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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3482/88

of 7 November 1988

**partially suspending customs duties on prepared or preserved sardines
applicable by the Community of Ten to imports from Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 33 and 192 thereof,

Having regard to the proposal from the Commission,

Whereas the creation of homogeneous conditions for the planning of industrial investment in order that the sardine industry as a whole may develop cohesively between now and the beginning of 1993 can be fostered by speeding up tariff dismantling; whereas the speeding-up of this process must be done without discrimination among the Member States;

Whereas a partial suspension of the customs duties applicable to preserved sardines originating in Spain and Portugal would advance the integration of the Community market in this product;

Whereas disturbances in subsequent development in trade in this product among the Member States should be prevented; whereas there should therefore be provision for appropriate measures,

HAS ADOPTED THIS REGULATION:

Article 1

Customs duties on import into the Community of Ten of prepared or preserved sardines falling within CN codes 1604 13 10 and ex 1604 20 50 and imported from Spain

or Portugal shall be suspended at a level 5 percentage points below the amount of duty arising from the application of Articles 173 (2) and 360 (2) of the Act of Accession.

Article 2

Should there be disturbance or threat of disturbance to the Community market in preserved sardines as a result of the speeded-up suspension of customs duties, ascertained by reference to the structure of trade in this product among the Member States, the Commission shall decide, in accordance with the procedure laid down in Article 33 of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 3759/87⁽²⁾, on its own initiative or at the request of a Member State, on the application of surveillance measures or the partial or total re-establishment of the suspended duties until the disturbance or threat thereof has disappeared.

Article 3

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

It shall apply from 1 January 1989.

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

Done at Brussels, 7 November 1988.

For the Council

The President

P. ROUMELIOTIS

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 359, 21. 12. 1987, p. 1.

COUNCIL REGULATION (EEC) No 3483/88
of 7 November 1988
amending Regulation (EEC) No 2241/87 establishing certain control measures
for fishing activities

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas experience has shown the need to strengthen the application of the fisheries conservation rules by improving co-operation between the Member States in preventing overfishing;

Whereas it is necessary to provide for Member States to obtain, at their request, more rapid and more detailed information on the landings of their vessels in another Member States;

Whereas Article 5 (2) of Regulation (EEC) No 170/83 provides that Member States shall determine the detailed rules for the utilization of the quotas allocated to them; whereas Article 15 of Regulation (EEC) No 2241/87⁽²⁾ recognizes that Member States may take national control measures which go beyond the minimum requirements of the Regulation;

Whereas the aforementioned detailed rules and national measures may include the subjecting of fishing on a given stock to the possession of a licence and may also include, in cases where there has been failure to respect a conservation measure, a requirement that, when landing outside the Member State of registration, the vessel concerned has on board a document issued by that Member State and certifying that the Member State has recently inspected the vessel;

Whereas, subject to certain conditions, an unlicensed vessel or a vessel which is not in possession of the required certificate should be prohibited from landing fish;

Whereas infringements against such prohibitions should be effectively pursued by the Member State of landing; whereas, however, the transfer of effective pursuit of infringements from the Member State of landing or transshipment to the Member State of registration should not, in certain circumstances, be prevented;

Whereas the failure by a Member State effectively to pursue such infringements will weaken the ability of the

Member State of registration to ensure compliance with the regime of conservation and management of fishery resources; whereas it is therefore necessary to provide for catches to count against the quota of the Member State of landing should the latter fail to take effective action; whereas such a provision should also apply in cases where a Member State has failed to take effective action against the infringement of landing fish under a quota on which fishing has been prohibited by the Commission;

Whereas it is therefore appropriate to amend Regulation (EEC) No 2241/87,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2241/87 is hereby amended as follows:

1. The following Article shall be added:

Article 9a

1. Without prejudice to Article 9, Member States shall, at the request of the Member State concerned, provide information on landings or transshipments in their ports or within their maritime waters by fishing vessels flying the flag of, or registered in, the requesting Member State of a particular stock or group of stocks subject to a quota allocated to that Member State.

The information shall include the name and external identification letters and numbers of the vessel in question, the quantity of the particular stock or group of stocks landed or transhipped by the vessel and the date and place of the landing or transshipment.

The information shall be provided within four working days of the landing or transshipment or within such longer period as may be specified by the requesting Member State.

2. The Member State of registration shall inform the Commission of any requests made pursuant to paragraph 1. The Member State of landing or transshipment shall provide a copy of such information to the Commission at the same time as it provides the information to the Member State of registration.

2. The following Articles shall be added:

Article 11a

1. The provisions of this Article shall apply to fishing activities by vessels flying the flag of, or registered in, a Member State under a quota allocated

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 207, 27. 7. 1987, p. 1.

to that Member State, if the Member State, pursuant to Article 5 (2) of Regulation (EEC) No 170/83, makes such fishing activities subject to a licensing system and

- (i) informs the Commission and the other Member States of the quota concerned,
- (ii) immediately upon issuing a licence informs the Commission and the other Member States of the name and external identification letters and numbers of the licensed vessel, and
- (iii) immediately informs the Commission and the other Member States of the withdrawal or suspension of such a licence.

2. The catching, retention on board, transhipment or landing of fish under the quota concerned shall be prohibited unless the vessel is licensed to fish under that quota and the licence has not been withdrawn or suspended.

Article 11b

1. Where the competent authority of a Member State has recorded that a fishing vessel flying the flag of, or registered in, that Member State has failed to comply with rules concerning conservation or control measures adopted by the Community or by the Member State under Article 5 (2) of Regulation (EEC) No 170/83 or Article 15 of this Regulation, the Member State may adopt with respect to the vessel concerned an additional control measure providing that, for a maximum of one year from the recording of the infringement, catches from a stock or group of stocks subject to a quota allocated to that Member State may be landed or transhipped in a port or within the maritime waters of another Member State or of a third country only if the vessel has on board a document certified by the Member State of registration and stating that the latter has inspected the vessel within the last two months.

The Member State of registration shall inform the Commission and the other Member States of the name and external identification letters and numbers of the vessel on which the said additional control measure has been imposed and of the quota concerned.

2. A vessel subject to an additional control measure as referred to in paragraph 1 shall be prohibited from landing or transhipping in a port or within the maritime waters of a Member State other than the Member State of registration or of a third country catches subject to the quota concerned unless the certified document referred to in the first subparagraph of paragraph 1 is on board the vessel.

Article 11c

1. Where the competent authorities of the Member State of landing or transhipment observe that there has

been a violation of the third subparagraph of Article 11 (3), of Article 11a or of Article 11b they shall, in accordance with Article 1 (2), take against the master of the vessel concerned, or against any other person responsible, penal or administrative action such as is likely, in accordance with the relevant provisions of national law, effectively to deprive those responsible of the economic benefit of the violation or to produce any other result in proportion to the seriousness of the violation, effectively discouraging further violations of the same kind.

The provisions of the previous subparagraph shall not prevent the Member State of landing or transhipment from transferring the pursuit of a violation referred to in that subparagraph to the competent authorities of the Member State of registration with the agreement of the latter and provided that such transfer is more likely to secure the intended result. Any such transfer shall be notified to the Commission by the Member State of landing or transhipment.

2. If the Member State of landing or transhipment is not the Member State of registration and its competent authorities do not take penal or administrative action or transfer pursuit as provided for in paragraph 1, the landing or transhipment may be counted against the quota of the former Member State.

The quantities of fish to be counted against the quota of that Member State shall be fixed in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 170/83, after the Commission has consulted the two Member States in question and, in the event of violations of Article 11a or 11b, at the request of the Member State of registration.

If the Member State of landing or transhipment has no relevant quota remaining, Article 11 (4) shall apply *mutatis mutandis* as if the quantities of fish unlawfully landed or transhipped were the amount of the loss suffered by the Member State of registration.

Article 11d

Detailed rules for the implementation of Articles 9a, 11a, 11b and 11c shall be adopted if necessary in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 170/83.

Article 2

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

It shall apply from 1 January 1989.

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

Done at Brussels, 7 November 1988.

For the Council

The President

P. ROUMELIOTIS

COUNCIL REGULATION (EEC) No 3484/88**of 8 November 1988****opening a Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 (1988)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has undertaken, within the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 4 % for 1 500 tonnes of frozen thin skirt of bovine animals falling within CN code 0206 29 91 ; whereas this quota should therefore be opened for 1988 ;

Whereas there should be a guarantee of equal and continuing access by all interested operators within the Community to the said quota and of uninterrupted application of the rate laid down for that quota, to all imports of the product in question, in all the Member States, up to the limit of the volume of the quota ; whereas it seems appropriate, to this end, to set up a system of use of the Community tariff quota based on the presentation of a certificate of authenticity guaranteeing the nature of the product, where it comes from and its origin ;

Whereas the detailed rules to implement these provisions should be drawn up in accordance with the procedure laid down in Article 27 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of

the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2248/88 ⁽²⁾,

HAS ADOPTED THIS REGULATION :

Article 1

1. A Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 shall be opened for 1988.

The total volume of this quota shall be 1 500 tonnes.

2. Under this quota the applicable duty of the Common Customs Tariff shall be fixed at 4 %.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular :

- (a) provisions to guarantee the nature of product, where it comes from and its origin ;
- (b) provisions concerning recognition of the document to make it possible to verify the guarantee referred to in (a).

Article 3

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

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

Done at Brussels, 8 November 1988.

For the Council

The President

A. PEPONIS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 24.

COMMISSION REGULATION (EEC) No 3485/88

of 10 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 9 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 11 November 1988.

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

Done at Brussels, 10 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. 96.

ANNEX

to the Commission Regulation of 10 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	127,43
0712 90 19	0,00	127,43
1001 10 10	29,07	182,73 ⁽¹⁾ ⁽²⁾
1001 10 90	29,07	182,73 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	125,73
1001 90 99	0,00	125,73
1002 00 00	33,13	115,62 ⁽³⁾
1003 00 10	26,87	119,67
1003 00 90	26,87	119,67
1004 00 10	83,03	60,04
1004 00 90	83,03	60,04
1005 10 90	0,00	127,43 ⁽³⁾ ⁽²⁾
1005 90 00	0,00	127,43 ⁽³⁾ ⁽²⁾
1007 00 90	21,52	139,31 ⁽⁴⁾
1008 10 00	26,87	39,43
1008 20 00	26,87	99,53 ⁽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	189,70
1102 10 00	60,06	176,54
1103 11 10	58,31	297,25
1103 11 90	3,91	204,15

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

⁽²⁾ In accordance with 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 3486/88

of 10 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 9 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 11 November 1988.

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

Done at Brussels, 10 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 10 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	5,56
1001 90 99	0	0	0	5,56
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	1,53	1,53	9,21
1004 00 90	0	1,53	1,53	9,21
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	7,78

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	9,90	9,90
1107 10 19	0	0	0	7,39	7,39
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 3487/88

of 10 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 7 and 8 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 11 November 1988.

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

Done at Brussels, 10 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	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽³⁾

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

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,00

COMMISSION REGULATION (EEC) No 3488/88**of 10 November 1988****suspending the issue of STM licences for certain floricultural 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, and in particular Article 252 (1) thereof,

Whereas Commission Regulation (EEC) No 643/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal ⁽¹⁾, as last amended by Regulation (EEC) No 3925/87 ⁽²⁾, fixed the target ceilings provided for in Article 251 (1) of this Act for certain floriculture products;

Whereas Article 252 of the Act of Accession provides that should the examination of developments in intra-Community trade show that a significant increase in imports has taken place or is forecast and if the situation should result in the target import ceiling for the product being reached or exceeded for the current marketing year or a part of it, the Commission is to decide, in accordance

with emergency procedures, on the interim protective measures that are necessary;

Whereas the target ceiling for rose bushes falling within CN code 0602 40 90 for 1988 has been exceeded; whereas the issue of any further licences should be suspended for the products in question, under the interim protective measures; whereas this will involve the rejection of applications already lodged,

HAS ADOPTED THIS REGULATION:

Article 1

The issue of STM licences for rose bushes falling within CN code 0602 40 90 is hereby suspended until 24 November 1988.

Article 2

This Regulation shall enter into force on 11 November 1988.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽²⁾ OJ No L 369, 29. 12. 1987, p. 26.

COMMISSION REGULATION (EEC) No 3489/88

of 10 November 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 17 to 23 October 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, as amended by Regulation (EEC) No 3988/87 ⁽⁴⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 17 to 23 October 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 17 to 23 October 1988 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 17 October 1988.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 17 to 23 October 1988

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 11	26,26474
0201 20 19	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽¹⁾	29,94180
1602 50 10 ⁽²⁾	21,01179

⁽¹⁾ Containing 80 % or more by weight of beef meat.

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 3490/88

of 10 November 1988

on an invitation to tender for the refund on export of wholly milled medium grain rice to certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular Article 17 thereof,Having regard to Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 4 thereof,

Whereas examination of the balance sheet shows that exportable amounts of rice are currently held by producers; whereas this situation could affect the normal development of producer prices during the 1988/89 marketing year;

Whereas, in order to remedy this situation, it is appropriate to make use of export refunds to zones which may be supplied by the Community; whereas the special situation of the rice market makes it necessary to limit the quantities of rice benefiting from the refunds, and therefore to apply Article 4 of Regulation (EEC) No 1431/76 enabling the amount of refund to be fixed by tendering procedure;

Whereas it should be stated that the provisions of Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice⁽⁴⁾, as amended by Regulation (EEC) No 3491/80⁽⁵⁾, apply to this invitation to tender;Whereas, in order to avoid disturbances on the markets of the producing countries, the markets of destination should be limited to Zones I to VI and Zone VIII, excluding Guyana, Madagascar and Surinam, noted in Annex I to Regulation (EEC) No 1124/77⁽⁶⁾, as last amended by Regulation (EEC) No 296/88⁽⁷⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is hereby opened, for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76, for Zones I to VI and Zone VIII excluding Guyana, Madagascar and Surinam, of Annex I to Regulation (EEC) No 1124/77.

2. The invitation to tender shall be open until 30 March 1989. During that period weekly invitations to tender shall be issued and the date for submission of tenders shall be determined in the notice of invitation to tender.

3. The invitation to tender shall take place in accordance with the provisions of Regulation (EEC) No 584/75 and with the following provisions.

Article 2

A tender shall be valid only if it covers a quantity for export of at least 50 tonnes but not more than 5 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be 20 ECU per tonne.

Article 4

1. Notwithstanding the provisions of Article 21 (1) of Commission Regulation (EEC) No 3183/80⁽⁸⁾, export licences issued within this invitation to tender shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the third month following.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the time limit for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, the Member States shall inform the Commission accordingly within the same time limit as that given in the above subparagraph.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ No L 365, 31. 12. 1980, p. 15.

⁽⁶⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁷⁾ OJ No L 30, 2. 2. 1988, p. 9.

⁽⁸⁾ OJ No L 338, 13. 12. 1980, p. 1.

Article 6

The time set for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76:

- either to fix a maximum export refund, taking account of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 1431/76,
- or not to take any action on the tenders.

2. Where a maximum export refund is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum export refund level.

Article 8

The time limit for submission of tenders for the first partial invitation to tender shall expire on 1 December 1988 at 10 a.m. (Belgian time).

The final date for submission of tenders is hereby fixed at 30 March 1989.

Article 9

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, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Weekly invitation to tender for the refund on export of wholly milled medium grain rice to certain third countries

(Closing date for the submission of tenders (date/time))

1	2	3
Serial number of tenders	Quantities in tonnes	Amount of export refund in national currency per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 3491/88

of 9 November 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 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 3174/88⁽²⁾, and in particular Article 9 thereof,

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 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, 9 November 1988.

For the Commission
COCKFIELD
Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 298, 31. 10. 1988, p. 1.

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. 'Flaps of herring', comprising the right and left side of a herring (from which the head, guts, fins (other than the back fin) and bones have been removed), the two sides being held together by the skin of the back	0304 90 21 or 0304 90 25	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 0304, 0304 90 21 and 0304 90 25. The product is not considered to be a fillet falling within CN code 0304 10 or 0304 20 (see HS explanatory notes to code 0304)
2. Films of polyether sulphone covered by cathodic deposition process with a layer of metal, a metallic nitride, metallic oxide or metallic carbide	3921 90 50	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 3921, 3921 90 and 3921 90 50. The product is not covered by the wording of code 3920 due to the fact that it is coated with metal, metal oxide, metal nitride or metal carbide
3. Sodium dihydridobis(2-methoxyethanolato) aluminate in solution (70 %) in toluene	3823 90 99	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 3823, 3823 90 and 3823 90 99. The product cannot be classified in Chapter 29 because it does not comply with the provisions of Note 1 (E) of Chapter 29. It is a preparation of the chemical industry not elsewhere specified or included

COMMISSION REGULATION (EEC) No 3492/88**of 9 November 1988****amending Regulations (EEC) No 2226/78 and (EEC) No 1091/80 in respect of conditions that must be met for intervention measures and for the grant of aid for private storage in the beef and veal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2248/88 ⁽²⁾, and in particular Articles 6 (5) and 8 (2) thereof,

Whereas intervention and private storage are designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention or stored must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency ⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may be neither bought in nor placed under a storage contract;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station ⁽⁴⁾, as last amended by Regulation (EEC) No 624/87 ⁽⁵⁾, set maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87 ⁽⁶⁾ superseding it; whereas agricultural products exceeding the maximum permitted levels cannot be considered as being of sound and fair merchantable quality;

Whereas it has been ascertained that, as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 cannot be bought in or be placed under a storage contract;

Whereas Article 6 of Commission Regulation (EEC) No 2226/78 ⁽⁷⁾, as last amended by Regulation (EEC) No 3338/88 ⁽⁸⁾, lays down conditions for intervention buying-in of beef; whereas Article 2 of Commission Regulation (EEC) No 1091/80 ⁽⁹⁾, as last amended by Regulation (EEC) No 2826/82 ⁽¹⁰⁾, lays down conditions for the conclusion of storage contracts for this product; whereas those conditions should be clarified; whereas those Regulations should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:*Article 1*

1. The following point (e) is hereby added to Article 6 (1) of Regulation (EEC) No 2226/78:

(e) not exceeding maximum levels of radioactivity permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.
⁽²⁾ OJ No L 198, 26. 7. 1988, p. 24.
⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.
⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.
⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.
⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 261, 26. 9. 1978, p. 5.
⁽⁸⁾ OJ No L 295, 28. 10. 1988, p. 50.
⁽⁹⁾ OJ No L 114, 3. 5. 1980, p. 18.
⁽¹⁰⁾ OJ No L 297, 23. 10. 1982, p. 18.

fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

(*) OJ NO L 371, 30. 12. 1987, p. 14.'

2. The following second subparagraph is hereby added to Article 2 (2) of Regulation (EEC) No 1091/80 :

'Also, no products the radioactive content of which exceeds the maximum levels permitted under Community regulations may be placed under a storage contract. The levels applicable to products of

Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 2

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

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3493/88

of 9 November 1988

amending Regulations (EEC) No 1107/68, (EEC) No 685/69, (EEC) No 625/78 and (EEC) No 1362/87 as regards conditions that must be met for intervention buying in and the grant of aid for private storage in the milk and milk products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

exceeding the maximum permitted levels cannot be regarded as of sound and fair merchantable quality;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1109/88⁽²⁾, and in particular Articles 6 (7), 7 (5) and 17 (4) thereof,

Whereas intervention and private storage are designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention or stored must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may be neither bought in nor placed under a storage contract;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station⁽⁴⁾, as last amended by Regulation (EEC) No 624/87⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87⁽⁶⁾ superseding it; whereas agricultural products

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 may be neither bought in nor placed under a storage contract; whereas Commission Regulations (EEC) No 1107/68 of 27 July 1968 on detailed rules of application for intervention on the market in Grana Padano and Parmigiano-Reggiano cheese⁽⁷⁾, as last amended by Regulation (EEC) No 14/84⁽⁸⁾, (EEC) No 685/69 of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream⁽⁹⁾, as last amended by Regulation (EEC) No 2791/88⁽¹⁰⁾, (EEC) No 625/78 of 30 March 1978 on detailed rules of application for public storage of skimmed-milk powder⁽¹¹⁾, as last amended by Regulation (EEC) No 3711/86⁽¹²⁾, and (EEC) No 1362/87 of 18 May 1987 laying down detailed rules for the application of Regulation (EEC) No 777/87 with respect to the buying-in and the granting of aid for the private storage of skimmed-milk powder⁽¹³⁾ should therefore be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 184, 29. 7. 1968, p. 29.

⁽⁸⁾ OJ No L 3, 5. 1. 1984, p. 13.

⁽⁹⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽¹⁰⁾ OJ No L 250, 9. 9. 1988, p. 11.

⁽¹¹⁾ OJ No L 84, 31. 3. 1978, p. 19.

⁽¹²⁾ OJ No L 342, 5. 12. 1986, p. 8.

⁽¹³⁾ OJ No L 129, 19. 5. 1987, p. 9.

HAS ADOPTED THIS REGULATION:

Article 1

1. The following point (c) is hereby added to Article 2 (1) of Regulation (EEC) No 1107/68:

'(c) the radioactivity levels in the cheeses do not exceed the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

2. The following point 3 is hereby added to Article 2 of Regulation (EEC) No 685/69:

'3. the radioactivity levels in the butter do not exceed the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87. The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

3. The following phrase is hereby added to the first subparagraph of Article 23 (1) of Regulation (EEC) No 685/69:

'the radioactivity levels which may not exceed the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive

contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

4. The following point (e) is hereby added to Article 1 (1) of Regulation (EEC) No 625/78:

'(e) not exceeding the maximum permitted levels of radioactivity applicable under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

5. The following point (e) is hereby added to the first subparagraph of Article 2 (2) of Regulation (EEC) No 1362/87:

'(e) comply with the maximum permitted levels of radioactivity applicable under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 30 of Regulation (EEC) no 804/68.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 2

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

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3494/88**of 9 November 1988**

amending Regulations (EEC) No 3154/85 laying down detailed rules for the administrative application of monetary compensatory amounts, (EEC) No 548/86 laying down detailed rules for the application of accession compensatory amounts and (EEC) No 3665/87 laying down common detailed rules for the application of the system of export refunds on agricultural 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 (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 12 thereof,

Having regard to Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals ⁽³⁾, and in particular Article 8 thereof, and to the corresponding provisions of the other Regulations laying down general rules applying to the accession compensatory amounts for agricultural products,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽⁴⁾, as last amended by Regulation (EEC) No 2221/88 ⁽⁵⁾, and in particular Article 16 (6) thereof, and to the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products,

Whereas monetary compensatory amounts, accession compensatory amounts and export refunds may not be granted on products which are not of sound and fair merchantable quality or which, because of their characteristics and condition, cannot be used for food purposes;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency ⁽⁶⁾ specifies the procedure to be followed in a radiological emergency for determining maximum permitted levels of radioactive contamination in foodstuffs and feedingstuffs above which they cannot be marketed; whereas, consequently, the benefits of

Community legislation cannot be granted where such products are concerned;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station ⁽⁷⁾, as last amended by Regulation (EEC) No 624/87 ⁽⁸⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, it was replaced by Council Regulation (EEC) No 3955/87 ⁽⁹⁾, Article 3 of which imposes the same maximum levels; whereas agricultural products showing levels higher than these maxima cannot be considered of sound and fair merchantable quality;

Whereas it was found following the abovementioned accident that some of the Community's agricultural production was contaminated with varying levels of radioactivity; whereas it should be stipulated that monetary compensatory amounts, accession compensatory amounts and export refunds may not be granted on agricultural products showing levels of radioactivity in excess of the maxima indicated in Article 3 of Regulation (EEC) No 3955/87, irrespective of the origin of the product;

Whereas Commission Regulations (EEC) No 3154/85 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 361/88 ⁽¹¹⁾, (EEC) No 548/86 ⁽¹²⁾, as last amended by Regulation (EEC) No 2082/87 ⁽¹³⁾, and (EEC) No 3665/87 ⁽¹⁴⁾ should therefore be amended;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁷⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁸⁾ OJ No L 58, 28. 2. 1987, p. 10.

⁽⁹⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽¹⁰⁾ OJ No L 310, 21. 11. 1985, p. 9.

⁽¹¹⁾ OJ No L 35, 9. 2. 1988, p. 15.

⁽¹²⁾ OJ No L 55, 27. 2. 1986, p. 52.

⁽¹³⁾ OJ No L 195, 16. 7. 1987, p. 11.

⁽¹⁴⁾ OJ No L 351, 14. 12. 1987, p. 1.

Whereas the management committees concerned have not delivered an opinion within the time limit set by their chairmen,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is hereby added to Article 3 of Regulation (EEC) No 3154/85:

'No compensatory amount shall be granted if the products display radioactivity in excess of the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall, irrespective of their origins, be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, or, as the case may be, in the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 2

The following subparagraph is hereby added to Article 5 (3) of Regulation (EEC) No 548/86:

'No accession compensatory amount shall be granted if the products display radioactivity in excess of the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall,

irrespective of their origins, be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, or, as the case may be, in the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 3

The following paragraph is hereby added to Article 13 of Regulation (EEC) No 3665/87:

'No refunds shall be granted if the products display radioactivity in excess of the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall, irrespective of their origins, be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, or, as the case may be, in the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 4

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

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3495/88**of 9 November 1988****amending Regulation (EEC) No 1569/77 fixing the procedure and conditions for the talking-over of cereals by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas intervention is designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved: whereas, accordingly, products offered for intervention must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may not be bought in;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station⁽⁴⁾, as last amended by Regulation (EEC) No 624/87⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87⁽⁶⁾ superseding it; whereas agricultural products exceeding those maximum permitted levels cannot be regarded as of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that

agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 cannot be bought in;

Whereas Commission Regulation (EEC) No 1569/77⁽⁷⁾, as last amended by Regulation (EEC) No 2391/88⁽⁸⁾, provides for conditions under which cereals may be bought in; whereas those conditions should be clarified; whereas that Regulation should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The first sentence of Article 2 (2) of Regulation (EEC) No 1569/87 is hereby replaced by the following:

'2. They shall be considered of sound and fair merchantable quality if they are of the typical colour of the cereal in question, free from abnormal smell and live pests (including mites) at every stage of their development, meet the minimum quality requirements set out in the Annex hereto, and the radioactivity levels of which do not exceed the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87⁽⁹⁾. The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁸⁾ OJ No L 205, 30. 7. 1988, p. 75.

scope of the controls shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

(*) OJ No L 371, 30. 12. 1987, p. 14.

Article 2

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

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3496/88
of 9 November 1988

amending Regulations (EEC) No 2658/80 and (EEC) No 2659/80 in respect of conditions that must be met for granting private storage aid for sheepmeat and goatmeat products and for intervention buying in the sheepmeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁾, and in particular Article 7 (7) (a) and (c) thereof,

Whereas intervention and private storage are designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention or stored must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingsstuffs following a nuclear accident or any other case of radiological emergency ⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingsstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may be neither bought in nor placed under a storage contract;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station ⁽⁴⁾, as last amended by Regulation (EEC) No 624/87 ⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87 ⁽⁶⁾ superseding it; whereas agricultural products exceeding the maximum permitted levels cannot be

considered as being of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 may be neither bought in nor placed under a storage contract;

Whereas Article 3 of Commission Regulation (EEC) No 2658/80 ⁽⁷⁾, lays down conditions for intervention buying in; whereas Article 2 of Commission Regulation (EEC) No 2659/80 ⁽⁸⁾ lays down conditions governing the conclusion of storage contracts; whereas those conditions should be clarified; whereas those Regulations should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following point (h) is hereby added to Article 2 of Regulation (EEC) No 2658/80:

(h) not exceeding the maximum permitted levels of radioactivity under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 276, 20. 10. 1980, p. 9.

⁽⁸⁾ OJ No L 276, 20. 10. 1980, p. 12.

fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 1837/80.

(*) OJ No L 371, 30. 12. 1987, p. 14.

2. The following is hereby added as the second subparagraph to Article 2 (2) of Regulation (EEC) No 2659/80:

'Also, no products the radioactive content of which exceeds the maximum levels permitted under Community regulations may be the subject of a storage contract. The levels applicable to products of Community origin contaminated as a result of the

accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 1837/80.

(*) OJ No L 371, 30. 12. 1987, p. 14.

Article 2

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

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3497/88

of 9 November 1988

amending Regulation (EEC) No 2103/77 laying down detailed rules for the buying-in by intervention agencies of sugar manufactured from beet and cane harvested in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾, and in particular Article 9 (6) thereof,

Whereas intervention is designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation Euratom No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may not be bought in;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station⁽⁴⁾, as last amended by Regulation (EEC) No 624/87⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87⁽⁶⁾ superseding it; whereas agricultural products exceeding those maximum permitted levels cannot be regarded as being of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has suffered, to varying degrees, radioactive contamination; whereas agricultural products of Community origin exceeding the levels fixed in Article 3 of Regulation (EEC) No 3955/87 may not be bought in;

Whereas Article 3 of Commission Regulation (EEC) No 2103/77⁽⁷⁾, as last amended by Regulation (EEC) No

1078/83⁽⁸⁾, lays down the conditions under which sugar may be bought in; whereas those conditions should be clarified; whereas that Regulation should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following is hereby added to Article 3 of Regulation (EEC) No 2103/77:

- ‘5. Sugar offered for intervention shall not be deemed to be of sound and fair merchantable quality within the meaning of paragraphs 3 and 4 where it exceeds the maximum levels of radioactivity permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87⁽⁹⁾. The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81.

(⁹) OJ No L 371, 30. 12. 1987, p. 14.’

Article 2

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

(⁸) OJ No L 166, 25. 6. 1983, p. 15.

(¹) OJ No L 177, 1. 7. 1981, p. 4.
(²) OJ No L 201, 27. 7. 1988, p. 65.
(³) OJ No L 371, 30. 12. 1987, p. 11.
(⁴) OJ No L 146, 31. 5. 1986, p. 88.
(⁵) OJ No L 58, 28. 2. 1987, p. 101.
(⁶) OJ No L 371, 30. 12. 1987, p. 14.
(⁷) OJ No L 246, 27. 9. 1977, p. 12.

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 3498/88

of 9 November 1988

amending Regulations (EEC) No 391/68 and (EEC) No 1092/80 in respect of conditions that must be met in the pigmeat sector for intervention buying in and the grant of aid to private storage

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular Article 5 (4) thereof,

Whereas intervention and private storage are designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention or stored must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may be neither bought in nor placed under a storage contract;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station⁽⁴⁾, as last amended by Regulation (EEC) No 624/87⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87⁽⁶⁾ superseding it; whereas agricultural products exceeding the maximum permitted levels cannot be regarded as of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 may be neither bought in nor placed under a storage contract;

Whereas Article 5 of Commission Regulation (EEC) No 391/68⁽⁷⁾, as last amended by Regulation (EEC) No 4160/87⁽⁸⁾, lays down the conditions under which pigmeat may be bought in; whereas Article 2 of Commission Regulation (EEC) No 1092/80⁽⁹⁾, as last amended by Regulation (EEC) No 201/85⁽¹⁰⁾, lays down conditions for the conclusion of storage contracts for that product; whereas those conditions should be clarified; whereas those Regulations should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following point (d) is hereby added to Article 5 (2) of Regulation (EEC) No 391/68:

'(d) exceeding the maximum levels of radioactivity permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 80, 2. 4. 1968, p. 5.

⁽⁸⁾ OJ No L 392, 31. 12. 1987, p. 46.

⁽⁹⁾ OJ No L 114, 3. 5. 1980, p. 22.

⁽¹⁰⁾ OJ No L 23, 26. 1. 1985, p. 19.

fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

2. The following is hereby added as the second subparagraph to Article 2 (2) of Regulation (EEC) No 1092/80:

'Also, no products the radioactive content of which exceeds the maximum levels permitted under Community regulations may be the subject of a storage contract. The levels applicable to products of Community origin contaminated as a result of the

accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 (*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 2

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

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3499/88

of 9 November 1988

amending Regulation (EEC) No 470/67/EEC on the taking-over of paddy rice by intervention agencies, and fixing the corrective amounts, price increases and reductions applied by them

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 5 (5) thereof,

Whereas intervention is designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency ⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may not be bought in;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station ⁽⁴⁾, as last amended by Regulation (EEC) No 624/87 ⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87 ⁽⁶⁾ superseding it; whereas agricultural products exceeding the maximum permitted levels cannot be considered as being of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 cannot be bought in;

Whereas Article 2 of Commission Regulation (EEC) No 470/67/EEC ⁽⁷⁾, as last amended by Regulation (EEC) No 3912/86 ⁽⁸⁾, lays down the conditions governing the buying-in of paddy rice; whereas those conditions should be clarified; whereas that Regulation should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following is hereby added as the last indent to Article 2 (2) of Regulation (EEC) No 470/67/EEC:

- not exceeding the maximum levels of radioactivity permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 ⁽⁹⁾. The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76.

⁽⁷⁾ OJ No L 371, 30. 12. 1987, p. 14.

Article 2

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No 204, 24. 8. 1967, p. 8.

⁽⁸⁾ OJ No L 364, 23. 12. 1986, p. 29.

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3500/88

of 9 November 1988

amending for the fifth time Regulation (EEC) No 1059/83 on storage contracts for table wine, grape must, concentrated grape must and rectified concentrated grape must

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 Articles 32 (5), 33 (5) and 42 (6) thereof,

Whereas storage is designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products stored must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency ⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may not be placed under a storage contract;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station ⁽⁴⁾, as last amended by Regulation (EEC) No 624/87 ⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87 ⁽⁶⁾ superseding it; whereas agricultural products exceeding the maximum permitted levels cannot be considered as being of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 may not be placed under a storage contract;

Whereas Article 6 of Commission Regulation (EEC) No 1059/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 3949/86 ⁽⁸⁾, lays down the conditions that must be met for the conclusion of storage contracts; whereas those conditions should be clarified; whereas that Regulation should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article 6 (1) of Regulation (EEC) No 1059/83:

'In particular, such products may not be placed under a storage contract where their level of radioactivity exceeds the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 ^(*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87.

(*) OJ No L 371, 30. 12. 1987, p. 14.'

Article 2

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 116, 30. 4. 1983, p. 77.

⁽⁸⁾ OJ No L 365, 24. 12. 1986, p. 40.

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 3501/88

of 9 November 1988

amending Regulation No 282/67/EEC on detailed rules for intervention for oil seeds

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⁾, and in particular Article 26 (3) thereof,

Whereas intervention is designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may not be bought in;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station⁽⁴⁾, as last amended by Regulation (EEC) No 624/87⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87⁽⁶⁾ superseding it; whereas agricultural products exceeding those maximum permitted levels cannot be considered as being of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has suffered, to varying degrees, radioactive contamination; whereas agricultural products of Community origin exceeding the levels fixed in Article 3 of Regulation (EEC) No 3955/87 may not be bought in;

Whereas Article 3 of Commission Regulation No 282/67/EEC⁽⁷⁾, as last amended by Regulation (EEC) No 2010/88⁽⁸⁾, lays down the conditions for the buying-in of oil seeds; whereas those conditions should be clarified; whereas Regulation No 282/67/EEC should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article 3 (1) of Regulation No 282/67/EEC:

'Seed offered for intervention shall not be deemed to be of sound and fair merchantable quality where its level of radioactivity exceeds the maximum levels permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87⁽⁶⁾. The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

(⁽⁶⁾) OJ No L 371, 30. 12. 1987, p. 14.'

Article 2

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

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

(⁽²⁾) OJ No L 197, 26. 7. 1988, p. 1.

(⁽³⁾) OJ No L 371, 30. 12. 1987, p. 11.

(⁽⁴⁾) OJ No L 146, 31. 5. 1986, p. 88.

(⁽⁵⁾) OJ No L 58, 28. 2. 1987, p. 101.

(⁽⁶⁾) OJ No L 371, 30. 12. 1987, p. 14.

(⁽⁷⁾) OJ No 151, 13. 7. 1967, p. 1.

(⁽⁸⁾) OJ No L 177, 8. 7. 1988, p. 19.

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3502/88
of 9 November 1988
amending Regulation (EEC) No 3472/85 on the buying-in and storage of olive oil
by intervention agencies

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 common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 12 (4) thereof,

Whereas intervention is designed to enable products to be withdrawn temporarily from a market suffering disequilibrium with a view to their resale as soon as the market situation has improved; whereas, accordingly, products offered for intervention must be suitable, according to case, for human or animal consumption;

Whereas Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down the maximum permitted levels of radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency ⁽³⁾ specifies the procedure to be followed in cases of radiological emergency for the determination of levels of radioactive contamination which foodstuffs and feedingstuffs must comply with if they are to be offered for sale; whereas, consequently, agricultural products in which such radioactive contamination levels are exceeded may not be bought in;

Whereas Article 3 of Council Regulation (EEC) No 1707/86 of 30 May 1986 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station ⁽⁴⁾, as last amended by Regulation (EEC) No 624/87 ⁽⁵⁾, sets maximum permitted levels of radioactivity; whereas, following the expiry of Regulation (EEC) No 1707/86, the same maximum permitted levels were included in Article 3 of Council Regulation (EEC) No 3955/87 ⁽⁶⁾ superseding it; whereas agricultural products exceeding the maximum permitted levels cannot be considered as being of sound and fair merchantable quality;

Whereas it has been ascertained that as a result of the accident mentioned above, some Community agricultural production has undergone, to varying degrees, radioactive contamination; whereas it should be made clear that agricultural products of Community origin exceeding the values fixed in Article 3 of Regulation (EEC) No 3955/87 cannot be bought in;

Whereas Article 2 of Commission Regulation (EEC) No 3472/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1859/88 ⁽⁸⁾, lays down the conditions for the buying-in of olive oil; whereas those conditions should be clarified; whereas Regulation (EEC) No 3472/85 should be amended accordingly;

Whereas the degree of radioactive contamination of foodstuffs following a radiological emergency situation varies with the characteristics of the accident and the type of products; whereas the decision as to the need to carry out monitoring and on the controls themselves must accordingly be adapted to each situation and must take account, for example, of the characteristics of the regions, the products and the radionuclides concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following point (c) is hereby added to the first subparagraph of Article 2 (4) of Regulation (EEC) No 3472/85:

'(c) has checked that the radioactive content of the oil offered does not exceed the maximum levels of radioactivity permitted under Community regulations. The levels applicable to products of Community origin contaminated as a result of the accident at the Chernobyl nuclear power-station shall be those fixed in Article 3 of Council Regulation (EEC) No 3955/87 ^(*). The level of radioactive contamination of the product shall be monitored if the situation so requires and during the period necessary only. Where necessary, the duration and scope of the controls shall be determined in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

(*) OJ No L 371, 30. 12. 1987, p. 14.

Article 2

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

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 88.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 101.

⁽⁶⁾ OJ No L 371, 30. 12. 1987, p. 14.

⁽⁷⁾ OJ No L 333, 11. 12. 1985, p. 5.

⁽⁸⁾ OJ No L 166, 1. 7. 1988, p. 13.

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

Done at Brussels, 9 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3503/88

of 10 November 1988

derogating from the minimum total alcoholic strength by volume laid down for
vinho verde

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 257 (1) thereof,Whereas regulations provide that the total alcoholic
strength by volume of Community wine may not be less
than 9 % vol; whereas however it may be reduced to 8,5
vol;Whereas, in order to facilitate the opening of the
Community market to Portuguese vinho verde, the total
alcoholic strength by volume of which is traditionally
higher than or equal to 8,5 %, provision should be made
in the first stage of accession for freedom of movement
with that minimum alcoholic strength;Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Wine,

HAS ADOPTED THIS REGULATION:

*Article 1*Until 31 December 1990 vinho verde from Portugal may
have a total alcoholic strength by volume of not less than
8,5 % vol.*Article 2*This Regulation shall enter into force on the day of its
publication in the *Official Journal of the European
Communities*.

It shall apply with effect from 1 November 1988.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3504/88

of 10 November 1988

establishing ceilings and Community surveillance for imports of carrots and onions originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1989)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 1821/87 ⁽²⁾, and in particular Articles 13 and 22 thereof,

Whereas Article 13 of Regulation (EEC) No 486/85 stipulates that, for the period from 1 January to 31 March, carrots falling within CN code ex 0706 10 00 and, for the period from 15 February to 15 May, onions falling within CN code 0703 10 and originating in the States in question are subject on importation into the Community to the reduced rates of duty of 10,2 % and 4,8 % respectively; whereas such reduction of duties applies only up to ceilings of 800 tonnes for each of these products, above which the customs duties actually applied in respect of third countries are re-established;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention ⁽³⁾ consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities, Spain and Portugal are to postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72 ⁽⁴⁾, as last amended by Regulation (EEC) No 2238/88 ⁽⁵⁾, until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the above tariff concession does not apply at present in Spain and Portugal;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Com-

munity level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of products listed in the Annex originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall, in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their combined nomenclature codes, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which the collection customs duties is re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁵⁾ OJ No L 198, 26. 7. 1988, p. 1.

3. As soon as a ceiling has been reached, the Commission shall adopt a regulation re-establishing, until the end of its period of validity, the customs duties applicable in respect of third countries.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 10 November 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

Order No	CN code	Description	Customs duty applicable	Level of ceiling (tonnes)
12.0010	ex 0706 10 00	Carrots, from 1 January to 31 March 1989	10,2	800
12.0020	ex 0703 10	Onions, from 1 February to 15 May 1989	4,8	800

COMMISSION REGULATION (EEC) No 3505/88
of 10 November 1988
fixing the aid for cotton

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3026/88 ⁽⁴⁾, as last amended by Regulation (EEC) No 3369/88 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginning cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 56,180 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 November 1988.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 8.

⁽⁴⁾ OJ No L 271, 1. 10. 1988, p. 69.

⁽⁵⁾ OJ No L 296, 29. 10. 1988, p. 51.

COMMISSION REGULATION (EEC) No 3506/88

of 10 November 1988

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas, for products falling within subheadings ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93 of the combined nomenclature, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within headings 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than 140 ECU/100 kg;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 0401, 0402, 0403, 0404, 0405 and 2309 of the combined nomenclature.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 11 November 1988.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 10 November 1988 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0401 10 10 000		5,64
0401 10 90 000		5,64
0401 20 11 100		5,64
0401 20 11 500		9,08
0401 20 19 100		5,64
0401 20 19 500		9,08
0401 20 91 100		12,31
0401 20 91 500		14,46
0401 20 99 100		12,31
0401 20 99 500		14,46
0401 30 11 100		18,77
0401 30 11 400		29,32
0401 30 11 700		44,39
0401 30 19 100		18,77
0401 30 19 400		29,32
0401 30 19 700		44,39
0401 30 31 100		53,00
0401 30 31 400		83,14
0401 30 31 700		91,75
0401 30 39 100		53,00
0401 30 39 400		83,14
0401 30 39 700		91,75
0401 30 91 100		104,67
0401 30 91 400		154,19
0401 30 91 700		180,02
0401 30 99 100		104,67
0401 30 99 400		154,19
0401 30 99 700		180,02
0402 10 11 000		62,00
0402 10 19 000		62,00
0402 10 91 000		0,6200
0402 10 99 000		0,6200
0402 21 11 200		62,00
0402 21 11 300		96,31
0402 21 11 500		102,84
0402 21 11 900		112,06
0402 21 17 000		62,00
0402 21 19 300		96,31
0402 21 19 500		102,84
0402 21 19 900		112,06
0402 21 91 100		113,05
0402 21 91 200		113,99
0402 21 91 300		115,71
0402 21 91 400		125,81
0402 21 91 500		129,25
0402 21 91 600		142,31
0402 21 91 700		150,25
0402 21 91 900		159,00
0402 21 99 100		113,05

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 21 99 200		113,99
0402 21 99 300		115,71
0402 21 99 400		125,81
0402 21 99 500		129,25
0402 21 99 600		142,31
0402 21 99 700		150,25
0402 21 99 900		159,00
0402 29 15 200		0,6200
0402 29 15 300		0,9631
0402 29 15 500		1,0284
0402 29 15 900		1,1206
0402 29 19 200		0,6200
0402 29 19 300		0,9631
0402 29 19 500		1,0284
0402 29 19 900		1,1206
0402 29 91 100		1,1305
0402 29 91 500		1,2581
0402 29 99 100		1,1305
0402 29 99 500		1,2581
0402 91 11 110		5,64
0402 91 11 120		12,31
0402 91 11 310		19,86
0402 91 11 350		25,09
0402 91 11 370		31,42
0402 91 19 110		5,64
0402 91 19 120		12,31
0402 91 19 310		19,86
0402 91 19 350		25,09
0402 91 19 370		31,42
0402 91 31 100		25,01
0402 91 31 300		37,13
0402 91 39 100		25,01
0402 91 39 300		37,13
0402 91 51 000		29,32
0402 91 59 000		29,32
0402 91 91 000		104,67
0402 91 99 000		104,67
0402 99 11 110		0,0564
0402 99 11 130		0,1231
0402 99 11 150		0,2056
0402 99 11 310		22,91
0402 99 11 330		28,25
0402 99 11 350		38,70
0402 99 19 110		0,0564
0402 99 19 130		0,1231
0402 99 19 150		0,2056
0402 99 19 310		22,91
0402 99 19 330		28,25
0402 99 19 350		38,70
0402 99 31 110		0,2717
0402 99 31 150		40,42
0402 99 31 300		0,5300
0402 99 31 500		0,9175
0402 99 39 110		0,2717
0402 99 39 150		40,42
0402 99 39 300		0,5300

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,9175
0402 99 91 000		1,0467
0402 99 99 000		1,0467
0403 10 11 100		5,64
0403 10 11 300		9,08
0403 10 13 000		12,31
0403 10 19 000		18,77
0403 10 31 100		0,0564
0403 10 31 300		0,0908
0403 10 33 000		0,1231
0403 10 39 000		0,1877
0403 90 11 000		62,00
0403 90 13 000		62,00
0403 90 19 000		113,05
0403 90 31 000		0,6200
0403 90 33 000		0,6200
0403 90 39 000		1,1305
0403 90 51 100		5,64
0403 90 51 300		9,08
0403 90 53 000		12,31
0403 90 59 110		18,77
0403 90 59 140		29,32
0403 90 59 170		44,39
0403 90 59 310		53,00
0403 90 59 340		83,14
0403 90 59 370		91,75
0403 90 59 510		104,67
0403 90 59 540		154,19
0403 90 59 570		180,02
0403 90 61 100		0,0564
0403 90 61 300		0,0908
0403 90 63 000		0,1231
0403 90 69 000		0,1877
0404 90 11 100		62,00
0404 90 11 910		5,64
0404 90 11 950		19,86
0404 90 13 120		62,00
0404 90 13 130		96,31
0404 90 13 140		102,84
0404 90 13 150		112,06
0404 90 13 911		5,64
0404 90 13 913		12,31
0404 90 13 915		18,77
0404 90 13 917		29,32
0404 90 13 919		44,39
0404 90 13 931		19,86
0404 90 13 933		25,09
0404 90 13 935		31,42
0404 90 13 937		37,13
0404 90 13 939		38,87
0404 90 19 110		113,05
0404 90 19 115		113,99
0404 90 19 120		115,71
0404 90 19 130		125,81
0404 90 19 135		129,25

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 19 150		142,31
0404 90 19 160		150,25
0404 90 19 180		159,00
0404 90 19 900		—
0404 90 31 100		62,00
0404 90 31 910		5,64
0404 90 31 950		19,86
0404 90 33 120		62,00
0404 90 33 130		96,31
0404 90 33 140		102,84
0404 90 33 150		112,06
0404 90 33 911		5,64
0404 90 33 913		12,31
0404 90 33 915		18,77
0404 90 33 917		29,32
0404 90 33 919		44,39
0404 90 33 931		19,86
0404 90 33 933		25,09
0404 90 33 935		31,42
0404 90 33 937		37,13
0404 90 33 939		38,87
0404 90 39 110		113,05
0404 90 39 115		113,99
0404 90 39 120		115,71
0404 90 39 130		125,81
0404 90 39 150		129,25
0404 90 39 900		—
0404 90 51 100		0,6200
0404 90 51 910		0,0564
0404 90 51 950		22,91
0404 90 53 110		0,6200
0404 90 53 130		0,9631
0404 90 53 150		1,0284
0404 90 53 170		1,1206
0404 90 53 911		0,0564
0404 90 53 913		0,1231
0404 90 53 915		0,1877
0404 90 53 917		0,2932
0404 90 53 919		0,4439
0404 90 53 931		22,91
0404 90 53 933		28,25
0404 90 53 935		38,70
0404 90 53 937		40,42
0404 90 53 939		—
0404 90 59 130		1,1305
0404 90 59 150		1,2581
0404 90 59 930		0,6377
0404 90 59 950		0,9175
0404 90 59 990		1,0467
0404 90 91 100		0,6200
0404 90 91 910		0,0564
0404 90 91 950		22,91
0404 90 93 110		0,6200
0404 90 93 130		0,9631
0404 90 93 150		1,0284

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,1206
0404 90 93 911		0,0564
0404 90 93 913		0,1231
0404 90 93 915		0,1877
0404 90 93 917		0,2932
0404 90 93 919		0,4439
0404 90 93 931		22,91
0404 90 93 933		28,25
0404 90 93 935		38,70
0404 90 93 937		40,42
0404 90 93 939		—
0404 90 99 130		1,1305
0404 90 99 150		1,2581
0404 90 99 930		0,6377
0404 90 99 950		0,9175
0404 90 99 990		1,0467
0405 00 10 100		—
0405 00 10 200		139,88
0405 00 10 300		175,98
0405 00 10 500		180,49
0405 00 10 700		185,00
0405 00 90 100		185,00
0405 00 90 900		232,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	75,00
	404	—
	...	87,74
0406 20 90 915	028	—
	032	—
	400	100,00
	404	—
	...	116,99
0406 20 90 917	028	—
	032	—
	400	106,25
	404	—
	...	124,30
0406 20 90 919	028	—
	032	—
	400	118,75
	404	—
	...	138,92
0406 20 90 990		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	15,41
	404	—
	...	23,26

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	33,48
	404	—
	...	50,52
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	33,48
	404	—
	...	50,52
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	49,14
	404	—
	...	74,16
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	33,48
	404	—
	...	50,52
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	49,14
	404	—
	...	74,16
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	71,56
	404	—
	...	108,00
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	33,48
	404	20,00
	...	50,52

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	49,14
	404	28,00
	...	74,16
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	71,56
	404	—
	...	108,00
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	71,56
	404	—
	...	108,00
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	87,34
	404	—
	...	131,82
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	87,34
	404	—
	...	131,82
0406 40 00 100 0406 40 00 900	028	—
	032	—
	038	—
	400	65,00
	404	—
	...	131,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	96,00
	404	—
	...	164,34
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	96,00
	404	—
	...	164,34

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 15 900		—
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	96,00
	404	—
	...	164,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	100,00
	404	—
	...	156,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	50,00
	404	—
	...	140,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	50,00
	404	—
	...	140,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	43,18
	404	—
	...	119,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	48,06
	404	16,00
	...	93,27

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (°)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	44,92
	404	14,96
	...	87,18
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	48,06
	404	16,00
	...	93,27
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	44,92
	404	14,96
	...	87,18
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	48,06
	404	16,00
	...	93,27
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	44,92
	404	14,96
	...	87,18
0406 90 33 959		—
0406 90 35 110		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	100,00
	404	—
	...	135,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	170,00
	404	140,00
	...	190,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	217,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	130,00
	404	80,00
	...	170,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	130,00
	404	80,00
	...	170,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	40,26
	404	—
	...	91,15

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	44,39
	404	—
	...	100,50
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	50,45
	404	—
	...	114,22
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	100,00
	404	—
	...	135,00
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	50,00
	404	—
	...	140,35
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	156,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	50,00
	404	—
	...	130,96
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	45,21
	404	—
	...	114,22

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	50,00
	404	—
	...	140,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	...	140,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	43,18
	404	—
	...	119,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	100,00
	404	—
	...	135,00
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	30,02
	404	—
	...	50,97
0406 90 83 990	028	—
	032	—
	400	30,02
	404	—
	...	50,97
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	163,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	100,00
	404	—
	...	135,00
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	50,00
	404	—
	...	140,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	40,26
	404	—
	...	91,15
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	44,39
	404	—
	...	100,50
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	50,45
	404	—
	...	114,22
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	156,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	100,00
	404	—
	...	135,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (°)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	59,00
	404	—
	...	140,35
0406 90 89 972	028	—
	032	—
	400	30,02
	404	—
	...	50,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	59,00
	404	—
	...	140,35
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	18,09
	404	—
	...	21,46
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	31,72
	404	—
	...	37,62
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	38,62
	404	—
	...	45,81
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		—
2309 10 15 300		—
2309 10 15 400		—
2309 10 15 500		—
2309 10 15 700		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		—
2309 10 19 300		—
2309 10 19 400		—
2309 10 19 500		—
2309 10 19 600		—
2309 10 19 700		—
2309 10 19 800		—
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		18,60
2309 10 70 200		24,80
2309 10 70 300		31,00
2309 10 70 500		37,20
2309 10 70 600		43,40
2309 10 70 700		49,60
2309 10 70 800		54,56
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		—
2309 90 35 300		—
2309 90 35 400		—
2309 90 35 500		—
2309 90 35 700		—
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		—
2309 90 39 300		—
2309 90 39 400		—
2309 90 39 500		—
2309 90 39 600		—
2309 90 39 700		—
2309 90 39 800		—
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		18,60
2309 90 70 200		24,80
2309 90 70 300		31,00
2309 90 70 500		37,20
2309 90 70 600		43,40
2309 90 70 700		49,60
2309 90 70 800		54,56
2309 90 70 900		—

(¹) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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

COMMISSION REGULATION (EEC) No 3507/88
of 10 November 1988

introducing a countervailing charge and suspending the preferential customs duty on imports of mandarins, including tangerines and satsumas, Wilkings and other similar citrus hybrids, with the exception of clementines originating in Turkey

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 Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 3198/88 of 18 October 1988 fixing the reference price for mandarins, including tangerines and satsumas, Wilkings and other similar citrus hybrids, with the exception of clementines for the 1988/89 marketing year⁽³⁾ fixed the reference price for products of class I from 1 November 1988 to 28 February 1989 at 27,51 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative price or the arithmetic mean of the lowest prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for mandarins, including tangerines and satsumas, Wilkings and other similar citrus hybrids, with the exception of clementines originating in Turkey, the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these mandarins, including tangerines and satsumas, Wilkings and other similar citrus hybrids, with the exception of clementines;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, a rate of customs duty of 5,6 % should be reintroduced;

Whereas if the system is to operate normally the entry price 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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 284, 19. 10. 1988, p. 20.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

CN codes 0805 20 30, 0805 20 50, 0805 20 70 and 0805 20 90 originating in Turkey.

Article 1

1. A countervailing charge of 3,97 ECU per 100 kilograms net is applied on imports of mandarins, including tangerines and satsumas, Wilkings and other similar citrus hybrids, with the exception of clementines falling within

2. The import duty on these products is fixed at 5,6 %.

Article 2

This Regulation shall enter into force on 12 November 1988.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3508/88

of 10 November 1988

amending Regulation (EEC) No 1928/88 as regards certain accession compensatory amounts in trade with Spain in certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 466/86 of 25 February 1986 determining the general rules for the system of accession compensatory amounts for milk and milk products on account of the accession of Spain⁽¹⁾, and in particular Article 6 thereof,

Whereas, pursuant to Commission Regulation (EEC) No 1928/88 of 30 June 1988 laying down the level of the accession compensatory amounts for milk and milk products applicable for the 1988/89 milk year in trade with Spain⁽²⁾, as amended by Regulation (EEC) No 2992/88⁽³⁾, accession compensatory amounts have been fixed for milk and cream excluding goats' and sheep's milk and cream; whereas, however, for most of the other milk products, accession compensatory amounts have been fixed without taking account of the origin of the milk used; whereas, to avoid deflection of trade, the application of accession compensatory amounts for milk products should be ruled out if they are manufactured using goats' or sheep's milk;

Whereas it should also be specified that for products comprising mixtures, the compensatory amount applicable is to be that corresponding to the sum of the compensatory amounts fixed for each constituent;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1928/88 is hereby amended as follows:

1. The following paragraph is added to Article 1:

'However, no accession compensatory amount shall be granted on the export from Spain of milk products covered by CN codes 0401, 0402, 0403 and 0404 containing goats' or sheep's milk or cream'.

2. In the Annex:

(a) the columns headed 'CN code' and 'Description of goods' corresponding to codes 0402, 0403 and 0404 are replaced by the following:

'CN code'	Description of goods
ex 0402	Milk and cream, concentrated or containing added sugar or other sweetening matter excluding goats' or sheep's milk and cream
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa, excluding products manufactured exclusively from goats' and sheep's milk and cream
ex 0404	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included excluding products manufactured exclusively from goats' or sheep's milk and cream

(b) the reference '(1)' is added opposite CN code 0404 90 in the column headed 'Compensatory amount in ECU';

(c) the following footnote (11) is added:

'(11) The accession compensatory amount for products comprising various milk products is equal to the sum of the compensatory amounts applicable to each of the constituents taking account of the quantities incorporated.'

(d) (Only concerns the French version);

(e) under 'NB':

— 'and of cheese manufactured' is hereby replaced by 'and the products manufactured',

— 'the cheese in question' is hereby replaced by 'the product in question'.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 23.

⁽²⁾ OJ No L 169, 1. 7. 1988, p. 25.

⁽³⁾ OJ No L 270, 30. 9. 1988, p. 59.

Article 2

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

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3509/88
of 10 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 destination;

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

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

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

⁽¹⁾ OJ No L 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 11 November 1988.

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

Done at Brussels, 10 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 10 November 1988 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

Product code	Destination (1)	Amount of refund (ECU/tonne)
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	02	20,00 (?)
	04	21,00 (?)
	07	22,00 (?)
1001 90 91 000	01	0
1001 90 99 000	05	52,00
	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
	06	72,00
	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 Zones I and VIII,
- 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).

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3360/88 of 28 October 1988 on the supply of refined sunflower oil as food aid to the United Nations Relief and Works Agency for Palestinian refugees in the Near East (UNRWA)

(Official Journal of the European Communities No L 296 of 29 October 1988)

On page 36 Annex II should read as follows:

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
1	43,85		UNRWA	Israel	Action No 900/88 / Sunflower oil / Gift of the EEC to UNRWA for free distribution to Palestine refugees / Ashdod
2	110		UNRWA	Lebanon	Action No 897/88 / Sunflower oil / Gift of the EEC to UNRWA for free distribution to Palestine refugees / Beirut
3	55		UNRWA	SAR	Action No 898/88 / Sunflower oil / Gift of the EEC to UNRWA for free distribution to Palestine refugees / Lattakia
4	105		UNRWA	Jordan	Action No 899/88 / Sunflower oil / Gift of the EEC to UNRWA for free distribution to Palestine refugees / Aqaba

Corrigendum to Commission Regulation (EEC) No 3398/88 of 31 October 1988 fixing the amount of the subsidy on oil seeds

(Official Journal of the European Communities No L 299 of 1 November 1988)

Page 44, Annex I, under 2.(a) Seed harvested and processed in Ireland, in the column headed '2nd period':

for: '17,731',

read: '17,371'.
