trade statistics and which replaces the existing nomenclature; whereas, consequently, the structure of the list of free-at-frontier reference prices should be based on the combined nomenclature codes, account being taken of the requirements of the Integrated Customs Tariff of the European Communities (Taric); whereas, to this end, the list should contain the subdivisions necessary for applying the monetary compensatory amounts;

Whereas under the terms of

- Article 20 (4) of the Cooperation Agreement between the Community and Algeria ⁽⁷⁾, as amended by the Additional Protocol of 25 June 1987 ⁽⁸⁾,
- Article 21 (1) of the Protocol of 19 October 1987 laying down the conditions and procedures for the

implementation of the second stage of the Association Agreement between the Community and Cyprus ⁽⁹⁾,

- Article 20 (4) of the Cooperation Agreement between the Community and Tunisia ⁽¹⁰⁾, as amended by the Additional Protocol of 26 May 1987 ⁽¹¹⁾, and
- Article 22 (6) of the Cooperation Agreement between the Community and Yugoslavia ⁽¹²⁾, as amended by the Additional Protocol of 10 December 1987 establishing new trade arrangements ⁽¹³⁾,

lower reference prices are to be fixed, subject to annual quotas and at a specified rate, for certain wines originating in the said countries and presented in containers holding two litres or less;

Whereas Commission Regulation (EEC) No 2714/86 ⁽¹⁴⁾ fixed the free-at-frontier reference prices applicable with effect from 1 September 1986; whereas that Regulation must be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

The free-at-frontier reference prices referred to in Article 54 (1) of Regulation (EEC) No 822/87 shall be those obtained by deducting the amount of the customs duty applicable to the country concerned from the reference price shown for the product in question in the Annex hereto.

Article 2

Regulation (EEC) No 2714/86 is hereby repealed.

Article 3

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

It shall apply with effect from 1 September 1988.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽³⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁴⁾ OJ No L 196, 26. 7. 1984, p. 21.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 166, 1. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 263, 27. 9. 1978, p. 2.

⁽⁸⁾ OJ No L 297, 21. 10. 1987, p. 2.

⁽⁹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽¹⁰⁾ OJ No L 265, 27. 9. 1987, p. 2.

⁽¹¹⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽¹²⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽¹³⁾ OJ No L 389, 31. 12. 1987, p. 73.

⁽¹⁴⁾ OJ No L 249, 1. 9. 1986, p. 1.

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

TABLE 20-09

Reference prices for grape juice (including grape must)

THE FREE-AT-FRONTIER REFERENCE PRICES ARE CALCULATED BY DEDUCTING THE DUTY APPLICABLE TO THE THIRD COUNTRY CONCERNED FROM THE REFERENCE PRICE SHOWN IN THE TABLE

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2009 60 11	9001	— With an added sugar content not exceeding 30 % by weight :						
		— — White :						
		— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
	9002	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content exceeding 30 % by weight :						
		— — White :						
		— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
2009 60 19	9003	— — — Other :						
		— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
	9004	— With an added sugar content not exceeding 30 % by weight :						
		— — White :						
		— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
	9005	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content exceeding 30 % by weight :						
2009 60 51	9006	— — White :						
		— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
		— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
	9007	— With an added sugar content exceeding 30 % by weight :						
		— — White :						
		— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
2009 60 51	9008	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content not exceeding 30 % by weight :						
		— — White :						
		— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
	9009	— — — Other :						
		— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content exceeding 30 % by weight :						
		— — White :						
2009 60 51	9010	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :		4,07	4,07	4,07		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2009 60 51 (cont'd)		— With an added sugar content exceeding 30 % by weight :						
		— — White :						
	9011	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
2009 60 59	9012	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content not exceeding 30 % by weight :						
		— — White :						
	9013	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
	9014	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content exceeding 30 % by weight :						
		— — White :						
	9015	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
	9016	— — — per % vol of potential alcoholic strength		4,07	4,07	4,07		
2009 60 71		— With an added sugar content exceeding 30 % by weight :						
		— — White :						
	9019	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
2009 60 79	9020	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content exceeding 30 % by weight :						
		— — White :						
	9023	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
	9024	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
2009 60 90		— With an added sugar content not exceeding 30 % by weight :						
		— — White :						
	9025	— — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— — — Other :						
	9026	— — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		

TABLE 22-02

Reference prices for wine

THE FREE-AT-FRONTIER REFERENCE PRICES ARE CALCULATED BY DEDUCTING THE DUTY APPLICABLE TO THE THIRD COUNTRY CONCERNED FROM THE REFERENCE PRICE SHOWN IN THE TABLE

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 21 25	9100	— Wine imported under the name Riesling or Sylvaner		K: 121,36	K: 116,07	131,93	5	7587
		— Other wine, of an actual alcoholic strength:						
		— — Less than 9 % vol						
	9101	— — 9 % vol or more but not exceeding 9,5 % vol	(¹)	K: 69,80	K: 64,51	80,37	5	7588
	9102	— — Exceeding 9,5 % vol but not exceeding 10 % vol	(¹)	K: 70,85	K: 65,57	81,43	5	7588
	9103	— — Exceeding 10 % vol but not exceeding 10,5 % vol	(¹)	K: 72,97	K: 67,68	83,54	5	7588
	9104	— — Exceeding 10,5 % vol but not exceeding 11 % vol	(¹)	K: 75,08	K: 69,80	85,66	5	7588
	9105	— — Exceeding 11 % vol but not exceeding 11,5 % vol	(¹)	K: 77,20	K: 71,91	87,77	5	7588
	9106	— — Exceeding 11,5 % vol but not exceeding 12 % vol	(¹)	K: 79,31	K: 74,03	89,89	5	7588
	9107	— — Exceeding 12 % vol but not exceeding 12,5 % vol	(¹)	K: 81,43	K: 76,14	92,00	5	7588
2204 21 29	9108	— — Exceeding 12,5 % vol but not exceeding 13 % vol	(¹)	K: 83,54	K: 78,26	94,12	5	7588
	9109	— — Exceeding 13 % vol but not exceeding 13,5 % vol	(¹)	K: 85,66	K: 80,37	96,23	5	7588
		— Fresh grape must with fermentation arrested by the addition of alcohol, as defined in additional note 4 (a) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength of:						
		— — 12 % vol or more but not exceeding 13 % vol:						
		— — — Of a potential alcoholic strength:						
		— — — — 8,5 % vol or more but not exceeding 9 % vol		59,50	59,50	59,50		
	9110	— — — — Exceeding 9 % vol but not exceeding 10 % vol		61,60	61,60	61,60		
	9111	— — — — Exceeding 10 % vol but not exceeding 11 % vol		64,40	64,40	64,40		
	9112	— — — — Exceeding 11 % vol but not exceeding 12 % vol		67,20	67,20	67,20		
	9113	— — — — Exceeding 12 % vol but not exceeding 13 % vol		70,00	70,00	70,00		
	9114	— — — — Exceeding 13 % vol but not exceeding 14 % vol		72,80	72,80	72,80		
	9115	— — — — Exceeding 14 % vol but not exceeding 15 % vol		75,60	75,60	75,60		
	9116	— — — — Exceeding 15 % vol but not exceeding 16 % vol		78,40	78,40	78,40		
	9117	— — — — Exceeding 16 % vol but not exceeding 17 % vol		81,20	81,20	81,20		
	9118	— — — — Exceeding 17 % vol but not exceeding 18 % vol		84,00	84,00	84,00		
	9119	— — — — Exceeding 18 % vol but not exceeding 19 % vol		86,80	86,80	86,80		
	9120	— — — — Exceeding 19 % vol but not exceeding 20 % vol		89,60	89,60	89,60		
	9121	— — — — Exceeding 20 % vol		91,00	91,00	91,00		
	9122	— — — — Exceeding 20 % vol						

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 21 29 (cont'd)		— Wine imported under the name Portugieser, of an actual alcoholic strength :						
	9123	— Less than 9 % vol	(1)	K: 72,05	K: 66,76	82,62	6	7589
	9124	— 9 % vol or more but not exceeding 9,5 % vol	(1)	K: 73,17	K: 67,88	83,74	6	7589
	9125	— Exceeding 9,5 % vol but not exceeding 10 % vol	(1)	K: 75,41	K: 70,12	85,98	6	7589
	9126	— Exceeding 10 % vol but not exceeding 10,5 % vol	(1)	K: 77,65	K: 72,36	88,22	6	7589
	9127	— Exceeding 10,5 % vol but not exceeding 11 % vol	(1)	K: 79,89	K: 74,60	90,46	6	7589
	9128	— Exceeding 11 % vol but not exceeding 11,5 % vol	(1)	K: 82,13	K: 76,84	92,70	6	7589
	9129	— Exceeding 11,5 % vol but not exceeding 12 % vol	(1)	K: 84,37	K: 79,08	94,94	6	7589
	9130	— Exceeding 12 % vol but not exceeding 12,5 % vol	(1)	K: 86,61	K: 81,32	97,18	6	7589
	9131	— Exceeding 12,5 % vol but not exceeding 13 % vol	(1)	K: 88,85	K: 83,56	99,42	6	7589
		— Other wine, of an actual alcoholic strength :						
	9132	— Less than 9 % vol	(1)	K: 72,05	K: 66,76	82,62	6	7590
	9133	— 9 % vol or more but not exceeding 9,5 % vol	(1)	K: 73,17	K: 67,88	83,74	6	7590
	9134	— Exceeding 9,5 % vol but not exceeding 10 % vol	(1)	K: 75,41	K: 70,12	85,98	6	7590
	9135	— Exceeding 10 % vol but not exceeding 10,5 % vol	(1)	K: 77,65	K: 72,36	88,22	6	7590
	9136	— Exceeding 10,5 % vol but not exceeding 11 % vol	(1)	K: 79,89	K: 74,60	90,46	6	7590
	9137	— Exceeding 11 % vol but not exceeding 11,5 % vol	(1)	K: 82,13	K: 76,84	92,70	6	7590
	9138	— Exceeding 11,5 % vol but not exceeding 12 % vol	(1)	K: 84,37	K: 79,08	94,94	6	7590
	9139	— Exceeding 12 % vol but not exceeding 12,5 % vol	(1)	K: 86,61	K: 81,32	97,18	6	7590
	9140	— Exceeding 12,5 % vol but not exceeding 13 % vol	(1)	K: 88,85	K: 83,56	99,42	6	7590
2204 21 35		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature of an actual alcoholic strength of 15 % vol :						
		— Intended for processing into products not falling within code 2204						
	9141	— Other		60,60	60,60	60,60		
	9142			111,30	111,30	111,30		
	9143	— Wine imported under the name Riesling or Sylvaner		K: 121,36	K: 116,07	131,93	8	7591
		— Other wine, of an actual alcoholic strength :						
	9144	— Exceeding 13 % vol but not exceeding 13,5 % vol	(1)	K: 87,77	K: 82,49	98,35	8	7592
	9145	— Exceeding 13,5 % vol but not exceeding 14 % vol	(1)	K: 89,89	K: 84,60	100,46	8	7592
	9146	— Exceeding 14 % vol but not exceeding 14,5 % vol	(1)	K: 92,00	K: 86,72	102,58	8	7592
	9147	— Exceeding 14,5 % vol but not exceeding 15 % vol	(1)	K: 94,12	K: 88,83	104,69	8	7592

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 21 39		— Fresh grape must with fermentation arrested by the addition of alcohol, as defined in additional note 4 (a) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength: — Exceeding 13 % vol but not exceeding 14 % vol: — — Of a potential alcoholic strength: — — — 8,5 % vol or more but not exceeding 9 % vol — — — Exceeding 9 % vol but not exceeding 10 % vol — — — Exceeding 10 % vol but not exceeding 11 % vol — — — Exceeding 11 % vol but not exceeding 12 % vol — — — Exceeding 12 % vol but not exceeding 13 % vol — — — Exceeding 13 % vol but not exceeding 14 % vol — — — Exceeding 14 % vol but not exceeding 15 % vol — — — Exceeding 15 % vol but not exceeding 16 % vol — — — Exceeding 16 % vol but not exceeding 17 % vol — — — Exceeding 17 % vol but not exceeding 18 % vol — — — Exceeding 18 % vol but not exceeding 19 % vol — — — Exceeding 19 % vol but not exceeding 20 % vol — — — Exceeding 20 % vol — Exceeding 14 % vol but less than 15 % vol: — — Of a potential alcoholic strength: — — — 8,5 % vol or more but not exceeding 9 % vol — — — Exceeding 9 % vol but not exceeding 10 % vol — — — Exceeding 10 % vol but not exceeding 11 % vol — — — Exceeding 11 % vol but not exceeding 12 % vol — — — Exceeding 12 % vol but not exceeding 13 % vol — — — Exceeding 13 % vol but not exceeding 14 % vol — — — Exceeding 14 % vol but not exceeding 15 % vol — — — Exceeding 15 % vol but not exceeding 16 % vol — — — Exceeding 16 % vol but not exceeding 17 % vol — — — Exceeding 17 % vol but not exceeding 18 % vol — — — Exceeding 18 % vol but not exceeding 19 % vol — — — Exceeding 19 % vol but not exceeding 20 % vol — — — Exceeding 20 % vol		62,30 64,40 67,20 70,00 72,80 75,60 78,40 81,20 84,00 86,80 89,60 92,40 93,80	62,30 64,40 67,20 70,00 72,80 75,60 78,40 81,20 84,00 86,80 89,60 92,40 93,80	62,30 64,40 67,20 70,00 72,80 75,60 78,40 81,20 84,00 86,80 89,60 92,40 93,80		
	9148			62,30	62,30			
	9149			64,40	64,40			
	9150			67,20	67,20			
	9151			70,00	70,00			
	9152			72,80	72,80			
	9153			75,60	75,60			
	9154			78,40	78,40			
	9155			81,20	81,20			
	9156			84,00	84,00			
	9157			86,80	86,80			
	9158			89,60	89,60			
	9159			92,40	92,40			
	9160			93,80	93,80			
	9161			65,10	65,10			
	9162			67,20	67,20			
	9163			70,00	70,00			
	9164			72,80	72,80			
	9165			75,60	75,60			
	9166			78,40	78,40			
	9167			81,20	81,20			
	9168			84,00	84,00			
	9169			86,80	86,80			
	9170			89,60	89,60			
	9171			92,40	92,40			
	9172			95,20	95,20			
	9173			96,60	96,60			
		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature of an actual alcoholic strength of 15 % vol:						
	9174	— — Intended for processing into products not falling within code 2204		60,60	60,60			
	9175	— — Other		111,30	111,30			

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex I, Part 6	
							Table	Additional code
2204 21 39 (cont'd)	9176	— Wine imported under the name Portugieser, of an actual alcoholic strength : — — Exceeding 13 % vol but not exceeding 13,5 % vol	(¹)	K : 91,09	K : 85,80	101,66	9	7593
	9177	— — Exceeding 13,5 % vol but not exceeding 14 % vol	(¹)	K : 93,33	K : 88,04	103,90	9	7593
	9178	— — Exceeding 14 % vol but not exceeding 14,5 % vol	(¹)	K : 95,57	K : 90,28	106,14	9	7593
	9179	— — Exceeding 14,5 % vol but not exceeding 15 % vol	(¹)	K : 97,81	K : 92,52	108,38	9	7593
		— Other wine, of an actual alcoholic strength :						
	9180	— — Exceeding 13 % vol but not exceeding 13,5 % vol	(¹)	K : 91,09	K : 85,80	101,66	9	7594
	9181	— — Exceeding 13,5 % vol but not exceeding 14 % vol	(¹)	K : 93,33	K : 88,04	103,90	9	7594
	9182	— — Exceeding 14 % vol but not exceeding 14,5 % vol	(¹)	K : 95,57	K : 90,28	106,14	9	7594
	9183	— — Exceeding 14,5 % vol but not exceeding 15 % vol	(¹)	K : 97,81	K : 92,52	108,38	9	7594
		— Liqueur wine from Porto, Madeira and Setubal moscatel as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
2204 21 41	9184	— — Of an actual alcoholic strength of 15 % vol and exceeding 130 g but not exceeding 330 g total dry extract per litre		—	—	111,30		
	9185	— — Other		—	—	117,50		
		— Wine from Tokay (Aszu and Szamorodni) of an actual alcoholic strength :						
	9186	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(¹)	—	—	106,81		
	9187	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(¹)	—	—	108,92		
	9188	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(¹)	—	—	111,04		
	9189	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(¹)	—	—	113,15		
	9190	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(¹)	—	—	115,27		
	9191	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(¹)	—	—	117,38		
		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
2204 21 49	9192	— — Intended for processing into products not falling within code 2204		64,80	64,80	64,80		
		— — Other						
	9193	— — Of an actual alcoholic strength of 15 % vol and exceeding 330 g total dry extract per litre		111,30	111,30	111,30		
	9194	— — Other		117,50	117,50	117,50		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 21 49 (cont'd)	9195	— Wine fortified for distillation as defined in additional note 4 (b) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength of 18 % vol		46,98	46,98	46,98		
		— White wine, of an actual alcoholic strength :						
	9196	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	K : 96,23	K : 90,95	106,81		
	9197	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	K : 98,35	K : 93,06	108,92		
	9198	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	K : 100,46	K : 95,18	111,04		
	9199	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	K : 102,58	K : 97,29	113,15		
	9200	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	K : 104,69	K : 99,41	115,27		
	9201	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	K : 106,81	K : 101,52	117,38		
		— Other wine, of an actual alcoholic strength :						
	9202	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	K : 100,05	K : 94,76	110,62		
2204 21 51	9203	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	K : 102,29	K : 97,00	112,86		
	9204	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	K : 104,53	K : 99,24	115,10		
	9205	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	K : 106,77	K : 101,48	117,34		
	9206	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	K : 109,01	K : 103,72	119,58		
	9207	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	K : 111,25	K : 105,96	121,82		
	9208	— Liqueur wine from Porto, Madeira and Setubal moscatel as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature		—	—	134,30		
		— Wine from Tokay (Aszu and Szamorodni) of an actual alcoholic strength :						
	9209	— — Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	—	—	119,50		
	9210	— — Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	—	—	121,61		
	9211	— — Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	—	—	123,73		
2204 21 59	9212	— — Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	—	—	125,84		
	9213	— — Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	—	—	127,96		
	9214	— — Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	—	—	130,07		
	9215	— — Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	—	—	132,19		
	9216	— — Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	—	—	134,30		
		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
	9217	— — Intended for processing into products not falling within code 2204		78,40	78,40	78,40		
	9218	— — Other		134,30	134,30	134,30		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 21 59 (cont'd)		- Wine fortified for distillation as defined in additional note 4 (b) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength :						
	9219	- Exceeding 18 % vol but not exceeding 18,5 % vol		47,63	47,63	47,63		
	9220	- Exceeding 18,5 % vol but not exceeding 19 % vol		48,94	48,94	48,94		
	9221	- Exceeding 19 % vol but not exceeding 19,5 % vol		50,24	50,24	50,24		
	9222	- Exceeding 19,5 % vol but not exceeding 20 % vol		51,55	51,55	51,55		
	9223	- Exceeding 20 % vol but not exceeding 20,5 % vol		52,85	52,85	52,85		
	9224	- Exceeding 20,5 % vol but not exceeding 21 % vol		54,16	54,16	54,16		
	9225	- Exceeding 21 % vol but not exceeding 21,5 % vol		55,46	55,46	55,46		
	9226	- Exceeding 21,5 % vol but not exceeding 22 % vol		56,77	56,77	56,77		
		- White wine, of an actual alcoholic strength :						
	9227	- Exceeding 18 % vol but not exceeding 18,5 % vol	(¹)	K : 108,92	K : 103,64	119,50		
	9228	- Exceeding 18,5 % vol but not exceeding 19 % vol	(¹)	K : 111,04	K : 105,75	121,61		
	9229	- Exceeding 19 % vol but not exceeding 19,5 % vol	(¹)	K : 113,15	K : 107,87	123,73		
	9230	- Exceeding 19,5 % vol but not exceeding 20 % vol	(¹)	K : 115,27	K : 109,98	125,84		
	9231	- Exceeding 20 % vol but not exceeding 20,5 % vol	(¹)	K : 117,38	K : 112,10	127,96		
	9232	- Exceeding 20,5 % vol but not exceeding 21 % vol	(¹)	K : 119,50	K : 114,21	130,07		
	9233	- Exceeding 21 % vol but not exceeding 21,5 % vol	(¹)	K : 121,61	K : 116,33	132,19		
	9234	- Exceeding 21,5 % vol but not exceeding 22 % vol	(¹)	K : 123,73	K : 118,44	134,30		
		- Other wine, of an actual alcoholic strength :						
	9235	- Exceeding 18 % vol but not exceeding 18,5 % vol	(¹)	K : 113,49	K : 108,20	124,06		
	9236	- Exceeding 18,5 % vol but not exceeding 19 % vol	(¹)	K : 115,73	K : 110,44	126,30		
	9237	- Exceeding 19 % vol but not exceeding 19,5 % vol	(¹)	K : 117,97	K : 112,68	128,54		
	9238	- Exceeding 19,5 % vol but not exceeding 20 % vol	(¹)	K : 120,21	K : 114,92	130,78		
	9239	- Exceeding 20 % vol but not exceeding 20,5 % vol	(¹)	K : 122,45	K : 117,16	133,02		
	9240	- Exceeding 20,5 % vol but not exceeding 21 % vol	(¹)	K : 124,69	K : 119,40	135,26		
	9241	- Exceeding 21 % vol but not exceeding 21,5 % vol	(¹)	K : 126,93	K : 121,64	137,50		
	9242	- Exceeding 21,5 % vol but not exceeding 22 % vol	(¹)	K : 129,17	K : 123,88	139,74		
2204 21 90		- Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
	9243	- Intended for processing into products not falling within code 2204		86,70	86,70	86,70		
	9244	- Other		141,60	141,60	141,60		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 21 90 (cont'd)		— Wine fortified for distillation as defined in additional note 4 (b) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength:						
	9245	— Exceeding 22 % vol but not exceeding 22,5 % vol		58,07	58,07	58,07		
	9246	— Exceeding 22,5 % vol but not exceeding 23 % vol		59,38	59,38	59,38		
	9247	— Exceeding 23 % vol but not exceeding 23,5 % vol		60,68	60,68	60,68		
	9248	— Exceeding 23,5 % vol but not exceeding 24 % vol		61,99	61,99	61,99		
		— White wine, of an actual alcoholic strength:						
	9249	— Exceeding 22 % vol but not exceeding 22,5 % vol	(¹)	K: 125,84	K: 120,56	136,42		
	9250	— Exceeding 22,5 % vol but not exceeding 23 % vol	(¹)	K: 127,96	K: 122,67	138,53		
	9251	— Exceeding 23 % vol but not exceeding 23,5 % vol	(¹)	K: 130,07	K: 124,79	140,65		
	9252	— Exceeding 23,5 % vol but not exceeding 24 % vol	(¹)	K: 132,19	K: 126,90	142,76		
		— Other wine, of an actual alcoholic strength:						
	9253	— Exceeding 22 % vol but not exceeding 22,5 % vol	(¹)	K: 131,41	K: 126,12	141,98		
	9254	— Exceeding 22,5 % vol but not exceeding 23 % vol	(¹)	K: 133,65	K: 128,36	144,22		
	9255	— Exceeding 23 % vol but not exceeding 23,5 % vol	(¹)	K: 135,89	K: 130,60	146,46		
	9256	— Exceeding 23,5 % vol but not exceeding 24 % vol	(¹)	K: 138,13	K: 132,84	148,70		
2204 29 25		— Wine imported under the name Riesling or Sylvaner						
	9500	— In containers holding more than 2 litres but not more than 20 litres		110,78	110,78	110,78	11	7595
	9501	— Other		89,63	89,63	89,63	11	7595
		— Other wine:						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength:						
	9502	— Less than 9 % vol	(¹)	59,22	59,22	59,22	11	7596
	9503	— 9 % vol or more, but not exceeding 9,5 % vol	(¹)	60,28	60,28	60,28	11	7596
	9504	— Exceeding 9,5 % vol but not exceeding 10 % vol	(¹)	62,39	62,39	62,39	11	7596
	9505	— Exceeding 10 % vol but not exceeding 10,5 % vol	(¹)	64,51	64,51	64,51	11	7596
	9506	— Exceeding 10,5 % vol but not exceeding 11 % vol	(¹)	66,62	66,62	66,62	11	7596
	9507	— Exceeding 11 % vol but not exceeding 11,5 % vol	(¹)	68,74	68,74	68,74	11	7596
	9508	— Exceeding 11,5 % vol but not exceeding 12 % vol	(¹)	70,85	70,85	70,85	11	7596
	9509	— Exceeding 12 % vol but not exceeding 12,5 % vol	(¹)	72,97	72,97	72,97	11	7596
	9510	— Exceeding 12,5 % vol but not exceeding 13 % vol	(¹)	75,08	75,08	75,08	11	7596

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 25 (cont'd)	9511	— — Other, of an actual alcoholic strength :		38,07	38,07	38,07	11	7596
	9512	— — Less than 9 % vol	(1)	39,13	39,13	39,13	11	7596
	9513	— — 9 % vol or more but not exceeding 9,5 % vol	(1)	41,24	41,24	41,24	11	7596
	9514	— — Exceeding 9,5 % vol but not exceeding 10 % vol	(1)	43,36	43,36	43,36	11	7596
	9515	— — Exceeding 10 % vol but not exceeding 10,5 % vol	(1)	45,47	45,47	45,47	11	7596
	9516	— — Exceeding 10,5 % vol but not exceeding 11 % vol	(1)	47,59	47,59	47,59	11	7596
	9517	— — Exceeding 11 % vol but not exceeding 11,5 % vol	(1)	49,70	49,70	49,70	11	7596
	9518	— — Exceeding 11,5 % vol but not exceeding 12 % vol	(1)	51,82	51,82	51,82	11	7596
	9519	— — Exceeding 12 % vol but not exceeding 12,5 % vol	(1)	53,93	53,93	53,93	11	7596
2204 29 29		— Fresh grape must with fermentation arrested by the addition of alcohol, as defined in additional note 4 (a) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength of :						
		— 12 % vol or more but not exceeding 13 % vol :						
		— — Of a potential alcoholic strength :						
	9520	— — 8,5 % vol or more but not exceeding 9 % vol		59,50	59,50	59,50		
	9521	— — Exceeding 9 % vol but not exceeding 10 % vol		61,60	61,60	61,60		
	9522	— — Exceeding 10 % vol but not exceeding 11 % vol		64,40	64,40	64,40		
	9523	— — Exceeding 11 % vol but not exceeding 12 % vol		67,20	67,20	67,20		
	9524	— — Exceeding 12 % vol but not exceeding 13 % vol		70,00	70,00	70,00		
	9525	— — Exceeding 13 % vol but not exceeding 14 % vol		72,80	72,80	72,80		
	9526	— — Exceeding 14 % vol but not exceeding 15 % vol		75,60	75,60	75,60		
	9527	— — Exceeding 15 % vol but not exceeding 16 % vol		78,40	78,40	78,40		
	9528	— — Exceeding 16 % vol but not exceeding 17 % vol		81,20	81,20	81,20		
	9529	— — Exceeding 17 % vol but not exceeding 18 % vol		84,00	84,00	84,00		
	9530	— — Exceeding 18 % vol but not exceeding 19 % vol		86,80	86,80	86,80		
	9531	— — Exceeding 19 % vol but not exceeding 20 % vol		89,60	89,60	89,60		
	9532	— — Exceeding 20 % vol		91,00	91,00	91,00		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							*Table	Additional code
2204 29 29 (cont'd)		— Wine imported under the name Portugieser :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9533	— — Less than 9 % vol	(1)	61,47	61,47	61,47	12	7597
	9534	— — 9 % vol or more but not exceeding 9,5 % vol	(1)	62,59	62,59	62,59	12	7597
	9535	— — Exceeding 9,5 % vol but not exceeding 10 % vol	(1)	64,83	64,83	64,83	12	7597
	9536	— — Exceeding 10 % vol but not exceeding 10,5 % vol	(1)	67,07	67,07	67,07	12	7597
	9537	— — Exceeding 10,5 % vol but not exceeding 11 % vol	(1)	69,31	69,31	69,31	12	7597
	9538	— — Exceeding 11 % vol but not exceeding 11,5 % vol	(1)	71,55	71,55	71,55	12	7597
	9539	— — Exceeding 11,5 % vol but not exceeding 12 % vol	(1)	73,79	73,79	73,79	12	7597
	9540	— — Exceeding 12 % vol but not exceeding 12,5 % vol	(1)	76,03	76,03	76,03	12	7597
	9541	— — Exceeding 12,5 % vol but not exceeding 13 % vol	(1)	78,27	78,27	78,27	12	7957
		— Other, of an actual alcoholic strength :						
	9542	— — Less than 9 % vol	(1)	40,32	40,32	40,32	12	7597
	9543	— — 9 % vol or more but not exceeding 9,5 % vol	(1)	41,44	41,44	41,44	12	7597
	9544	— — Exceeding 9,5 % vol but not exceeding 10 % vol	(1)	43,68	43,68	43,68	12	7597
	9545	— — Exceeding 10 % vol but not exceeding 10,5 % vol	(1)	45,92	45,92	45,92	12	7597
	9546	— — Exceeding 10,5 % vol but not exceeding 11 % vol	(1)	48,16	48,16	48,16	12	7597
	9547	— — Exceeding 11 % vol but not exceeding 11,5 % vol	(1)	50,40	50,40	50,40	12	7597
	9548	— — Exceeding 11,5 % vol but not exceeding 12 % vol	(1)	52,64	52,64	52,64	12	7597
	9549	— — Exceeding 12 % vol but not exceeding 12,5 % vol	(1)	54,88	54,88	54,88	12	7597
	9550	— — Exceeding 12,5 % vol but not exceeding 13 % vol	(1)	57,12	57,12	57,12	12	7597
		— Other wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9551	— — Less than 9 % vol	(1)	61,47	61,47	61,47	12	7598
	9552	— — 9 % vol or more but not exceeding 9,5 % vol	(1)	62,59	62,59	62,59	12	7598
	9553	— — Exceeding 9,5 % vol but not exceeding 10 % vol	(1)	64,83	64,83	64,83	12	7598
	9554	— — Exceeding 10 % vol but not exceeding 10,5 % vol	(1)	67,07	67,07	67,07	12	7598
	9555	— — Exceeding 10,5 % vol but not exceeding 11 % vol	(1)	69,31	69,31	69,31	12	7598
	9556	— — Exceeding 11 % vol but not exceeding 11,5 % vol	(1)	71,55	71,55	71,55	12	7598
	9557	— — Exceeding 11,5 % vol but not exceeding 12 % vol	(1)	73,79	73,79	73,79	12	7598
	9558	— — Exceeding 12 % vol but not exceeding 12,5 % vol	(1)	76,03	76,03	76,03	12	7598
	9559	— — Exceeding 12,5 % vol but not exceeding 13 % vol	(1)	78,27	78,27	78,27	12	7598

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 29 (cont'd)	9560	— Other, of an actual alcoholic strength :		40,32	40,32	40,32	12	7598
	9561	— Less than 9 % vol	(¹)	41,44	41,44	41,44	12	7598
	9562	— 9 % vol or more but not exceeding 9,5 % vol	(¹)	43,68	43,68	43,68	12	7598
	9563	— Exceeding 9,5 % vol but not exceeding 10 % vol	(¹)	45,92	45,92	45,92	12	7598
	9564	— Exceeding 10 % vol but not exceeding 10,5 % vol	(¹)	48,16	48,16	48,16	12	7598
	9565	— Exceeding 10,5 % vol but not exceeding 11 % vol	(¹)	50,40	50,40	50,40	12	7598
	9566	— Exceeding 11 % vol but not exceeding 11,5 % vol	(¹)	52,64	52,64	52,64	12	7598
	9567	— Exceeding 11,5 % vol but not exceeding 12 % vol	(¹)	54,88	54,88	54,88	12	7598
	9568	— Exceeding 12 % vol but not exceeding 12,5 % vol	(¹)	57,12	57,12	57,12	12	7598
		— Exceeding 12,5 % vol but not exceeding 13 % vol	(¹)					
		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature of an actual alcoholic strength of 15 % vol :						
	9569	— Intended for processing into products not falling within code 2204		60,60	60,60	60,60		
		— Other :						
2204 29 35	9570	— In containers holding more than 2 litres but not more than 20 litres		90,15	90,15	90,15		
	9571	— Other		69,00	69,00	69,00		
		— Wine imported under the name Riesling or Sylvaner :						
	9572	— In containers holding more than 2 litres but not more than 20 litres		110,78	110,78	110,78	14	7599
	9573	— Other		89,63	89,63	89,63	14	7599
		— Other wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9574	— Exceeding 13 % vol but not exceeding 13,5 % vol	(¹)	77,20	77,20	77,20	14	7614
	9575	— Exceeding 13,5 % vol but not exceeding 14 % vol	(¹)	79,31	79,31	79,31	14	7614
	9576	— Exceeding 14 % vol but not exceeding 14,5 % vol	(¹)	81,43	81,43	81,43	14	7614
	9577	— Exceeding 14,5 % vol but not exceeding 15 % vol	(¹)	83,54	83,54	83,54	14	7614
		— Other, of an actual alcoholic strength :						
	9578	— Exceeding 13 % vol but not exceeding 13,5 % vol	(¹)	56,05	56,05	56,05	14	7614
	9579	— Exceeding 13,5 % vol but not exceeding 14 % vol	(¹)	58,16	58,16	58,16	14	7614
	9580	— Exceeding 14 % vol but not exceeding 14,5 % vol	(¹)	60,28	60,28	60,28	14	7614
	9581	— Exceeding 14,5 % vol but not exceeding 15 % vol	(¹)	62,39	62,39	62,39	14	7614

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 39		— Fresh grape must with fermentation arrested by the addition of alcohol, as defined in additional note 4 (a) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength :						
		— Exceeding 13 % vol or more but not exceeding 14 % vol :						
		— — Of a potential alcoholic strength :						
		— — — 8,5 % vol or more but not exceeding 9 % vol		62,30	62,30	62,30		
	9582	— — — Exceeding 9 % vol but not exceeding 10 % vol		64,40	64,40	64,40		
	9583	— — — Exceeding 10 % vol but not exceeding 11 % vol		67,20	67,20	67,20		
	9584	— — — Exceeding 11 % vol but not exceeding 12 % vol		70,00	70,00	70,00		
	9585	— — — Exceeding 12 % vol but not exceeding 13 % vol		72,80	72,80	72,80		
	9586	— — — Exceeding 13 % vol but not exceeding 14 % vol		75,60	75,60	75,60		
	9587	— — — Exceeding 14 % vol but not exceeding 15 % vol		78,40	78,40	78,40		
	9588	— — — Exceeding 15 % vol but not exceeding 16 % vol		81,20	81,20	81,20		
	9589	— — — Exceeding 16 % vol but not exceeding 17 % vol		84,00	84,00	84,00		
	9590	— — — Exceeding 17 % vol but not exceeding 18 % vol		86,80	86,80	86,80		
	9591	— — — Exceeding 18 % vol but not exceeding 19 % vol		89,60	89,60	89,60		
	9592	— — — Exceeding 19 % vol but not exceeding 20 % vol		92,40	92,40	92,40		
	9593	— — — Exceeding 20 % vol		93,80	93,80	93,80		
	9594	— — Exceeding 14 % vol but less than 15 % vol :						
		— — — Of a potential alcoholic strength :						
		— — — — 8,5 % vol or more but not exceeding 9 % vol		65,10	65,10	65,10		
	9595	— — — — Exceeding 9 % vol but not exceeding 10 % vol		67,20	67,20	67,20		
	9596	— — — — Exceeding 10 % vol but not exceeding 11 % vol		70,00	70,00	70,00		
	9597	— — — — Exceeding 11 % vol but not exceeding 12 % vol		72,80	72,80	72,80		
	9598	— — — — Exceeding 12 % vol but not exceeding 13 % vol		75,60	75,60	75,60		
	9599	— — — — Exceeding 13 % vol but not exceeding 14 % vol		78,40	78,40	78,40		
	9600	— — — — Exceeding 14 % vol but not exceeding 15 % vol		81,20	81,20	81,20		
	9601	— — — — Exceeding 15 % vol but not exceeding 16 % vol		84,00	84,00	84,00		
	9602	— — — — Exceeding 16 % vol but not exceeding 17 % vol		86,80	86,80	86,80		
	9603	— — — — Exceeding 17 % vol but not exceeding 18 % vol		89,60	89,60	89,60		
	9604	— — — — Exceeding 18 % vol but not exceeding 19 % vol		92,40	92,40	92,40		
	9605	— — — — Exceeding 19 % vol but not exceeding 20 % vol		95,20	95,20	95,20		
	9606	— — — — Exceeding 20 % vol		96,60	96,60	96,60		
	9607	— — — — Exceeding 20 % vol						
		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature of an actual alcoholic strength of 15 % vol :						
		— — Intended for processing into products not falling within code 2204		60,60	60,60	60,60		
	9608							

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 39 (cont'd)	9609 9610	— — Other :		90,15	90,15			
		— — In containers holding more than 2 litres but not more than 20 litres		69,00	69,00			
	9611 9612	— — Other						
		— Wine imported under the name Portugieser :						
	9613 9614	— — In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
		— — Exceeding 13 % vol but not exceeding 13,5 % vol	(1)	80,51	80,51	80,51	15	7618
	9615 9616	— — Exceeding 13,5 % vol but not exceeding 14 % vol	(1)	82,75	82,75	82,75	15	7618
		— — Exceeding 14 % vol but not exceeding 14,5 % vol	(1)	84,99	84,99	84,99	15	7618
	9617 9618	— — Exceeding 14,5 % vol but not exceeding 15 % vol	(1)	87,23	87,23	87,23	15	7618
		— — Other, of an actual alcoholic strength :						
	9619 9620	— — Exceeding 13 % vol but not exceeding 13,5 % vol	(1)	59,36	59,36	59,36	15	7618
		— — Exceeding 13,5 % vol but not exceeding 14 % vol	(1)	61,60	61,60	61,60	15	7618
	9621 9622	— — Exceeding 14 % vol but not exceeding 14,5 % vol	(1)	63,84	63,84	63,84	15	7618
		— — Exceeding 14,5 % vol but not exceeding 15 % vol	(1)	66,08	66,08	66,08	15	7618
	9623 9624	— — Other, of an actual alcoholic strength :						
		— — Exceeding 13 % vol but not exceeding 13,5 % vol	(1)	59,36	59,36	59,36	15	7619
	9625 9626	— — Exceeding 13,5 % vol but not exceeding 14 % vol	(1)	61,60	61,60	61,60	15	7619
		— — Exceeding 14 % vol but not exceeding 14,5 % vol	(1)	63,84	63,84	63,84	15	7619
	9627 9628	— — Exceeding 14,5 % vol but not exceeding 15 % vol	(1)	66,08	66,08	66,08	15	7619
2204 29 41		— Liqueur wine from Porto, Madeira and Setubal moscatel as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
		— — In containers holding more than 2 litres but not more than 20 litres :						
		— — Of an actual alcoholic strength of 15 % vol and exceeding 130 g but not exceeding 330 g total dry extract per litre		—	—	90,15		90,15
		— — Other		—	—	96,35		96,35

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 41 (cont'd)	9629 9630	— — Other :						
		— — — Of an actual alcoholic strength of 15 % vol and exceeding 130 g but not exceeding 330 g total dry extract per litre		—	—	69,00		
		— — — Other		—	—	75,20		
	9631 9632 9633 9634 9635 9636	— Wine from Tokay (Aszu en Szamorodni) :						
		— — In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
		— — — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	—	—	85,65		
		— — — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	—	—	87,77		
		— — — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	—	—	89,89		
		— — — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	—	—	92,00		
		— — — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	—	—	94,12		
		— — — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	—	—	96,23		
	9637 9638 9639 9640 9641 9642	— — Other, of an actual alcoholic strength :						
		— — — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	—	—	64,51		
		— — — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	—	—	66,62		
		— — — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	—	—	68,74		
		— — — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	—	—	70,85		
		— — — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	—	—	72,97		
		— — — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	—	—	75,08		
2204 29 49	9643	— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
		— — Intended for processing into products not falling within code 2204		64,80	64,80	64,80		
		— — Other :						
	9644	— — — In containers holding more than 2 litres but not more than 20 litres :						
		— — — — Of an actual alcoholic strength of 15 % vol and exceeding 130 g but not exceeding 330 g total dry extract per litre		90,15 96,35	90,15 96,35	90,15 96,35		
		— — — — Other						
	9645	— — — Other :						
		— — — — Of an actual alcoholic strength of 15 % vol and exceeding 330 g total dry extract per litre		69,00 75,20	69,00 75,20	69,00 75,20		
		— — — — Other						
	9646	— — — — Of an actual alcoholic strength of 15 % vol and exceeding 330 g total dry extract per litre						
	9647	— — — — Other						

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex I, Part 6	
							Table	Additional code
2204 29 49 (cont'd)	9648	— Wine fortified for distillation as defined in additional note 4 (b) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength of 18 % vol		46,98	46,98	46,98		
		— White wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9649	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	85,66	85,66	85,66		
	9650	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	87,77	87,77	87,77		
	9651	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	89,89	89,89	89,89		
	9652	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	92,00	92,00	92,00		
	9653	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	94,12	94,12	94,12		
	9654	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	96,23	96,23	96,23		
		— Other, of an actual alcoholic strength :						
	9655	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	64,51	64,51	64,51		
	9656	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	66,62	66,62	66,62		
	9657	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	68,74	68,74	68,74		
	9658	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	70,85	70,85	70,85		
	9659	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	72,97	72,97	72,97		
	9660	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	75,08	75,08	75,08		
		— Other wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9661	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	89,47	89,47	89,47		
	9662	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	91,71	91,71	91,71		
	9663	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	93,95	93,95	93,95		
	9664	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	96,19	96,19	96,19		
	9665	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	98,43	98,43	98,43		
	9666	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	100,67	100,67	100,67		
		— Other, of an actual alcoholic strength :						
	9667	— — Exceeding 15 % vol but not exceeding 15,5 % vol	(1)	68,32	68,32	68,32		
	9668	— — Exceeding 15,5 % vol but not exceeding 16 % vol	(1)	70,56	70,56	70,56		
	9669	— — Exceeding 16 % vol but not exceeding 16,5 % vol	(1)	72,80	72,80	72,80		
	9670	— — Exceeding 16,5 % vol but not exceeding 17 % vol	(1)	75,04	75,04	75,04		
	9671	— — Exceeding 17 % vol but not exceeding 17,5 % vol	(1)	77,28	77,28	77,28		
	9672	— — Exceeding 17,5 % vol but not exceeding 18 % vol	(1)	79,52	79,52	79,52		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 51	9673	— Liqueur wine from Porto, Madeira and Setubal moscatel as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :		—	—	113,15		
	9674	— In containers holding more than 2 litres but not more than 20 litres		—	—	92,00		
2204 29 55		— Other						
		— Wine from Tokay (Aszu and Szamorodni) :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9675	— Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	—	—	98,35		
	9676	— Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	—	—	100,46		
	9677	— Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	—	—	102,58		
	9678	— Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	—	—	104,69		
	9679	— Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	—	—	106,81		
	9680	— Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	—	—	108,92		
	9681	— Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	—	—	111,04		
	9682	— Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	—	—	113,15		
		— Other, of an actual alcoholic strength :						
	9683	— Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	—	—	77,20		
	9684	— Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	—	—	79,31		
	9685	— Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	—	—	81,43		
	9686	— Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	—	—	83,54		
	9687	— Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	—	—	85,66		
	9688	— Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	—	—	87,77		
	9689	— Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	—	—	89,89		
	9690	— Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	—	—	92,00		
2204 29 59		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
	9691	— Intended for processing into products not falling within code 2204		78,40	78,40			
		— Other :						
	9692	— In containers holding more than 2 litres but not more than 20 litres		113,15	113,15	113,15		
	9693	— Other		92,00	92,00	92,00		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 59 (cont'd)		— Wine fortified for distillation as defined in additional note 4 (b) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength :						
	9694	— — Exceeding 18 % vol but not exceeding 18,5 % vol		47,63	47,63	47,63		
	9695	— — Exceeding 18,5 % vol but not exceeding 19 % vol		48,94	48,94	48,94		
	9696	— — Exceeding 19 % vol but not exceeding 19,5 % vol		50,24	50,24	50,24		
	9697	— — Exceeding 19,5 % vol but not exceeding 20 % vol		51,55	51,55	51,55		
	9698	— — Exceeding 20 % vol but not exceeding 20,5 % vol		52,85	52,85	52,85		
	9699	— — Exceeding 20,5 % vol but not exceeding 21 % vol		54,16	54,16	54,16		
	9700	— — Exceeding 21 % vol but not exceeding 21,5 % vol		55,46	55,46	55,46		
	9701	— — Exceeding 21,5 % vol but not exceeding 22 % vol		56,77	56,77	56,77		
		— White wine :						
		— — In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9702	— — — Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	98,35	98,35	98,35		
	9703	— — — Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	100,46	100,46	100,46		
	9704	— — — Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	102,58	102,58	102,58		
	9705	— — — Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	104,69	104,69	104,69		
	9706	— — — Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	106,81	106,81	106,81		
	9707	— — — Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	108,92	108,92	108,92		
	9708	— — — Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	111,04	111,04	111,04		
	9709	— — — Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	113,15	113,15	113,15		
		— — Other, of an actual alcoholic strength :						
	9710	— — — Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	77,20	77,20	77,20		
	9711	— — — Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	79,31	79,31	79,31		
	9712	— — — Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	81,43	81,43	81,43		
	9713	— — — Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	83,54	83,54	83,54		
	9714	— — — Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	85,66	85,66	85,66		
	9715	— — — Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	87,77	87,77	87,77		
	9716	— — — Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	89,89	89,89	89,89		
	9717	— — — Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	92,00	92,00	92,00		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex 1, Part 6	
							Table	Additional code
2204 29 59 (cont'd)		— Other wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9718	— — Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	102,91	102,91	102,91		
	9719	— — Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	105,15	105,15	105,15		
	9720	— — Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	107,39	107,39	107,39		
	9721	— — Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	109,63	109,63	109,63		
	9722	— — Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	111,87	111,87	111,87		
	9723	— — Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	114,11	114,11	114,11		
	9724	— — Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	116,35	116,35	116,35		
	9725	— — Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	118,59	118,59	118,59		
		— Other, of an actual alcoholic strength :						
	9726	— — Exceeding 18 % vol but not exceeding 18,5 % vol	(1)	81,76	81,76	81,76		
	9727	— — Exceeding 18,5 % vol but not exceeding 19 % vol	(1)	84,00	84,00	84,00		
	9728	— — Exceeding 19 % vol but not exceeding 19,5 % vol	(1)	86,24	86,24	86,24		
	9729	— — Exceeding 19,5 % vol but not exceeding 20 % vol	(1)	88,48	88,48	88,48		
2204 29 90	9730	— — Exceeding 20 % vol but not exceeding 20,5 % vol	(1)	90,72	90,72	90,72		
	9731	— — Exceeding 20,5 % vol but not exceeding 21 % vol	(1)	92,96	92,96	92,96		
	9732	— — Exceeding 21 % vol but not exceeding 21,5 % vol	(1)	95,20	95,20	95,20		
	9733	— — Exceeding 21,5 % vol but not exceeding 22 % vol	(1)	97,44	97,44	97,44		
		— Liqueur wine as defined in additional note 4 (c) to Chapter 22 of the combined nomenclature :						
	9734	— — Intended for processing into products not falling within code 2204		86,70	86,70	86,70		
		— Other :						
	9735	— — In containers holding more than 2 litres but not more than 20 litres :		120,45	120,45	120,45		
	9736	— — Other		99,30	99,30	99,30		
		— Wine fortified for distillation as defined in additional note 4 (b) to Chapter 22 of the combined nomenclature, of an actual alcoholic strength :						
	9737	— — Exceeding 22 % vol but not exceeding 22,5 % vol		58,07	58,07	58,07		
	9738	— — Exceeding 22,5 % vol but not exceeding 23 % vol		59,38	59,38	59,38		
	9739	— — Exceeding 23 % vol but not exceeding 23,5 % vol		60,68	60,68	60,68		
	9740	— — Exceeding 23,5 % vol but not exceeding 24 % vol		61,99	61,99	61,99		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex I, Part 6	
							Table	Additional code
2204 29 90 (cont'd)		— White wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9741	— — Exceeding 22 % vol but not exceeding 22,5 % vol	(¹)	115,27	115,27	115,27		
	9742	— — Exceeding 22,5 % vol but not exceeding 23 % vol	(¹)	117,38	117,38	117,38		
	9743	— — Exceeding 23 % vol but not exceeding 23,5 % vol	(¹)	119,50	119,50	119,50		
	9744	— — Exceeding 23,5 % vol but not exceeding 24 % vol	(¹)	121,61	121,61	121,61		
		— Other, of an actual alcoholic strength :						
	9745	— — Exceeding 22 % vol but not exceeding 22,5 % vol	(¹)	94,12	94,12	94,12		
	9746	— — Exceeding 22,5 % vol but not exceeding 23 % vol	(¹)	96,23	96,23	96,23		
	9747	— — Exceeding 23 % vol but not exceeding 23,5 % vol	(¹)	98,35	98,35	98,35		
	9748	— — Exceeding 23,5 % vol but not exceeding 24 % vol	(¹)	100,46	100,46	100,46		
		— Other wine :						
		— In containers holding more than 2 litres but not more than 20 litres, of an actual alcoholic strength :						
	9749	— — Exceeding 22 % vol but not exceeding 22,5 % vol	(¹)	120,83	120,83	120,83		
	9750	— — Exceeding 22,5 % vol but not exceeding 23 % vol	(¹)	123,07	123,07	123,07		
	9751	— — Exceeding 23 % vol but not exceeding 23,5 % vol	(¹)	125,31	125,31	125,31		
	9752	— — Exceeding 23,5 % vol but not exceeding 24 % vol	(¹)	127,55	127,55	127,55		
2204 30 91		— Other, of an actual alcoholic strength :						
	9753	— — Exceeding 22 % vol but not exceeding 22,5 % vol	(¹)	99,68	99,68	99,68		
	9754	— — Exceeding 22,5 % vol but not exceeding 23 % vol	(¹)	101,92	101,92	101,92		
	9755	— — Exceeding 23 % vol but not exceeding 23,5 % vol	(¹)	104,16	104,16	104,16		
	9756	— — Exceeding 23,5 % vol but not exceeding 24 % vol	(¹)	106,40	106,40	106,40		
		— With an added sugar content not exceeding 30 % by weight :						
		— White :						
	9757	— — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— Other :						
	9758	— — Per % vol of potential alcoholic strength		4,07	4,07	4,07		
		— With an added sugar content exceeding 30 % by weight :						
		— White :						
	9759	— — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
		— Other :						
	9760	— — Per % vol of potential alcoholic strength		4,07	4,07	4,07		

CN code	Additional code	Description	Note	CY (ECU/hl)	DZ, TN, YU (ECU/hl)	Other countries (ECU/hl)	MCA Regulation Annex I, Part 6	
							Table	Additional code
2204 30 99	9761	— With an added sugar content not exceeding 30 % by weight : — — White : — — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
	9762	— — — Other : — — — Per % vol of potential alcoholic strength — With an added sugar content exceeding 30 % by weight :		4,07	4,07	4,07		
	9763	— — White : — — — Per % vol of potential alcoholic strength		3,84	3,84	3,84		
	9764	— — — Other : — — — Per % vol of potential alcoholic strength		4,07	4,07	4,07		

(¹) The reference price shall be increased by 1 ECU per % vol actual alcoholic strength per hectolitre when the wine is imported into the French overseas department of Réunion.

COMMISSION REGULATION (EEC) No 3419/88

of 3 November 1988

fixing the maximum quantity of sunflower oil to be released for consumption
and exported to Spain for the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to the Act of Accession of Spain and
Portugal,Having regard to Council Regulation (EEC) No 475/86 of
25 February 1986 laying down general 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 1930/88 ⁽²⁾, and in particular Article 16 thereof,Whereas Article 2 (2) of 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 ⁽³⁾, as last amended by
Regulation (EEC) No 2937/88 ⁽⁴⁾, provides for the fixing
for each marketing year of the quantity of sunflower oil
released for consumption in Spain and of the quantity of
sunflower seeds harvested in Spain which may qualify for
the compensatory aid provided for in Article 14 of
Regulation (EEC) No 475/86; whereas the maximum
quantities should be fixed in accordance with the criteria
laid down in Article 94 of the Act of Accession;Whereas for the sake of sound administration, in
particular as regards the issuing of export documents, the
dates from which applications for export documents may
be submitted to the competent agency should be put
back;Whereas the forecast supply balance for the 1988/89
marketing year has been drawn up for sunflower oil;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

During the 1988/89 marketing year:

- the quantity of sunflower oil intended for human
consumption to be released for consumption in Spain
shall be 300 000 tonnes,
- the quantity of sunflower oil intended for human
consumption to be imported into Spain shall be 0
tonnes,
- the quantity of sunflower seeds harvested in Spain,
used for the production of oil intended for export and
qualifying for the compensatory aid provided for in
Article 14 of Regulation (EEC) No 475/86 shall be
375 000 tonnes.

*Article 2*Applications for export documents as provided for in
Article 9 of Regulation (EEC) No 1183/86 may only be
submitted from the seventh day following the publication
of this Regulation.*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 August 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 47.⁽²⁾ OJ No L 170, 2. 7. 1988, p. 47.⁽³⁾ OJ No L 107, 24. 4. 1986, p. 17.⁽⁴⁾ OJ No L 264, 24. 9. 1988, p. 44.

COMMISSION REGULATION (EEC) No 3420/88

of 3 November 1988

amending for the second time Regulation (EEC) No 480/87 laying down rules for implementing the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff, originating in Thailand and exported from that country in 1987, 1988, 1989 and 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 and coming from third countries, and amending Regulation (EEC) No 960/68 on the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas, in view of experience gained and for the sake of sound management of the agreement concluded with Thailand, the administrative practice whereby, when it is observed that quantities landed in the Community in a given consignment exceed those on the import licence, the Commission, notified by the competent authorities of the Member States, contacts the Thai authorities in order to permit the issue of new documents for excess quantities landed, should be re-established;

Whereas, in agreement with the authorities of the exporting country, however, excess quantities landed may be released for free circulation where they do not exceed the quantities covered by the licences presented by more than 2 %, subject to the lodging of a specific security the amount of which is to cover the difference between the levy subject to a ceiling of 6 % *ad valorem* and the full levy; whereas, in that specific case, the conditions and rules for issuing an import licence for the additional quantity should be stipulated; whereas there is no special need to demand a security corresponding to an obligation to import to be lodged since the goods concerned have, by way of an exception, been released for free circulation subject to the lodging of a security of a higher amount with a specific object; whereas the release of that security in full or in part is subject to the issue of new Thai certificates and Community licences for the additional quantities and primarily to the existence of available quantities within the limits for annual import into the Community;

Whereas the management of such import arrangements does not justify the application of the general tolerance of 5 % for excess quantities provided for in Article 8 (4) of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for

the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EEC) No 2082/87⁽³⁾; whereas, however, the 7 % tolerance provided for in Article 2 of Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽⁴⁾, as last amended by Regulation (EEC) No 3271/88⁽⁵⁾, is to apply where the imported quantities are less than those indicated on the licence;

Whereas, in order to permit close, on-going cooperation between the Commission and the Thai authorities in managing the agreement, provision must be made for periodic notification by Member States at more frequent intervals of the issue of import licences and their actual use;

Whereas Commission Regulation (EEC) No 480/87⁽⁶⁾, as amended by Regulation (EEC) No 2135/88⁽⁷⁾, should therefore be amended;

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

Regulation (EEC) No 480/87 is hereby amended as follows:

1. Article 4 (2) and (3) is replaced by the following:

'2. Where it is found that the quantities actually unloaded in a given consignment are greater than the total figuring on the import licences issued for this consignment the competent authorities who issued the import licences concerned shall, at the request of the importer, communicate to the Commission by telex, case by case and as soon as possible, the number or numbers of the Thai export certificates, the number or numbers of the import licences, the excess quantity concerned and the name of the cargo vessel.

⁽²⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽³⁾ OJ No L 195, 16. 7. 1987, p. 11.

⁽⁴⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁵⁾ OJ No L 291, 25. 10. 1988, p. 47.

⁽⁶⁾ OJ No L 49, 18. 2. 1987, p. 13.

⁽⁷⁾ OJ No L 188, 19. 7. 1988, p. 24.

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

The Commission shall make contact with the Thai authorities so that new export certificates may be drawn up. Until new export certificates have been drawn up, the excess quantities may not be released for free circulation under the conditions laid down in the voluntary restraint agreement the European Economic Community and Thailand. New import licences shall be issued under the conditions laid down in Article 7.

3. Notwithstanding paragraph 2, however, where it is found that the quantities actually unloaded in a given consignment exceed by no more than 2 % those covered by the import licences presented, the competent authorities in the Member State of release for free circulation shall, at the request of the importer, authorize the release for free circulation of the excess quantities on payment of a levy subject to a ceiling of 6 % *ad valorem*, and on the lodging by the importer of a security of an amount equal to the difference between the levy at the full rate and the levy paid.

The Commission shall, upon receipt of the information referred to in the first subparagraph of paragraph 2, make contact with the Thai authorities so that new export certificates can be drawn up.

The security provided for in the first subparagraph of this paragraph shall be released on submission to the competent authorities of the Member State of release for free circulation of an import licence for the additional quantity. The application for such licence shall not be subject to the lodging of the security referred to in Article 13 (2) of Regulation (EEC) No 3183/80 and Article 5 of this Regulation. The licence shall be issued under the conditions laid down in Article 7 and on submission of one or more new export certificates issued by the Thai authorities. Section 12 of the import licence shall bear one of the following:

- Certificado complementario, apartado 3 del artículo 4 del Reglamento (CEE) n° 480/87
- Supplerende licens, forordning (EØF) nr. 480/87, artikel 4, stk. 3
- Zusätzliche Lizenz — Artikel 4 Absatz 3 der Verordnung (EWG) Nr. 480/87
- Συμπληρωματικό πιστοποιητικό — Άρθρο 4 παράγραφος 3 του κανονισμού (ΕΟΚ) αριθ. 480/87
- Licence for additional quantity, Article 4 (3) of Regulation (EEC) No 480/87
- Certificat complémentaire, règlement (CEE) n° 480/87, article 4 paragraphe 3
- Titolo complementare, regolamento (CEE) n. 480/87, articolo 4, paragrafo 3
- Aanvullend certificaat — artikel 4, lid 3, van Verordening (EEG) nr. 480/87

— Certificado complementar, n° 3 do artigo 4° do Regulamento (CEE) n° 480/87.

The security provided for in the first subparagraph shall be forfeit in respect of the quantities for which an import licence for the additional quantity is not submitted within four months, except in cases of *force majeure*, from the date of acceptance of the declaration of release for free circulation referred to in the first subparagraph. It shall be forfeit in particular in respect of quantities for which an import licence for the additional quantity has not been issued in accordance with Article 7 (1).

Following imputation and endorsement by the competent authority of the import licence for the additional quantity, and upon the release of the security provided for in the first subparagraph, the licence shall be returned as quickly as possible to the issuing body.

2. The following paragraph 4 is added to Article 4:

‘4. Applications for licences may be lodged in any Member State and licences issued shall be valid in the 12 Member States.

The third indent of Article 5 (1) of Regulation (EEC) No 3183/80 shall not apply to imports made under the agreement between the European Economic Community and Thailand.’

3. Article 6 (3) is replaced by the following:

‘3. Notwithstanding Article 8 (4) of Regulation (EEC) No 3183/80, the quantity released for free circulation may not exceed that shown in sections 10 and 11 of the import licence. The figure 0 shall be entered to that effect in section 22 of the said licence.’

4. Article 9 is replaced by the following:

‘Article 9

1. Member States shall communicate to the Commission each day by telex the following information concerning each application for a licence:

- the quantity for which each import licence is requested, with the indication when appropriate, “licence for additional quantity”,
- name of applicant for import licence,
- the number of the export certificate submitted, as indicated in the upper section of the certificate,
- the date of issue of the export certificate,

- the total quantity for which the export certificate was issued,
- the name of the exporter indicated on the export certificate.

2. The competent authorities of the Member States shall communicate to the Commission, by telex, at the latest on the 15th day of each month, for operations carried out during the previous month, all the information listed in the Annex II, in accordance with the models provided.

5. The Annex becomes Annex I and the Annex to this Regulation is added as Annex II.

Article 2

This Regulation shall enter into force on the eight 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, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

‘ANNEX II

IMPORT OF MANIOC FROM THAILAND

TABLE 1

Regulation (EEC) No 480/87 — Article 9 (2) .

Year :

Month :

Thailand export certificate No	Cargo vessel	Quantities shown in the export certificate	Community import licence No	Date of issue of import licence	Quantities shown in the import licence

(¹) Quantities to be released for free circulation pursuant to Article 4 (3) of Regulation (EEC) No 480/87 are shown separately. In such cases, a reference to that Article is to be entered in the column headed 'No and date of issue of import licence'.

COMMISSION REGULATION (EEC) No 3421/88

of 3 November 1988

issuing a standing invitation to tender in order to determine refunds on exports
of olive oil for the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas the export refunds for olive oil cannot be fixed only in accordance with the standard procedure, since there is insufficient information available on the world market situation; whereas provision should therefore be made for issuing a standing invitation to tender so that the refunds can, in the coming months, be determined by tender;

Whereas, in view of the demand for olive oil on the world market in certain special cases, provisions should be adopted whereby certain conditions are laid down in the standing invitation to tender;

Whereas, in view of the specific nature of the tendering procedure, detailed rules should be laid down which will enable operators in the various Member States to take part on equal terms, while providing certain guarantees regarding the validity of the tenders;

Whereas, in order to ensure the smooth operation of the tendering procedure, the arrangements for determining the refunds and awarding the contract should be specified;

Whereas, given that the administrative burden of taking part in a tendering procedure tends to weigh more heavily on smaller undertakings, provision should be made for allowing operators to obtain export licences for quantities;

Whereas Commission Regulation (EEC) No 3665/87⁽⁴⁾ lays down common detailed rules for the application of the system of export refunds on agricultural products; whereas Commission Regulation (EEC) No 3183/80⁽⁵⁾, as last amended by Regulation (EEC) No 2082/87⁽⁶⁾, lays down common detailed rules for the application of the system of (import and) export licences and advance fixing certificates for agricultural products; whereas these Regulations apply to olive oil; whereas these common provi-

sions should be supplemented by certain specific provisions;

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. There shall be issued a standing invitation to tender in order to determine export refunds on olive oil falling within the following CN codes:

— 1509 10 90

— 1509 90 00

— 1510 00 90

2. The standing invitation to tender shall remain open until 31 October 1989. During its period of validity there shall be issued partial invitations to tender.

Article 2

Pursuant to this tendering procedure the Commission may in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC:

- (a) issue invitations to tender in respect of specific destinations, in response to demand for olive oil in certain third countries;
- (b) impose restrictions on the quantities and qualities of oil for which offers may be submitted;
- (c) cancel one or more partial invitations to tender before the deadline for submitting tenders;
- (d) exclude certain countries of destination from the invitation to tender or differentiate the refund according to the country of destination.

Article 3

1. The periods during which tenders may be submitted in response to the partial invitations to tender shall be as follows:

— for November, January, February, March, April, May, June, September, and October: from the fifth day to the ninth day of each month at 1 p.m. and from the 15th to the 23rd day of each month at 1 p.m.,

— for July and August: from the 15th to the 23rd day of each month at 1 p.m.,

— for December: from the fifth to the ninth day at 1 p.m.

⁽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 351, 14. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽⁶⁾ OJ No L 195, 16. 7. 1987, p. 11.

That deadline shall be in Belgian time. Where the day on which the deadline expires in a Member State is a public holiday for the authority responsible for receiving the tenders, the deadline shall expire at 1 p.m. on the last preceding working day.

2. Offers in connection with this invitation to tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex, telefax or telegram.

Separate tenders must be submitted where they relate to several qualities, presentations or, where applicable, several countries of destination.

3. An offer must indicate:

- (a) the reference number of the Regulation issuing the invitation to tender, and the partial or specific invitation to tender in response to which the offer is being made;
- (b) the name and address of the tenderer;
- (c) the quantity, quality and subheadings of the olive oil to be exported and the presentation of the oil, specifying whether it is put up in immediate containers of a net capacity of five litres or less or whether it is otherwise presented;
- (d) the country of destination, where the refund is differentiated according to the country of destination;
- (e) the amount of the export refund per 100 kilograms of olive oil, expressed in the currency of the Member State in which the tender is submitted;
- (f) the minimum amount of the security to be lodged covering the quantity of olive oil indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

4. An offer shall be valid only if:

- (a) the quantity to be exported is not less than five tonnes of a single quality in the case of olive oil put up in immediate containers of a net capacity of five litres or less, and not less than 20 tonnes of a single quality in the case of olive oil otherwise presented;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
- (c) it contains all the information required under paragraph 3.

5. Tenders shall be valid in respect of only one partial invitation to tender or, where applicable, one specific invitation to tender. A tender may stipulate that it is to be regarded as having been submitted only if the quantity awarded represents all or a specified part of the tendered quantity.

6. The tender, the proof and the declarations referred to in paragraphs 3 and 4 above shall be expressed in the official language or one of the official languages of the Member State whose competent authority received the tender.

7. A tender which is not submitted in accordance with the provisions of this Regulation or which contains terms other than those indicated herein, shall not be considered.

8. Once submitted, a tender may not be withdrawn.

Article 4

1. A security of 10 ECU per 100 kilograms of olive oil to be exported must be lodged by each tenderer. This security shall in the case of successful tenderers become the security for the export licence.

2. The provisions of Commission Regulation (EEC) No 2220/85⁽¹⁾ shall apply to the securities referred to in this Regulation. The primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the obligations set out in paragraph 3 (b) and compliance with the time limit set.

3. Except in case of *force majeure*, the security will be released:

- (a) to tenderers only in respect of the quantity for which no award was made;
- (b) to successful tenderers, only
 - for the quantity in respect of which they have fulfilled the obligation created by the licence referred to in Article 9, the provisions of Article 33 of Regulation (EEC) No 3183/80 remaining applicable,
 - if proof is furnished that the olive oil has reached its destination, in cases where the refund applicable in respect of the invitation to tender is valid for certain third countries only.

Article 5

1. Tenders shall be examined in private by the competent agency of the Member State concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated by telex or by telefax to the Commission forthwith and in such a manner that the tenderers remain anonymous.

Article 6

The amount of the export refund expressed in national currency shall, for the purposes of comparing the tenders and awarding the contract, be converted into ECU on the basis of the green rates.

Article 7

1. In the light, in particular, of the current situation and foreseeable development of the Community and world olive oil markets, and the tenders received, a maximum refund shall, in accordance with the procedure laid down in Article 38 of Regulation (EEC) No 136/66/EEC, be fixed for exports of the product falling within the subheadings listed in Article 1. Refunds shall be fixed no later than the eighth working day after the expiry of each deadline for the submission of tenders.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

2. It may also be decided, in accordance with that procedure :

- to fix a maximum quantity in respect of each partial invitation to tender,
- not to award a contract in response to a partial specific invitation to tender.

3. The refunds are to be differentiated according to whether the olive oil is put up in immediate containers of a net capacity of five litres or less or is otherwise presented.

4. Where the refund is differentiated according to destination it shall be fixed in the light of the specific situation of each country of destination.

5. Export refunds shall be adjusted during the period of validity of the export licences as referred to in Article 9, in the light of changes in the threshold price occurring between the day on which the export declaration is accepted.

6. Without prejudice to the provisions of the first indent of paragraph 2 a contract shall, in cases where a maximum export refund is fixed, be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund for the quantity stated in the tender.

Article 8

1. If a maximum quantity is fixed in respect of a partial invitation to tender, a contract shall be awarded to the tenderer whose tender quotes the lowest export refund and, if necessary, to the tenderer whose tender quotes the next lowest refund, and so on until the entire maximum quantity has been accounted for.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would otherwise result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenders quote the same refund, and awards to all of them would result in the maximum quantity being exceeded, the quantity available shall be allocated as follows :

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them.

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

Done at Brussels, 3 November 1988.

Article 9

1. The competent authority of the Member State concerned shall immediately notify the applicants of the result of their participation in the invitation to tender. In addition, the competent authority shall issue to successful tenderers an export licence for the quantity awarded, indicating in box 18 (a) the export refund quoted in his tender and also stating the quality and presentation of the oil and, where appropriate, the use to which it is to be put.

Article 10

Every successful tenderer shall have :

the obligation to export, during the period of validity of the export licence awarded to him and, where applicable, to the country indicated in the tender, the tendered quantity of olive oil of the quality and presentation stated in the tender.

This right and these obligations are not transferable.

Article 11

1. Before expiry of the timelimit for the submission of tenders, operators who are unable to take part in the invitation to tender on account of the minimum quantity referred to in Article 3 may apply each month for a special export licence for a total quantity of less than 20 tonnes in respect of each quality and presentation of olive oil. The said licence, which shall be subject to the provisions of Commission Regulation (EEC) No 2041/75⁽¹⁾ as regards export licences with advance fixing of the refund, shall be issued by the competent authority of the Member State concerned, and shall indicate in box 18 (a) the maximum rate of refund accepted in respect of the last invitation to tender for that quality and presentation.

The rights and obligations arising from the said licence are not transferable.

2. The Member States shall communicate to the Commission on the 5th and 20th of each month, in respect of the previous fortnight, the number of licences issued and the quantities involved, broken down by quality and presentation.

Article 12

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

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 213, 11. 8. 1975, p. 1.

COMMISSION REGULATION (EEC) No 3422/88

of 3 November 1988

fixing the import levy on molasses

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
market in sugar ⁽¹⁾, as last amended by Regulation (EEC)
No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Regu-
lation (EEC) No 2368/88 ⁽³⁾, as last amended by Regula-
tion (EEC) No 3318/88 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2368/88 to
the information at present available to the Commission

that the levy at present in force should be altered as
shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended
Regulation (EEC) No 1785/81 shall be, in respect of
molasses falling within CN codes 1703 10 00 and
1703 90 00, 1,00 ECU/100 kg.

Article 2

This Regulation shall enter into force on 4 November
1988.

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

Done at Brussels, 3 November 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 205, 30. 7. 1988, p. 29.

⁽⁴⁾ OJ No L 293, 27. 10. 1988, p. 73.

COMMISSION REGULATION (EEC) No 3423/88**of 3 November 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⁾, as amended by Regulation (EEC) No 3412/88 ⁽⁴⁾;

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 amended 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 4 November 1988.

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

Done at Brussels, 3 November 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.

⁽⁴⁾ OJ No L 299, 1. 11. 1988, p. 69.

ANNEX

to the Commission Regulation of 3 November 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	33,01 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,96 ⁽¹⁾	
1701 12 90 910	33,01 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3801
1701 99 10 100	38,01	
1701 99 10 910	37,98	
1701 99 10 950	37,98	
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).

COMMISSION REGULATION (EEC) No 3424/88

of 3 November 1988

fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar
were fixed by Commission Regulation (EEC) No
2336/88 ⁽³⁾, as last amended by Regulation (EEC) No
3380/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2336/88 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 November
1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 73.

ANNEX

to the Commission Regulation of 3 November 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,38 ⁽¹⁾
1701 11 90	35,38 ⁽¹⁾
1701 12 10	35,38 ⁽¹⁾
1701 12 90	35,38 ⁽¹⁾
1701 91 00	44,51
1701 99 10	44,51
1701 99 90	44,51 ⁽²⁾

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

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 3425/88
of 3 November 1988
fixing the amount of the subsidy on oil seeds

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 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 the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3398/88⁽⁷⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3398/88 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁸⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽⁹⁾ are as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹⁰⁾ for sunflower seed harvested and processed in Portugal is fixed in Annex III.

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 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 299, 1. 11. 1988, p. 41.

⁽⁸⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁹⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹⁰⁾ OJ No L 183, 3. 7. 1987, p. 18.

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	20,332	20,574	20,739	20,204	20,368	20,533
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,37	48,95	49,34	48,12	48,51	49,14
— Netherlands (Fl)	53,99	54,63	55,07	53,66	54,09	54,74
— BLEU (Bfrs/Lfrs)	973,20	984,82	1 001,42	975,59	983,51	991,47
— France (FF)	145,07	146,86	152,31	148,03	149,24	150,44
— Denmark (Dkr)	174,78	176,89	181,72	176,92	178,36	179,73
— Ireland (£ Irl)	16,120	16,319	16,940	16,464	16,598	16,734
— United Kingdom (£)	11,863	12,017	12,860	12,440	12,543	12,571
— Italy (Lit)	30 110	30 490	32 162	31 098	31 353	31 303
— Greece (Dr)	2 253,61	2 273,13	2 267,20	2 123,90	2 142,39	2 077,97
(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)	3 029,71	3 067,04	3 087,22	2 993,11	3 018,33	3 007,72
(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)	4 396,79	4 442,07	4 456,36	4 333,20	4 363,27	4 340,10

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	22,832	23,074	23,239	22,704	22,868	23,033
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,28	54,85	55,24	54,02	54,41	55,04
— Netherlands (Fl)	60,61	61,25	61,69	60,28	60,71	61,36
— BLEU (Bfrs/Lfrs)	1 093,36	1 104,99	1 122,14	1 096,31	1 104,22	1 112,19
— France (FF)	163,76	165,55	171,27	166,99	168,20	169,40
— Denmark (Dkr)	196,67	198,78	203,83	199,02	200,46	201,84
— Ireland (£ Irl)	18,198	18,397	19,050	18,573	18,708	18,843
— United Kingdom (£)	13,503	13,658	14,547	14,128	14,231	14,259
— Italy (Lit)	34 103	34 482	36 249	35 186	35 441	35 391
— Greece (Dr)	2 625,61	2 645,13	2 639,20	2 495,90	2 514,39	2 449,97
(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)	3 415,24	3 452,58	3 472,75	3 378,65	3 403,86	3 393,25
(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)	4 866,80	4 912,09	4 926,38	4 803,21	4 833,29	4 810,12

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	23,196	23,533	23,786	23,101	23,479
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	55,18	55,97	56,57	55,00	55,90
— Netherlands (Fl)	61,59	62,48	63,15	61,35	62,35
— BLEU (Bfrs/Lfrs)	1 110,41	1 126,61	1 148,55	1 115,48	1 133,73
— France (FF)	165,72	168,24	174,90	169,42	172,30
— Denmark (Dkr)	199,50	202,45	208,49	202,34	205,69
— Ireland (£ Irl)	18,415	18,695	19,453	18,844	19,163
— United Kingdom (£)	13,580	13,800	14,797	14,263	14,520
— Italy (Lit)	34 425	34 962	36 961	35 620	36 241
— Greece (Dr)	2 595,16	2 628,93	2 634,87	2 457,19	2 514,72
(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)	3 502,79	3 554,77	3 587,95	3 469,44	3 527,75
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 646,72	6 711,92	6 742,58	6 584,13	6 657,49
— in another Member State (Esc)	6 454,34	6 517,65	6 547,42	6 393,56	6 464,79
3. Compensatory aids:					
— in Spain (Pta)	3 455,41	3 506,83	3 538,36	3 419,85	3 478,16
4. Special aid:					
— in Portugal (Esc)	6 454,34	6 517,65	6 547,42	6 393,56	6 464,79

(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	2,071920	2,068080	2,064070	2,060380	2,060380	2,049710
Fl	2,337080	2,333650	2,329990	2,326270	2,326270	2,316110
Bfrs/Lfrs	43,433600	43,437100	43,437500	43,436900	43,436900	43,435900
FF	7,071950	7,077070	7,084310	7,090310	7,090310	7,108100
Dkr	7,987960	7,992050	7,998300	8,006120	8,006120	8,031240
£Irl	0,776599	0,776754	0,777035	0,777015	0,777015	0,776904
£	0,658886	0,660094	0,661340	0,662554	0,662554	0,666269
Lit	1 539,80	1 545,51	1 551,06	1 556,44	1 556,44	1 571,11
Dr	170,29600	172,03400	173,57000	175,17200	175,17200	180,00200
Esc	171,71700	172,55800	173,38300	174,26600	174,26600	176,77700
Pta	137,03800	137,44800	137,97600	138,50500	138,50500	140,12400

COMMISSION REGULATION (EEC) No 3426/88

of 3 November 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

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

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 3

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 3 October 1988, the level of the premium is fixed at 88,814 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 3 October 1988, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 3 October 1988.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing
3 October 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	41,743	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	88,814	0
0204 21 00	88,814	0
0204 50 11		0
0204 22 10	62,170	
0204 22 30	97,695	
0204 22 50	115,458	
0204 22 90	115,458	
0204 23 00	161,641	
0204 30 00	66,611	
0204 41 00	66,611	
0204 42 10	46,628	
0204 42 30	73,272	
0204 42 50	86,594	
0204 42 90	86,594	
0204 43 00	121,232	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	115,458	
0210 90 19	161,641	
1602 90 71 :		
— unboned (bone-in)	115,458	
— boned or boneless	161,641	

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

COMMISSION REGULATION (EEC) No 3427/88
of 3 November 1988

fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88

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

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 27th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 27th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at 40,719 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 102, 21. 4. 1988, p. 14.

COMMISSION REGULATION (EEC) No 3428/88**of 3 November 1988****altering the basic amount of 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,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 3389/88 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3389/88 to the information known to the Commission that the basic amount

of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 3389/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 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 299, 1. 11. 1988, p. 17.

ANNEX

to the Commission Regulation of 3 November 1988 altering the basic amount of 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	0,4451	—
1702 20 90	0,4451	—
1702 30 10	—	55,16
1702 40 10	—	55,16
1702 60 10	—	55,16
1702 60 90	0,4451	—
1702 90 30	—	55,16
1702 90 60	0,4451	—
1702 90 71	0,4451	—
1702 90 90	0,4451	—
2106 90 30	—	55,16
2106 90 59	0,4451	—

COMMISSION REGULATION (EEC) No 3429/88**of 3 November 1988****extending the period of validity of Regulation (EEC) No 1245/87 introducing temporary Community surveillance prior to importation of certain products originating in Japan**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, as last amended by Regulation (EEC) No 1243/86 ⁽²⁾, and in particular Article 10 thereof,

After consultation within the Committee set up under the abovementioned Regulation,

Whereas temporary Community surveillance prior to importation of certain products originating in Japan was introduced by Commission Regulation (EEC) No 1245/87 ⁽³⁾, as amended and extended by Regulation (EEC) No 1353/88 ⁽⁴⁾;

Whereas the temporary measures decided on by the Government of the United States of America on 17 April 1987 are still partially applicable;

Whereas it is necessary to continue to confine the application of the surveillance solely to the products affected by the United States measures;

Whereas, therefore, and for the same reasons that led to the adoption of Commission Regulation (EEC) No 1245/87, its period of validity should be extended for a further six months,

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulation (EEC) No 1245/87, as amended by Regulation (EEC) No 1353/88, is hereby extended for six months.

Article 2

This Regulation shall enter into force on the 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, 3 November 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 113, 30. 4. 1986, p. 1.

⁽³⁾ OJ No L 117, 5. 5. 1987, p. 17.

⁽⁴⁾ OJ No L 125, 19. 5. 1988, p. 18.

COMMISSION REGULATION (EEC) No 3430/88

of 3 November 1988

abolishing the countervailing charge on tomatoes originating in Spain (except the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 3186/88⁽³⁾, as last amended by Regulation (EEC) No 3375/88⁽⁴⁾, introduced a countervailing charge on tomatoes originating in Spain (except the Canary Islands);

Whereas the present trend of prices for products originating in Spain (except the Canary Islands) on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85⁽⁶⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the

reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

Whereas, pursuant to Article 136 (2) of the Act of Accession⁽⁷⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3186/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 283, 18. 10. 1988, p. 21.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 67.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 3431/88**of 3 November 1988****amending for the third time Regulation (EEC) No 3142/88 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 3142/88⁽³⁾, as last amended by Regulation (EEC) No 3320/88⁽⁴⁾, introduced a countervailing charge on cucumbers originating in Spain (except the Canary Islands);

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3142/88, '40,21 ECU' is hereby replaced by '54,41 ECU'.

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 280, 13. 10. 1988, p. 18.

⁽⁴⁾ OJ No L 293, 27. 10. 1988, p. 75.

COMMISSION REGULATION (EEC) No 3432/88

of 3 November 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⁾, as amended by Regulation (EEC) No 3388/88⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ as amended by Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within 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 2 November 1988;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁷⁾ OJ No L 299, 1. 11. 1988, p. 1.
⁽⁸⁾ OJ No L 299, 1. 11. 1988, p. 13.
⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 3 November 1988 altering the import levies on products processed from cereals and rice

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 90 90 ^(?)	143,18	140,16
1103 19 10 ^(?)	213,09	207,05
1103 19 90 ^(?)	143,18	140,16
1103 21 00 ^(?)	235,63	229,59
1103 29 10 ^(?)	213,09	207,05
1103 29 90 ^(?)	143,18	140,16
1104 19 10 ^(?)	235,63	229,59
1104 19 30 ^(?)	213,09	207,05
1104 19 99 ^(?)	253,38	247,34
1104 29 10*10 ^(?) ⁽⁶⁾	172,66	169,64
1104 29 10*20 ^(?) ⁽⁷⁾	156,01	152,99
1104 29 10*30 ^(?) ⁽⁸⁾	222,88	219,86
1104 29 10*40 ^(?) ⁽⁹⁾	222,88	219,86
1104 29 10*90 ^(?) ⁽¹⁰⁾	222,88	219,86
1104 29 30*10 ^(?) ⁽⁶⁾	207,10	204,08
1104 29 30*20 ^(?) ⁽⁷⁾	187,07	184,05
1104 29 30*30 ^(?) ⁽⁸⁾	222,88	219,86
1104 29 30*40 ^(?) ⁽⁹⁾	222,88	219,86
1104 29 30*90 ^(?) ⁽¹⁰⁾	222,88	219,86
1104 29 91 ^(?)	133,12	130,10
1104 29 95 ^(?)	120,35	117,33
1104 29 99 ^(?)	143,18	140,16
1104 30 10	101,70	95,66
1107 10 11	237,92	227,04
1107 10 19	180,52	169,64
1108 11 00	285,76	265,21
1109 00 00	663,54	482,20

- (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.

(6) Taric code: wheat.

(7) Taric code: rye.

(8) Taric code: millet.

(9) Taric code: sorghum.

(10) Taric code: others.

COMMISSION REGULATION (EEC) No 3433/88

of 3 November 1988

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

- in the case of currencies which are maintained in rela-
tion to each other at any given moment within a band
of 2,25 % a rate of exchange based on their central
rate, multiplied by the corrective factor provided for in
the last paragraph of Article 3 (1) of Council Regula-
tion (EEC) No 1676/85⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1636/87⁽⁷⁾;
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded over a given period in rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 4 November 1988.

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

Done at Brussels, 3 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 3 November 1988 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	02	20,00 (2)
	04	21,00 (2)
	07	22,00 (2)
1001 90 91 000	01	0
1001 90 99 000	05	52,00
	06	70,00
	02	20,00
	07	22,00
	08	60,00
1002 00 00 000	02	20,00
	08	60,00
1003 00 10 000	01	0
1003 00 90 000	05	57,00
	02	20,00
	07	22,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	50,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	89,25
1101 00 00 120	01	89,25
1101 00 00 130	01	81,25
1101 00 00 150	01	71,25
1101 00 00 170	01	61,25
1101 00 00 180	01	51,25
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	89,25
1102 10 00 200	01	89,25
1102 10 00 300	01	89,25
1102 10 00 500	01	89,25
1102 10 00 900	—	—
1103 11 10 100	04	232,20
	02	191,20
1103 11 10 200	04	232,20
	02	181,20
1103 11 10 500	01	162,20
1103 11 10 900	01	153,20
1103 11 90 100	01	89,25
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

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

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

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

Information on the date of entry into force of the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations ⁽¹⁾

The Agreement between the European Economic Community and the government of the People's Republic of Mozambique on fisheries relations was signed in Maputo on 1 October 1988.

Pursuant to Article 16, the Agreement therefore entered into force on 1 October 1988.

Information concerning the date of entry into force of the Agreement between the European Economic Community and the Kingdom of Morocco on relations in the sea fisheries sector ⁽²⁾

The European Economic Community and the Kingdom of Morocco notified each other, on 23 June and 23 September 1988 respectively, of the completion of the procedures necessary for the entry into force of the Agreement.

Pursuant to Article 15, the Agreement therefore entered into force on 23 September 1988.

⁽¹⁾ OJ No L 201, 22. 7. 1987, p. 1

⁽²⁾ OJ No L 181, 12. 7. 1988, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 October 1988

relating to a proceeding under Article 85 of the EEC Treaty

(IV/32.368 — BBC Brown Boveri)

(Only the German text is authentic)

(88/541/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 17 of 6 February 1962, First Regulation implementing Articles 85 and 86 of the Treaty ⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Articles 4, 6 and 8 thereof,

Having regard to the notification submitted on 17 June 1987 by BBC Brown Boveri Aktiengesellschaft, Mannheim, Federal Republic of Germany, concerning a set of cooperation agreements with the Japanese company NGK Insulators Ltd, Nagoya,

Having regard to the summary of the notification ⁽²⁾ published pursuant to Article 19 (3) of Regulation No 17,

After consulting the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas :

I. THE FACTS

A. The subject matter of the notification

- (1) On 17 June 1987 the electrical engineering company BBC Brown Boveri Aktiengesellschaft,

Mannheim ⁽³⁾, notified a set of cooperation agreements with the Japanese company NGK Insulators Ltd, Nagoya, an internationally known manufacturer of technical precision ceramics.

- (2) The cooperation relates to the development of sodium-sulphur high-performance batteries intended primarily for use in electrically driven vehicles. The batteries are also intended for storing off-peak electricity for use during peak-load periods in national grid systems.
- (3) Currently, lead-acid batteries are used which store relatively little energy per kilogram of battery. Large battery manufacturers and other firms are working on the development of batteries with more efficient energy storage.
- BBC has been developing since 1972 a sodium-sulphur battery which can store four times as much electrical energy as a lead-acid battery. High-capacity batteries are however still at the development stage and, other than NiFe batteries developed and sold by a French firm, not yet on the market. No real market therefore exists up to now for high-performance batteries.
- (4) Under the cooperation arrangement, a joint venture, NEWCO, in which NGK has a 60 % stake and BBC a 40 % stake, has been set up in Japan to develop the sodium-sulphur battery. BBC has brought the development of the sodium-sulphur battery to a highly advanced stage. The

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No C 72, 18. 3. 1988, p. 4.

⁽³⁾ Because of the merger of the Swiss parent company BBC Brown Boveri AG with the Swedish company Asea AB the name of the company is, since 13 June 1988, 'Asea Brown Boveri Aktiengesellschaft' (ABB).

battery developed by BBC incorporates ceramic tubes. The problems inherent in the mass production of these ceramic parts have not yet been satisfactorily solved. Cooperation with the experienced ceramics manufacturer NGK should reduce the cost of and speed up the development of mass production, which accounts for a large part of the battery development costs. The scope for the two partners' own research and development in the field of sodium-sulphur batteries is not affected and BBC will continue its development work regardless of the activity of the joint venture. The results of each partner's own research must be made available to the other partner through the joint venture, and new technical knowledge gained through the joint venture is passed on to the parent companies for them to use. No production within the joint venture is planned; on the contrary, each partner will set up its own mass-production facilities and market the product in competition with other battery manufacturers.

- (5) As a ceramics manufacturer without technical knowledge in the field of batteries, NGK has not, as yet, carried out any development activity with regard to the manufacture of batteries. The access to the technology of NEWCO and of BBC will however enable it also to manufacture sodium-sulphur batteries and thus to become a potential competitor of BBC.

B. Cooperation agreements

- (6) The following set of agreements, which form an economic whole, has been concluded under the cooperation arrangements:

Joint venture agreement between BBC and NGK on the setting-up of the joint venture company NEWCO in Japan

- (7) The business of NEWCO is research and development relating to sodium-sulphur batteries up to the manufacturing stage. So that NEWCO can perform this task, BBC and NGK undertake to grant it an exclusive licence for their complementary technical knowledge.

Since NEWCO will not itself manufacture and market the battery developed by it, this being the preserve of the parent companies, it grants BBC an exclusive licence to use its technology for the manufacture and sale of the product in the Community, North America and a number of other countries. At the same time, it grants NGK a similar licence for Japan and other countries in the Far East. NEWCO's technology consists of the technology provided to it by both BBC and NGK and of the results of its own research and development. BBC's and NGK's allotted territories include the major countries of the world.

NEWCO and NGK undertake not to carry out any joint research and development with third parties in the field of sodium-sulphur batteries without BBC's consent.

Technical licence agreement between BBC and NEWCO

- (8) (a) Pursuant to its undertaking given in the abovementioned joint venture agreement, BBC grants NEWCO an exclusive licence to use its technology. NEWCO, which will not itself either manufacture or market the product, is granted a licence, in view of the transmission of technical knowledge to NGK, for the manufacture and sale of the product in Japan and other countries of the Far East. BBC's technology covers (...) ⁽¹⁾ patents granted in the Community, notably in the Federal Republic of Germany and to some extent in Belgium, France, Italy, the Netherlands, Spain and the United Kingdom, and (...) in Japan, supported by substantial know-how. BBC is obliged to communicate to NEWCO any new technical knowledge it acquires during the currency of the agreement.

NEWCO, which is obliged to pay BBC an entry fee of DM (...) plus licence fees, is authorized to grant an exclusive sub-licence to NGK for the abovementioned territory, and to authorize NGK to grant a sub-licence to a third party in this territory. The granting of a sub-licence to NGK and to third parties is subject to the prior consent of BBC, which cannot refuse it without reasonable grounds.

- (9) (b) NEWCO is obliged for the period of the agreement to transfer its technology to BBC free of charge for the manufacture and sale of the product in the Community, North America and a number of other countries. NEWCO's technology includes such NGK technology as is made available to NEWCO under the licensing agreement between NGK and NEWCO and the results of NEWCO's research and development.

BBC is authorized to grant to the Canadian company Powerplex Technologies Inc., the joint venture of BBC and the Canadian company Magna International Inc., a sub-licence for the manufacture and marketing of products under contract in Canada, Mexico and the USA.

⁽¹⁾ In the published version of this Decision, some figures have hereinafter been omitted, pursuant to the provisions of Article 21 of Regulation No 17 concerning non-disclosure of business secrets.

Technical licence agreement between NGK and NEWCO

- (10) (a) Pursuant to its undertaking given in the abovementioned joint venture agreement, NGK grants NEWCO an exclusive licence to use its technology. NEWCO, which will not itself either manufacture or market the product, is granted a licence in view of the transmission of technical knowledge to BBC for the manufacture and sale of the product in the Community, North America and a number of other countries. The technology of NGK, which is not entitled to charge a licence fee for the transfer of its technology to NEWCO, consists solely of know-how in the field of special ceramics.
- (11) (b) NEWCO grants NGK an exclusive licence to use its technology for the manufacture and sale of the product in Japan and other countries in the Far East.

NEWCO's technology includes such BBC technology as is provided to NEWCO under the licence agreement between BBC and NEWCO, and for the period thereof, and the results of NEWCO's own research and development.

NGK is obliged to defray NEWCO's costs, including the entry fee paid to BBC, and to pay licence fees to it.

- (12) (c) NGK and NEWCO are authorized to grant sub-licences to third parties for their respective contractual territories, and NEWCO is entitled to authorize BBC to grant a sub-licence for its contractual territory. The granting of sub-licences is subject to the prior consent of the other partner, which cannot refuse it without reasonable grounds.

Common provisions of the agreements referred to above

- (13) Each partner is prohibited from making available to third parties the technology provided to it by the other partner without its consent. This prohibition applies for a further period of five years after the expiry of the agreements.

The joint venture is set up for an indeterminate period. The licensing agreements have a term of 15 years starting from the time when the cooperation

comes into effect. After 10 years from the time when the product is launched on the market in the Community or in Japan, NGK will have the right to sell it in the Community and BBC will have the right to sell it in Japan.

After the expiry of the agreements, each partner will be free to use all the technical knowledge communicated by the other partner in the course of the cooperation programme independently anywhere in the world without having to pay any licence fees.

Lease and personnel service agreement between NGK and NEWCO

- (14) NGK is obliged, throughout the duration of the abovementioned licensing agreement between NGK and NEWCO, to lease to NEWCO buildings and facilities for use as business premises and laboratories and to place its staff at NEWCO's disposal for the conduct of its business.

C. Comments from third parties

- (15) The Commission has not received any comments from third parties in response to publication of a summary of the notified agreements in accordance with Article 19 (3) of Regulation No 17.

II. LEGAL ASSESSMENT

A. Article 85 (1)

- (16) The cooperation agreements notified by BBC are caught by Article 85 (1) of the Treaty.
- (a) The parties are undertakings and the notified agreements are agreements between undertakings within the meaning of Article 85.
- (b) The agreements have as their object and effect a restriction of competition within the common market.
- (aa) *Obligation not to conclude agreements with third parties on research and development*

- (17) The joint venture agreement between BBC and NGK provides for joint research and development through the joint venture company NEWCO in the field of sodium-sulphur batteries (the contract product).

Under the agreement, NEWCO and NGK are obliged not to undertake with third parties any joint research and development in the field of the contract product during the execution of the programme without BBC's consent.

According to the Commission's established decision-making practice, this obligation constitutes a restriction of competition (see also Article 4 (1) (b) of Commission Regulation (EEC) No 418/85⁽¹⁾ on research and development agreements).

(bb) *Exclusive territorial licence for NGK*

- (18) In the licensing agreement between BBC and NEWCO, BBC grants NEWCO an exclusive licence to use its technology for the manufacture and sale of the contract product in Japan and other countries in the Far East. In the licensing agreement between NGK and NEWCO, the latter in turn grants NGK an exclusive licence to use its technology for the manufacture and sale of the contract product in Japan and other countries in the Far East.

As a result of these exclusive territorial licences, exports to the Community, which, notwithstanding the large distances involved, would have been feasible both in the case of batteries intended for use in electrically driven vehicles and in that of batteries intended for storing off-peak electricity, are prevented.

Exports of the contract product to Belgium, the Federal Republic of Germany, France, Italy, the Netherlands and the United Kingdom would be impeded by BBC's industrial property rights in those countries. However, BBC has not registered any property rights in the other Community countries except for Spain, where it has applied for the registration of (...) of its (...) patents, so that it could not prevent exports to those countries.

The exclusion of exports to those countries through the exclusive territorial licence is, in view of NGK's strength as an exporter and the fact that it is a potential compe-

titor of BBC, an appreciable restriction of competition.

(cc) *Exclusion of third parties from the exploitation of the partners' technology*

- (19) In the licensing agreements between BBC and NEWCO and between NGK and NEWCO, the partners BBC and NGK have granted each other exclusive licences to use their complementary technical knowledge for the manufacture and sale of the contract product in the major countries of the world.

The partners have thereby reserved exploitation of their combined technical knowledge for themselves and prevented other firms having access to that knowledge.

This exclusion of competitors results in an appreciable restriction of competition.

- (20) (c) The cooperation agreements notified by BBC are also likely to affect trade between Member States.

If, as a result of the obligation contained in the joint venture agreement not to carry out any joint research and development work with third parties, NEWCO and NGK are prevented from developing sodium-sulphur batteries jointly with third parties in the Community and third parties are prevented by the exclusivity of the reciprocal licensing agreements from exploiting the partner's technology, there is no way in which such third parties can participate in intra-Community trade in the batteries.

Moreover, as a result of the export prohibition stemming from the exclusive territorial licence granted to NGK, the Community as a whole is isolated from third countries and competition within the common market and hence trade between Member States is affected. The pattern of trade between Community countries will be different from what it would have been in the absence of the export prohibition.

B. Article 85 (3)

Need for an individual exemption

- (21) Under the cooperation arrangement, the joint venture agreement provides for joint research and development of the contract product excluding joint exploitation of the results within the meaning of Article 1 (1) (c) of Regulation (EEC) No 418/85.

⁽¹⁾ OJ No L 53, 22. 2. 1985, p. 5.

This Regulation however cannot apply, by virtue of its Article 6 (f), because NGK is prohibited under the agreement from selling the products concerned or pursuing an active sales policy for them in the territories within the common market reserved for BBC, and this even after the end of the period referred to in Article 4 (1) (f) of the Regulation.

The notified agreements can therefore be exempted only if they are found to satisfy all the conditions set out in Article 85 (3).

Individual exemption

- (22) All the conditions for an individual exemption are satisfied in this case for the following reasons:

(a) Promotion of technical and economic progress

- (23) The cooperation between BBC and NGK is aimed at developing a fundamental technological innovation, which can be done more quickly and cheaply on a collaborative basis. In many countries of the world, the development of high-performance batteries is being promoted with the help of substantial public resources. The BBC sodium-sulphur battery has so far benefited from some DM 60 million in public assistance from the budget of the German Federal Ministry for Research and Technology. The authorities rightly think that high-performance batteries with a high specific energy density will play an important role both in the propulsion of electrically driven vehicles and in the storage of off-peak electricity for use during peak-load periods in national grid systems. If, through the use of high-capacity batteries, the peak loading which occurs at certain times in public power supply networks is successfully relieved, the output of the public power supply network need not be tailored to this peak load and a more economic use can be made of existing power station capacity. Dependence on oil imports from third countries will also be reduced.

The overall benefits to be derived from the use of electrically driven vehicles are even greater. An electrically driven vehicle causes no damage to the environment through harmful exhaust emissions or loud engine noise. There is therefore much to be said for the cooperation arrangement in terms of improvement of the quality of life of consumers through the development of batteries for vehicles.

(b) Benefit to consumers

- (24) The advantages of high-performance batteries will be of direct benefit to consumers. The availability of a new motor-vehicle power source is economically beneficial to the consumer, and the better use

of existing power station capacity is likely to enable electricity suppliers to reduce their charges.

(c) Indispensable nature of the restrictions

- (aa) Obligation not to conclude agreements with third parties on research and development

- (25) This obligation is exempted under Article 4 (1) (b) of block exemption Regulation (EEC) No 418/85 on research and development agreements. It is therefore regarded for the purposes of that Regulation as necessary to secure the benefits resulting from joint research and development. This can also be assumed to be so in the present case.

- (bb) Prevention of exports into the Community and prevention of third parties from exploiting the technical knowledge of the cooperation partners

- (26) BBC has been developing sodium-sulphur batteries for about the last 16 years and has so far spent DM 150 million on research and development, DM 60 million of which has, as already indicated, been contributed by Government's research budget. Development work on the BBC high-performance battery is expected to last another three to five years.

- (27) The risk involved in marketing the products is unusually high.

When combined with NGK's technology, BBC's technology constitutes a fundamental technological innovation and it will not be easy to induce the consumer, as far as batteries intended for use in electrically driven vehicles are concerned, to abandon old ways and switch to a new form of propulsion, quite apart from the fact that at first there will be only limited charging facilities or availability of exchange units together with the necessary back-up services. Similar resistance will be encountered in the motor industry. If the product is to sell, there will therefore have to be a radical change in consumer habits.

- (28) It is therefore apparent that, after spending an exceptionally large amount on research and development, BBC runs an unusually high risk of failure at the marketing stage. If it were exposed in the common market to competition from NGK and other licensees, the likelihood of its recovering its costs would be impaired.

- (29) In the light of the above, the protection of BBC from supplies by NGK and other licensees into its own allotted territory seems to be indispensable to implementation of the cooperation arrangement.

- (30) The period during which BBC is protected against exports by NGK is 10 years. After 10 years, starting from the launch of the contract product on the market within the Community, NGK will have the right to sell it in the Community. This period of protection is no more than is necessary.

The cost of introducing the product onto the market will be very high. Electric vehicles have to compete with conventional vehicles and it will not be easy to induce consumers to change their habits and switch to a new form of propulsion. Similar resistance will have to be overcome in the motor industry. To start with, therefore, only relatively small quantities will be produced at a correspondingly high unit cost. During this introductory phase, which can be expected to last at least five years, BBC will not be able to charge economic prices because this would make it more difficult to gain acceptance for the new form of propulsion. At best, a return on the investment undertaken in the past can be expected during the latter half of the 10-year period. A period of less than 10 years would be over before BBC had opened up the market for the product in the Community.

- (31) The duration of the protection granted to BBC through the reciprocal exclusive licences against supplies by other licensees into its allotted territory is 15 years. It must be borne in mind, however, that it will probably be as much as a further five years after the grant of a licence to a third party before the development of the batteries is completed, series production gets under way and selling the product becomes possible. Only then can the protection granted by the exclusivity take effect so that the duration of the protection is in fact reduced to 10 years.

- (32) The protection granted to BBC is therefore indispensable.

(d) Continued competition from rival manufacturers

- (33) The restriction of intra-brand competition in the present case does not result in the elimination of competition in respect of a substantial part of the product in question.

A number of competitors are also developing high-performance batteries to power electric cars and store off-peak electricity, using the sodium-sulphur principle or other techniques. Electrically driven vehicles compete, moreover, with conventional vehicles, so there is effective competition from other manufacturers which BBC cannot ignore.

C. Article 8 of Regulation No 17

- (34) Pursuant to Article 8 (1) of Regulation No 17, exemption is for a specified period.

The cooperation arrangement is based essentially on the exploitation and further development of technical knowledge exchanged under licensing agreements. It is therefore appropriate to grant the exemption for the duration of the licensing agreements concerned, that is to say 15 years, starting from the entry into force of the cooperation agreements on 20 November 1987,

HAS ADOPTED THIS DECISION:

Article 1

Pursuant to Article 85 (3) of the EEC Treaty, the provisions of Article 85 (1) are hereby declared inapplicable to the following cooperation agreements notified by the undertaking referred to in Article 3:

- the joint venture agreement between BBC Brown Boveri Aktiengesellschaft and NGK Insulators Ltd,
- the technical licence agreement between BBC Brown Boveri Aktiengesellschaft and NEWCO,
- the technical licence agreement between NGK Insulators Ltd and NEWCO,
- the lease and personnel service agreement between NGK Insulators Ltd and NEWCO.

Article 2

The exemption shall be valid from 20 November 1987 to 19 November 2002.

Article 3

This Decision is addressed to BBC Brown Boveri Aktiengesellschaft, Mannheim, Federal Republic of Germany.

Done at Brussels, 11 October 1988.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION DECISION

of 14 October 1988

derogating from High Authority recommendation No 1-64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community

(134th derogation)

(88/542/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71,

Having regard to High Authority recommendation No 1-64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community⁽¹⁾, as last amended by recommendation No 88/27/ECSC⁽²⁾, and in particular Article 3 thereof,

Whereas Germany, Benelux and Spain have shown the existence of exceptional and temporary difficulties in obtaining supplies for their electro-mechanical industry on the Community market with special sheet for the manufacture of transformers and similar appliances; whereas such difficulties, which seemed likely to come to an end in mid-1988, are still prevalent but seem capable of being solved by end of the year 1988;

Whereas by Decision No 88/269/ECSC⁽³⁾ the Commission authorized Germany, Benelux and Spain to import duty-free from third countries certain quantities of special sheet during the period 1 January to 30 June 1988 and it is now appropriate to extend the operation of this Decision until 31 December 1988;

Whereas this exceptional import is justified for the reasons of commercial policy provided for in Article 3 of

recommendation No 1-64; whereas the Commission may therefore grant a derogation from the said recommendation;

Whereas the Governments of the Member States have been consulted on the abovementioned request,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision No 88/269/ECSC of 14 April 1988, is hereby replaced by the following:

'Article 3

This Decision shall apply from 1 January 1988 to 31 December 1988.'

Article 2

This Decision is addressed to the Member States

Done at Brussels, 14 October 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 15, 20. 1. 1988, p. 13.

⁽³⁾ OJ No L 107, 28. 4. 1988, p. 54.

COMMISSION DECISION

of 18 October 1988

on applications for import licences for Basmati rice submitted during the first five working days of the month of October 1988 under the arrangements provided for in Council Regulation (EEC) No 3877/86

(88/543/EEC)

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

Having regard to Council Regulation (EEC) No 3877/86 of 16 December 1986 on imports of rice of the long-grain aromatic Basmati variety falling within subheading ex 10.06 B I and II of the Common Customs Tariff⁽¹⁾,

Having regard to Council Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within subheading ex 10.06 B I or II of the Common Customs Tariff⁽²⁾, as amended by Regulation (EEC) No 1546/87⁽³⁾, and in particular Article 5 (1) thereof,

Whereas under Article 5 (1) of Regulation (EEC) No 833/87 the Commission must, not later than the 13th day after the expiry of the time limit for submitting applications for licences, notify the Member States;

- that licences may be issued in respect of all the quantities applied for, or
- that the standard percentage reduction should be applied to those quantities, or
- that the conditions for applying the reduced levy have not been met;

Whereas, in the light of the quantities for which applications have been submitted, the quantities available and Basmati rice price during the first five working days

of the month of October 1988, licences may be issued subject to the application of a percentage reduction,

HAS ADOPTED THIS DECISION:

Article 1

Import licences for Basmati rice falling within CN code 1006 may be issued, subject to the application, to the quantities applied for, of a standard reduction of 91,87 %, in cases where the applications for import licences were submitted, under the arrangements provided for in Regulation (EEC) No 3877/86, during the first five working days of the month of October 1988 and where a communication was sent to the Commission within the time limit specified in Article 7 of Regulation (EEC) No 833/87.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 144, 4. 6. 1987, p. 10.