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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3527/86
of 17 November 1986
amending Regulation (EEC) No 2036/82 adopting general rules concerning
special measures for peas, field beans and sweet lupins

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 3127/86⁽²⁾, and in particular Article 3 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 1 and 2 of Regulation (EEC) No 2036/82⁽³⁾, as last amended by Regulation (EEC) No 1832/85⁽⁴⁾, referred to the average world market price; whereas the word 'average' was deleted from this expression in Regulation (EEC) No 1431/82 in order to avoid

difficulties of interpretation; whereas the wording of Regulation (EEC) No 2036/82 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation (EEC) No 2036/82 the word 'average' shall be deleted from paragraph 1, the second subparagraph of paragraph 2, paragraph 3 and the first subparagraph of paragraph 4 of Article 1 and from the first subparagraph of paragraph 5 of Article 2.

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, 17 November 1986.

For the Council

The President

M. JOPLING

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 292, 16. 10. 1986, p. 1.

⁽³⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁴⁾ OJ No L 173, 3. 7. 1985, p. 3.

COUNCIL REGULATION (EEC) No 3528/86

of 17 November 1986

on the protection of the Community's forests against atmospheric pollution

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

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

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

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

Whereas forests play an essential part in maintaining fundamental balances, particularly as regards soil, water, climate, fauna and flora; whereas they therefore contribute to the development of agriculture, a sector in which production conditions and, in some cases, the very existence of activity depend largely on the presence and health of neighbouring forests;

Whereas atmospheric pollution, through its directly and indirectly harmful effects on forest vegetation and soil, contribute to the deterioration and even death of forest trees; whereas the increase in damage suffered by forests is giving rise to concern in the Community;

Whereas the protection of forests against this damage is thus a matter of particular importance and urgency in the Community; whereas the Community must for its part contribute to the improvement of such protection;

Whereas the chief objective of the Community scheme must be to establish, on the basis of an appropriate observation network, a uniform periodic inventory of the damage caused to forests;

Whereas, in particular on the basis of the data thus obtained, periodic forest health reports with reference to atmospheric pollution must be scientifically drawn up in order to determine the extent of damage and monitor its progress in the different regions of the Community;

Whereas it is necessary to improve methods of observing and measuring damage to forests, as well as the understanding of atmospheric pollution in forests and the effects of such pollution on forests; whereas methods of maintaining and restoring damaged forests must be devised; whereas to that end the Community must

encourage the carrying out of field experiments and pilot and demonstration projects;

Whereas the Commission should be responsible for coordinating and monitoring the Community scheme and to that end must be able to call on the services of research institutes and scientific advisers;

Whereas to facilitate implementation of the measures envisaged, provision should be made for a procedure establishing close cooperation between the Member States and the Commission;

Whereas before the end of a five-year period the measures taken must be reviewed in the light, *inter alia*, of the experience acquired and the progress of the damage observed;

Whereas the Community should help to finance Community schemes for the protection of forests against atmospheric pollution;

Whereas, given the innovatory nature of some of the measures provided for, it is appropriate to review the financial aspects of this Regulation after a period of two years, to enable any necessary budgetary adjustments to be made;

Whereas the Treaty has not provided for all the powers necessary for this purpose,

HAS ADOPTED THIS REGULATION:

Article 1

A Community scheme is hereby established to protect forests against atmospheric pollution, hereinafter referred to as 'scheme', in order to provide increased protection for forests in the Community and thereby contribute in particular to safeguarding the productive potential of agriculture.

Article 2

1. The aim of the scheme shall be to help Member States to:

- establish on the basis of common methods a periodic inventory of damage caused to forests, in particular by atmospheric pollution,
- establish or extend, in a co-ordinated and harmonious way, the network of observation points required to draw up this inventory.

⁽¹⁾ OJ No C 187, 13. 7. 1983, p. 9.

⁽²⁾ OJ No C 172, 2. 7. 1984, p. 87.

⁽³⁾ OJ No C 358, 31. 12. 1983, p. 50.

2. Member States shall forward to the Commission the data gathered by the network of observation points.

3. The detailed rules for the implementation of this Article and in particular those relating to the gathering, nature and comparability of the inventory data shall be laid down according to the procedure provided for in Article 7.

Article 3

1. Each Member State shall, using a uniform scientific method, draw up, in particular on the basis of the inventory data referred to in Article 2, a periodic forest health report with reference to atmospheric pollution. It shall forward it to the Commission.

2. The detailed rules for implementing this Article shall be laid down according to the procedure provided for in Article 7.

Article 4

1. The scheme shall aim at encouraging the carrying out of:

- experiments in the field to improve understanding of atmospheric pollution in forests and its effects on forests and to devise methods of maintaining and restoring damaged forests,
- pilot and demonstration projects to improve methods of observing and measuring damage to forests.

2. Before 1 November each year, Member States shall submit to the Commission, in respect of the following year, the experiments and projects to be carried out under this Regulation. For the first year, the experiments and projects shall be submitted within three months following the entry into force of this Regulation.

3. The Member States shall inform the Commission of:

- (a) the geographical areas concerned;
- (b) the existing situation and the objectives to be attained;
- (c) an estimate of costs plus, where appropriate, an indication of the projected expenditure rate.

4. The detailed rules and criteria of implementation of this Article shall be adopted in accordance with the procedure laid down in Article 7.

Article 5

The Commission shall be responsible for coordinating and monitoring the scheme. It may, in particular, call on the services of research institutes and scientific advisers.

Article 6

1. A Committee on Forest Protection is hereby set up, hereinafter referred to as the 'Committee'.

2. The Committee shall consist of representatives of the Member States and of the Commission. Each Member

State shall be represented in the Committee by not more than two officials.

The Committee shall be chaired by a representative of the Commission.

Article 7

1. Where the procedure laid down in this Article is to be followed, matters shall be referred to the Committee by the Chairman, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit to the Committee a Draft of the measures to be adopted. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by a majority of 54 votes, the votes of the Member States being weighted as provided for in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. (a) The Commission shall adopt the intended measures when they are in accordance with the Committee's opinion.

(b) Where the intended measures are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of three months from the date on which the matter was referred to it, the Council has not adopted any measures, the Commission shall adopt the proposed measures and apply them immediately.

Article 8

Where this Article is referred to, the Committee shall act as an Advisory Committee.

Article 9

1. The Committee shall be consulted, within the meaning of Article 8, on:

- the periodic reports referred to in Article 3,
- the experiments and projects referred to in Article 4, prior to any Commission decision on their financing,
- the development of the coordination and monitoring activities referred to in Article 5.

2. The Committee may examine within the meaning of Article 8 any other question within the scope of this Regulation raised by its Chairman, either on his own initiative or at the request of a representative of a Member State.

Article 10

The Chairman shall convene the meetings of the Committee.

Secretarial services for the Committee shall be provided by the Commission.

The Committee shall draw up its own rules of procedure.

Article 11

1. The duration of the scheme shall be five years as from 1 January 1987.
2. The Community shall participate in this scheme up to the limit of the appropriations entered to this effect in the budget of the European Communities and in accordance with the terms of this Regulation. The estimated cost of the scheme to the Community for the period concerned is 10 million ECU.
3. Before 1 July 1989, and on the basis of the 1987 and 1988 reports referred to in Article 15, the Council, acting on a proposal from the Commission, shall re-examine the financial aspects of this Regulation.
4. Before expiry of the period referred to in paragraph 1, this Regulation shall be reviewed by the Council, acting on a proposal from the Commission.

Article 12

The Community financial contribution to the measures involved in the scheme shall be as follows:

- (1) Periodic inventory and network of observation points (Article 2):
Maximum of 30 % of the expenditure approved by the Commission.
- (2) Experiments, pilot and demonstration projects (Article 4):
Maximum of 30 % of the expenditure approved by the Commission.

Article 13

Member States shall designate the authorities and agencies empowered to carry out the measures adopted in accordance with this Regulation as well as the authorities

and agencies to which the Commission will reimburse the sums corresponding to the Community's financial contribution.

Article 14

Member States shall adopt, in accordance with their national laws, regulations and administrative provisions, the measures necessary to:

- ensure that the operations financed by the Community are actually carried out and that they are carried out in the proper manner,
- prevent irregularities,
- recover sums lost as a result of any irregularity or negligence.

Member States shall provide the Commission with all the necessary information and shall make any arrangements which may facilitate the checks, including on-the-spot inspections, with the Commission considers appropriate for the purposes of managing Community financing. Member States shall inform the Commission of the arrangements made to this end.

Article 15

The Commission shall submit an annual report to the European Parliament and the Council on progress in the field covered by this Regulation.

Article 16

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

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

Done at Brussels, 17 November 1986.

For the Council
The President
M. JOPLING

COUNCIL REGULATION (EEC) No 3529/86
of 17 November 1986
on protection of the Community's forests against fire

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

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

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

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

Whereas forests play an essential part in maintaining fundamental balances, particularly as regards soil, water, climate, fauna and flora; whereas they therefore contribute to safeguarding and promoting the development of agriculture, a sector in which production conditions and, in some cases, the very existence of activity depend largely on the presence and health of neighbouring forests;

Whereas the forests of the Community have been seriously damaged by fire; whereas the situation is increasingly giving grounds for concern;

Whereas the protection of forests against fire is thus a matter of particular importance and urgency in the Community; whereas the Community must contribute to the improvement of such protection;

Whereas Member States must be encouraged to reinforce forest fire prevention measures in order to reduce the number and the scale of outbreaks of fire;

Whereas, by encouraging the development of fire prevention techniques, equipment and products, Member States will be able to reduce the number and scale of forest fires;

Whereas the implementation of forest fire prevention measures will be more effective if backed up by supplementary measures to encourage harmonization of techniques and equipment, including coordination of the necessary research;

Whereas to facilitate implementation of the measures envisaged, provision should be made for a procedure establishing close cooperation between the Member States and the Commission;

Whereas before the end of a five-year period the measures taken must be reviewed in the light, *inter alia*, of the experience acquired and the results obtained;

Whereas the Community should help to finance Community schemes for the protection of forests against fire;

Whereas, given the innovatory nature of some of the measures provided for, it is appropriate to review the financial aspects of this Regulation after a period of two years, to enable any necessary budgetary adjustments to be made;

Whereas the Treaty has not provided for all the powers necessary for this purpose,

HAS ADOPTED THIS REGULATION:

Article 1

A Community scheme is hereby established to protect forests against fire, hereinafter referred to as 'scheme', in order to provide increased protection for forests in the Community and thereby contribute to safeguarding in particular the productive potential of agriculture.

Article 2

1. The scheme shall cover the following preventive measures:

- (a) encouragement for forestry operations designed to reduce the risk of fire;
- (b) encouragement for the purchase of brush-clearance equipment where indispensable;
- (c) the provision of forest roads, fire belts and water supplies;
- (d) the installation of fixed or mobile look-out structures;
- (e) the organization of information campaigns;
- (f) assistance in establishing interdisciplinary data-gathering centres and assistance for subsequent analytical surveys of the data gathered.

These measures shall be supplemented by the following:

- encouragement for the training of highly specialized personnel,
- encouragement for the harmonization of techniques and equipment,
- co-ordination of the research necessary for implementing the measures referred to in the first and second indents.

⁽¹⁾ OJ No C 187, 13. 7. 1983, p. 9.

⁽²⁾ OJ No C 172, 2. 7. 1984, p. 87.

⁽³⁾ OJ No C 358, 31. 12. 1983, p. 50.

2. The detailed rules and criteria for the application of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 7 of Council Regulation (EEC) No 3528/86 of 17 November 1986 on the protection of the Community's forests against atmospheric pollution⁽¹⁾.

Article 3

1. Before 1 November each year, Member States shall submit to the Commission, in respect of the following year, their programmes or projects to increase the protection of forests against fire. For the first year, these programmes or projects shall be submitted within three months of the entry into force of this Regulation.

The programmes or projects shall:

- (a) specify the geographical areas concerned;
- (b) describe the existing situation;
- (c) describe the objectives to be attained and state priorities;
- (d) contain an estimate of the costs and necessary financial resources with, where appropriate, an indication of the projected expenditure rate;
- (e) contain an assessment of the beneficial effects of the programme or project on the general state of the forests concerned.

2. The detailed rules and criteria for the implementation of paragraph 1 shall be adopted in accordance with the procedure laid down in Article 7 of Regulation (EEC) No 3528/86.

Article 4

1. The Committee on Forest Protection set up under Article 6 of Regulation (EEC) No 3528/86 shall be consulted, within the meaning of Article 8 of the said Regulation, on:

- all measures that the Member States intend to adopt pursuant to this Regulation,
- all the programmes or projects referred to in Article 3 of this Regulation, prior to any Commission Decision on those programmes or projects, in particular on the granting of Community aid.

2. The Committee may examine, within the meaning of Article 8 of Regulation (EEC) No 3528/86 any other question within the scope of this Regulation raised by its Chairman either on his own initiative or at the request of a representative of a Member State.

Article 5

1. The duration of the scheme shall be five years as from 1 January 1987.

2. The Community shall participate in this scheme up to the limit of the appropriations entered to this effect in

the general budget of the European Communities and in accordance with the terms of this Regulation. The estimated cost of the scheme to the Community for the period concerned is 20 million ECU.

3. Before July 1989, and on the basis of the 1987 and 1988 reports referred to in Article 9, the Council, acting on a proposal from the Commission, shall re-examine the financial aspects of this Regulation.

4. Before expiry of the period referred to in paragraph 1, this Regulation shall be reviewed by the Council, acting on a proposal from the Commission.

Article 6

The Community financial contribution to the measures involved in the scheme shall be as follows:

Preventive and supplementary measures (Article 2):

Maximum of 30 % of the expenditure approved by the Commission.

Article 7

Member States shall designate the authorities and agencies empowered to carry out the measures adopted in accordance with this Regulation as well as the authorities and agencies to which the Commission will reimburse the sums corresponding to the Community's financial contribution.

Article 8

Member States shall adopt, in accordance with their national laws, regulations and administrative provisions, the measures necessary to:

- ensure that the operations financed by the Community are actually carried out and that they are carried out in the proper manner,
- prevent irregularities,
- recover sums lost as a result of any irregularity or negligence.

Member States shall provide the Commission with all the necessary information and shall make any arrangements which may facilitate the checks, including on-the-spot inspections, which the Commission considers appropriate for the purposes of managing Community financing. Member States shall inform the Commission of the arrangements made to this end.

Article 9

The Commission shall submit an annual report to the European Parliament and the Council on the progress in the field covered by this Regulation.

Article 10

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

⁽¹⁾ See page 2 of this Official Journal.

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

Done at Brussels, 17 November 1986.

For the Council

The President

M. JOPLING

COUNCIL REGULATION (EEC) No 3530/86
of 17 November 1986
amending Regulation (EEC) No 3220/84 determining the Community scale for
grading pig carcasses

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 1475/86⁽²⁾, and in particular Articles 2 and 4 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3220/84⁽³⁾ determined a new Community scale for grading pig carcasses to replace that applied under Regulation (EEC) No 2760/75⁽⁴⁾ by the end of a transitional period expiring on 31 December 1988 at the latest;

Whereas Article 4 of Regulation (EEC) No 3220/84 lays down rules concerning the marking and identification of pig carcasses; whereas the need has emerged to clarify that, when an official record of the estimated lean-meat content is drawn up, the Member States may, in addition to identification, provide for obligatory or optional marking of the carcasses,

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

Done at Brussels, 17 November 1986.

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 4 (2) of Regulation (EEC) No 3220/84 is hereby replaced by the following:

'2. By way of derogation from paragraph 1, Member States may lay down that pig carcasses need not be marked if an official record is drawn up comprising for each carcass at least:

- identification,
- warm weight, and
- estimated lean-meat content.'

Article 2

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

For the Council

The President

M. JOPLING

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 19.

⁽³⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 10.

COMMISSION REGULATION (EEC) No 3531/86

of 20 November 1986

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) No 1579/86 ⁽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⁾, 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 2010/86 ⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 19 November 1986;

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 2010/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 November 1986.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 20 November 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	9,84	182,11
10.01 B II	Durum wheat	35,26	238,33 ⁽¹⁾ ⁽⁷⁾
10.02	Rye	46,39	154,53 ⁽⁸⁾
10.03	Barley	16,48	174,34
10.04	Oats	79,01	143,75
10.05 B	Maize, other than hybrid maize for sowing	—	166,59 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	16,48	118,26 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	1,50	166,30 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	27,85	269,83
11.01 B	Rye flour	79,02	231,16
11.02 A I a)	Durum wheat groats and meal	67,98	382,74
11.02 A I b)	Common wheat groats and meal	28,89	290,23

⁽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 10.07 D I (triticale).

⁽⁸⁾ The levy referred to in Article 1 of Council Regulation (EEC) No 2913/86 shall be fixed on the basis of an invitation to tender in accordance with Commission Regulation (EEC) No 3140/86.

COMMISSION REGULATION (EEC) No 3532/86
of 20 November 1986

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 1579/86 ⁽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⁾, 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 2011/86 ⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 19 November 1986;

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 originating in 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 originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 November 1986.

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

Done at Brussels, 20 November 1986.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 20 November 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	<i>(ECU/tonne)</i>			
		Current 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	0	0	9,17
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0,44	0,44	0,44
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	105,35
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	12,84

B. Malt

CCT heading No	Description	<i>(ECU/tonne)</i>				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	16,32	16,32
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	12,20	12,20
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0,78	0,78	0,78	0,78
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0,59	0,59	0,59	0,59
11.07 B	Roasted malt	0	0,68	0,68	0,68	0,68

COMMISSION REGULATION (EEC) No 3533/86
of 20 November 1986

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 1454/86⁽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 414/86⁽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 413/86⁽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, 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⁽⁸⁾, as last amended by Regulation (EEC) No 415/86⁽⁹⁾, 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⁽¹⁰⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹¹⁾ 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⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on

the world market and the Community market and of the levy rates indicated by tenderers;

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 17 and 18 November 1986 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff and on products falling within subheadings 15.17 B I and 23.04 A II of the Common Customs Tariff 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,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 21 November 1986.

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 48, 26. 2. 1986, p. 2.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 48, 26. 2. 1986, p. 3.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	50,00 (*)
15.07 A I b)	50,00 (*)
15.07 A I c)	50,00 (*)
15.07 A II a)	59,00 (²)
15.07 A II b)	82,00 (²)

(¹) For imports of oil falling within this tariff 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 tariff 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 tariff 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)

CCT heading No	Non-member countries
07.01 N II	11,00
07.03 A II	11,00
15.17 B I a)	25,00
15.17 B I b)	40,00
23.04 A II	4,00

COMMISSION REGULATION (EEC) No 3534/86
of 20 November 1986

**introducing a derogation from Regulations (EEC) No 1871/86, (EEC) No 2040/86
and (EEC) No 2096/86 on exemption from the co-responsibility levy on cereals**

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 1579/86 ⁽²⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 2572/86 ⁽³⁾ amending Regulation (EEC) No 2040/86 ⁽⁴⁾ and Commission Regulation (EEC) No 2573/86 ⁽⁵⁾ amending Regulations (EEC) No 1871/86 ⁽⁶⁾ and (EEC) No 2096/86 ⁽⁷⁾ introduce the requirement that exempted cereals must be accompanied by an appropriately endorsed document when consigned from one Member State to another;

Whereas it appears necessary to provide for a temporary derogation from the abovementioned requirement in order to take account of difficulties experienced in some Member States in adapting to the new regime in due time;

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

On application by parties concerned and notwithstanding Articles 3 and 4 of Regulation (EEC) No 2040/86, Article

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

5 (2) of Regulation (EEC) No 1871/86 and Article 4 (2) of Regulation (EEC) No 2096/86, Member States may continue to accept exemption certificates duly issued by the competent authority of another Member State if the following conditions are satisfied:

- (a) The cereals are considered exempt cereals within the meaning of one of the abovementioned Regulations and the document establishing the community status of the cereals has not been validly endorsed by the Member State of departure;
- (b) The cereals were consigned to another Member State during the period between 18 August 1986 and the 10th day following the publication of this Regulation inclusive;
- (c) The applicant produces a valid exemption certificate issued by the competent authority of the Member State of departure;
- (d) The applicant produces proof of release of the cereals for home use in the Member State of destination, duly certified by the customs authorities.

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 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 229, 15. 8. 1986, p. 25.
⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 65.
⁽⁵⁾ OJ No L 229, 15. 8. 1986, p. 28.
⁽⁶⁾ OJ No L 162, 18. 6. 1986, p. 18.
⁽⁷⁾ OJ No L 180, 4. 7. 1986, p. 19.

COMMISSION REGULATION (EEC) No 3535/86
of 20 November 1986

**amending Regulation (EEC) No 765/86 laying down detailed rules for the sale of
butter from intervention stock for export to certain destinations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 765/86 ⁽³⁾, as last amended by Regulation (EEC) No 2247/86 ⁽⁴⁾, lays down rules for the sale of butter from intervention stock for export to certain destinations; whereas that Regulation fixes 30 November 1986 as the final date for removing and delivering the butter either without further processing or after processing;

Whereas, in accordance with the decision concerning milk fat adopted by the Protocol Committee on 31 May 1985 under the International Dairy Arrangement, the derogation permitting exports at a price below the minimum price is to apply until 31 December 1986; whereas, however, butter or processed butter in sales contracts concluded before 31 December 1986 may be delivered within:

- 15 months for sales of up to 150 000 tonnes of butter,
- 18 months for sales in excess of 150 000 tonnes of butter;

Whereas certain provisions of Regulation (EEC) No 765/86 should be adapted accordingly;

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 765/86 is hereby amended as follows:

1. Article 1 (1) is replaced by the following:

'1. Butter bought in pursuant to Article 6 (1) of Regulation (EEC) No 804/68 which is not less than 18

months old on the date of its removal and was manufactured before 1 April 1986 shall be sold until 31 December 1986 under the conditions laid down in this Regulation.'

2. The following paragraph 3 is added to Article 1:

'3. Contracts of sale shall be concluded by 31 December 1986 at the latest.'

3. In Article 9 (4), 'Regulation (EEC) No 3598/85' is replaced by 'Regulation (EEC) No 1057/86'.

4. The first subparagraph of Article 10 (1) is replaced by the following:

'Successful tenderers shall remove the butter which has been sold to them within:

- 15 months in the case of sales of up to 150 000 tonnes of butter,
- 18 months in the case of sales in excess of 150 000 tonnes of butter,

from the date of the contract of sale.'

5. The second subparagraph of Article 11 (2) is replaced by the following paragraph 3:

'3. Acceptance by the customs service of the export declaration for the butter referred to in this Article must take place in the Member State where the butter has been removed from storage within the time limits laid down in the first subparagraph of Article 10 (1).'

6. Article 12 (7) is replaced by the following:

'7. Acceptance by the customs service of the export declaration for the butter processed in accordance with this Article must take place in the Member State where the butter has been processed within the time limits laid down in the first subparagraph of Article 10 (1).'

7. Article 15 is replaced by the following:

Article 15

Delivery to the country of destination must take place within the time limits laid down in the first subparagraph of Article 10 (1).'

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 only to sales contracts concluded from that date.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽³⁾ OJ No L 72, 15. 3. 1986, p. 11.

⁽⁴⁾ OJ No L 196, 18. 7. 1986, p. 25.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3536/86

of 20 November 1986

repealing Regulation (EEC) No 2463/86 on the sale at a price fixed in advance of unprocessed currants from the 1985 harvest held by Greek storage agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 1838/86⁽²⁾, and in particular Article 8 (8) thereof,Having regard to Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables⁽³⁾, and in particular Article 6 (1) thereof,Whereas provisions were laid down in Commission Regulation (EEC) No 2463/86⁽⁴⁾ for sale of unprocessed currants from the 1985 harvest for processing within the Community for consumption; whereas to improve the marketing conditions for unprocessed currants from the

1986 harvest, the sale of unprocessed currants from the 1985 harvest should be stopped;

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

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 2463/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 December 1986.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.⁽⁴⁾ OJ No L 211, 1. 8. 1986, p. 9.

COMMISSION REGULATION (EEC) No 3537/86

of 20 November 1986

on the sale by special tendering procedure of boned beef and veal held by certain 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 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 3768/85⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the Danish, German, Irish, Dutch and United Kingdom intervention agencies are holding stocks of boned intervention meat; whereas an extension of the period of storage for the meat should be avoided on account of the ensuing high costs; whereas, in consequence, it is advisable to make use of the periodic tendering procedure provided for by Commission Regulation (EEC) No 2326/79⁽³⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of approximately:

- 500 tonnes of boned beef and veal held by the Danish intervention agency and put into store before 1 June 1985,

- 2 000 tonnes of boned beef and veal held by the German intervention agency and put into store before 1 January 1986,

- 1 000 tonnes of boned beef and veal held by the Irish intervention agency and put into store before 1 June 1985,

- 250 tonnes of boned beef and veal held by the Dutch intervention agency and put into store before 1 November 1985,

- 1 000 tonnes of boned beef and veal held by the United Kingdom intervention agency and put into store before 1 June 1985.

2. The sale shall take place by means of a tendering procedure in accordance with Regulation (EEC) No 2326/79.

3. Only those tenders may be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 12 January 1987.

Article 2

This Regulation shall enter into force on 24 November 1986.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 266, 24. 10. 1979, p. 6.

COMMISSION REGULATION (EEC) No 3538/86

of 20 November 1986

laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EEC) No 3495/86 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 3495/86 of 13 November 1986 opening for 1986, as an autonomous measure, a special import tariff quota for high-quality fresh, chilled or frozen beef falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 3495/86 opened a tariff quota for high-quality beef and veal; whereas the rules for the application of these arrangements must be established;

Whereas the exporting non-member countries have undertaken to issue certificates of authenticity guaranteeing the origin of these products; whereas the form and layout of these certificates and the procedures for using them must be specified;

Whereas the certificate of authenticity must be issued by an appropriate authority in a non-member country, the standing of which is such as to ensure that the special arrangements are properly applied;

Whereas provision must be made for the Member States to transmit relevant information in connection with these special imports;

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

The special tariff/quota for fresh, chilled or frozen beef and veal provided for in Article 1 (1) of Regulation (EEC) No 3495/86 shall be allocated as follows:

- (a) 2 000 tonnes of chilled boned or boneless meat, falling within subheading 02.01 A II a) 4 bb) of the Common Customs Tariff answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals, aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts).'

- (b) 1 000 tonnes of boned or boneless meat, falling within subheadings 02.01 A II a) 4 bb) and b) 4 bb) 33 of the Common Customs Tariff and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts).'

- (c) 5 000 tonnes product weight of boned or boneless meat, falling within subheadings 02.01 A II a) 4 bb) and b) 4 bb) 33 of the Common Customs Tariff and answering the following definition:

'Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture-grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements:

meat from B or R class carcasses with rounded to straight conformation and a fat-cover class of 2 or 3; the cuts, bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality, will be boxed in cartons bearing the words "high-quality beef".'

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation, at the time it is put into free circulation, of a certificate of authenticity.

2. The certificate of authenticity shall be made out in one original and not less than one copy on a form corresponding to the model in Annex I.

The form shall measure approximately 210 × 297 mm. The paper shall weigh not less than 40 g/m² and shall be white.

⁽¹⁾ OJ No L 323, 18. 11. 1986, p. 3.

3. The forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language or one of the official languages of the exporting country.

The appropriate definition under Article 1 relative to the meat originating from the exporting country shall be shown on the back of the form.

4. The particulars on the original and the copies shall be either typewritten or handwritten. In the latter case they must be printed in block capitals.

5. Each certificate of authenticity shall bear an individual serial number assigned by the issuing authority referred to in Article 4. The copies shall bear the same serial number as the original.

Article 3

1. The certificate of authenticity shall be valid for three months from the date it was issued.

The original certificate of authenticity and one copy shall be presented to the customs authority when the product covered by the certificate is put into free circulation.

However, the certificate issued during the year 1986, may not be presented after 28 February 1987.

2. The copy of the certificate of authenticity referred to in paragraph 1 shall be sent by the customs authorities of the Member State in which the product is placed in free circulation to the designated authorities of that Member State responsible for the communication under Article 6 (1).

Article 4

1. A certificate of authenticity shall be valid only if it is duly completed and endorsed, in accordance with the instruction in Annexes I and II, by one of the issuing authorities listed in Annex II.

2. The certificate of authenticity shall be deemed to have been duly endorsed if it specifies the date and place of issue and if it bears the stamp of the issuing authority and the signature of the person or persons empowered to sign it.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 5

1. The issuing authorities listed in Annex II shall :

- (a) be recognized as competent by the exporting country ;
- (b) undertake to check the particulars set out in the certificates of authenticity ;
- (c) undertake to communicate to the Commission and to the Member States, on request, any useful information enabling the particulars set out in the certificates of authenticity to be evaluated.

2. The list shall be amended if the requirement in paragraph 1 (a) is no longer met or if an issuing authority fails to fulfil one of the obligations incumbent on it.

Article 6

1. The Member States shall communicate to the Commission, in respect of each period of 10 days, not later than 15 days after that period, the quantities of products referred to in Article 1 that have been put into free circulation, broken down by their country of origin and tariff subheading.

2. Under this Regulation the period of 10 days means :
— from the first to the 10th of the month inclusive,
— from the 11th to the 20th of the month inclusive,
— from the 21st to the last day of the month inclusive.

Article 7

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, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

1 Exporter	2 Certificate No	ORIGINAL	
4 Consignee	3 Issuing authority		
6 Means of transport	5 CERTIFICATE OF AUTHENTICITY BEEF AND VEAL SPECIAL AUTONOMOUS/QUOTA TARIFF 1986 Regulation (EEC) No 3538/86		
7 Marks, numbers, number and kind of packages ; description of goods	8 Gross weight (kg)	9 Net weight (kg)	
10 Net weight (in words)			
11 CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf <div style="display: flex; justify-content: space-around; margin-top: 20px;"> Place Date </div> <div style="text-align: center; margin-top: 20px;"> Signature and stamp (or printed seal) </div>			

DEFINITION

**High-quality beef originating in
(appropriate definition)**

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY**

- JUNTA NACIONAL DE CARNES
for meat originating in Argentina, answering the definition in Article 1 (a).
 - INSTITUTO NACIONAL DE CARNES (INAC)
for meat originating in Uruguay, answering the definition in Article 1 (b).
 - SECRETARIA DE INSPECAO DO PRODUTO ANIMAL (SIPA)
for meat originating in Brazil, answering the definition in Article 1 (c).
-

COMMISSION REGULATION (EEC) No 3539/86

of 20 November 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3583/85 of 17 December 1985 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3655/85 of 23 December 1985, laying down detailed rules for the application of import arrangements provided for by Regulations (EEC) No 3582/85 and (EEC) No 3583/85 in the beef and veal sector⁽²⁾, provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3815/85⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 3655/85 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1986 at 10 000 tonnes;

Whereas Article 15 (6) (d) of Regulation (EEC) No 2377/80 lays down that the quantities applied for may be

reduced; whereas, the applications lodged relate to total quantities which exceed the quantities available; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of November 1986 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3655/85 are hereby met to the following extent, 14,275 % of the quantity requested.

Article 2

Applications for licences in respect of the meat referred to in Article 1 entered in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80 are no longer honoured from 1 December 1986.

Article 3

This Regulation shall enter into force on 21 November 1986.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 343, 20. 12. 1985, p. 8.

⁽²⁾ OJ No L 348, 24. 12. 1985, p. 24.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 11.

COMMISSION REGULATION (EEC) No 3540/86

of 20 November 1986

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 3 to 9 November 1986

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⁾,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 ⁽²⁾, 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 3 to 9 November 1986 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of 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 3 to 9 November 1986 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 3 November 1986.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.⁽²⁾ OJ No L 146, 31. 5. 1986, p. 56.

ANNEX

**Amounts to be levied on products which left the territory of the United Kingdom during
the week 3 to 9 November 1986**

(ECU/100 kg net weight)

CCT heading No	Description	Amount
1	2	3
ex 02.01 A II a) and ex 02.01 A II b)	Meat of adult bovine animals, fresh, chilled or frozen :	
	1. Carcases, half-carcases or 'compensated' quarters	26,26474
	2. Separated or unseparated forequarters	21,01179
	3. Separated or unseparated hindquarters	31,51769
	4. Other :	
	aa) Unboned (bone-in)	21,01179
bb) Boned or boneless	35,98269	
ex 02.06 C I a)	Meat salted, in brine, dried or smoked, of adult bovine animals :	
	1. Unboned (bone-in)	21,01179
	2. Boned or boneless	29,94180
ex 16.02 B III b) 1	Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals :	
	aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	11. Containing 80 % or more by weight of beef meat excluding offals and fat	29,94180
	22. Other	21,01179

COMMISSION REGULATION (EEC) No 3541/86

of 20 November 1986

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 1579/86⁽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⁾,
- 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

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.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 21 November 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽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.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 November 1986 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

		(ECU/tonne)
CCT heading No	Description	Refund
10.01 B I	Common wheat and meslin	
	for exports to :	
	— Switzerland, Austria, Liechtenstein, Ceuta and Melilla	122,00
	— zone II b)	128,00
	— other third countries	20,00
10.01 B II	Durum wheat	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	5,00 ⁽²⁾
	— other third countries	10,00 ⁽²⁾
10.02	Rye	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	5,00
	— other third countries	10,00
10.03	Barley	
	for exports to :	
	— Switzerland, Austria, Liechtenstein, Ceuta and Melilla	117,00
	— zone II b)	126,00
	— other third countries	20,00
10.04	Oats	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	—
	— zone I	95,00
	— other third countries	—
10.05 B	Maize, other than hybrid maize for sowing	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	10,00
	— zone I, zone V and the German Democratic Republic	20,00
	— other third countries	—
10.07 B	Millet	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—
ex 11.01 A	Wheat flour :	
	— of an ash content of 0 to 520	175,00
	— of an ash content of 521 to 600	175,00
	— of an ash content of 601 to 900	154,00
	— of an ash content of 901 to 1 100	142,00
	— of an ash content of 1 101 to 1 650	133,00
	— of an ash content of 1 651 to 1 900	118,00

		<i>(ECU/tonne)</i>
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	175,00
	— of an ash content of 701 to 1 150	175,00
	— of an ash content of 1 151 to 1 600	175,00
11.02 A I a)	— of an ash content of 1 601 to 2 000	175,00
	Durum wheat groats and meal :	
	— of an ash content of 0 to 1 300 ⁽¹⁾	306,00 ⁽²⁾
	— of an ash content of 0 to 1 300 ⁽²⁾	290,00 ⁽²⁾
11.02 A I b)	— of an ash content of 0 to 1 300	259,00 ⁽²⁾
	— of an ash content of more than 1 300	244,00 ⁽²⁾
	Common wheat groats and meal :	
	— of an ash content of 0 to 520	175,00

⁽¹⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.

⁽²⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.

⁽³⁾ With the exception of the quantities referred to in the Commission's Decision of 19 March 1986.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985).

COMMISSION REGULATION (EEC) No 3542/86
of 20 November 1986
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1588/86 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

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

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of

exports and the need to avoid disturbances on the Community market;

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

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

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

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 November 1986.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 November 1986 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		11	12	1	2	3	4	5
10.01 B I	Common wheat and meslin for exports to:							
	— China	0	+ 6,00	+ 6,00	+ 6,00	+ 6,00	+ 6,00	+ 6,00
	— other third countries	0	0	0	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	— 1,00	— 2,00	— 4,00	— 4,00	— 4,00
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	—	—	—	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	0	0
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

N. B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985).

COMMISSION REGULATION (EEC) No 3543/86

of 20 November 1986

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 2746/75 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 Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1588/86⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 21 November 1986.

(1) OJ No L 281, 1. 11. 1975, p. 1.
 (2) OJ No L 139, 24. 5. 1986, p. 29.
 (3) OJ No L 281, 1. 11. 1975, p. 78.
 (4) OJ No L 281, 1. 11. 1975, p. 65.
 (5) OJ No L 139, 24. 5. 1986, p. 47.

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

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 November 1986 fixing the export refunds on malt

	<i>(ECU/tonne)</i>
CCT heading No	Refund
11.07 A I b)	162,26
11.07 A II b)	193,25
11.07 B	225,22

COMMISSION REGULATION (EEC) No 3544/86
of 20 November 1986
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1449/86 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION:

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

Article 1

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

Article 2

This Regulation shall enter into force on 21 November 1986.

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

Done at Brussels, 20 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 20 November 1986 fixing the export refunds on rice and broken rice

<i>(ECU/tonne)</i>		
CCT heading No	Description	Amount of refund
ex 10.06	Rice : B. I. Paddy rice ; husked rice : b) Husked rice : 1. Round grain 2. Long grain for export to : — Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italia — Other third countries II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain in bulk or packaged for export to : — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (1) — Zone I — Other third countries in immediate packings of 5 kg net or less for export to : — Zones I, II b), IV a), IV b) and VI, the Canary Islands, Ceuta and Melilla — Zone V a) and VII c) and Canada III. Broken rice	— — 236,00 — — — — — — — — 295,00 358,00 — 355,00 355,00 —

(1) OJ No L 317, 12. 12. 1979, p. 1.

NB : The zones are those defined in the Annex to Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985). The export refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in Regulation (EEC) No 3294/86 (OJ No L 304, 30. 11. 1986).

II

(Acts whose publication is not obligatory)

COUNCIL

THIRTEENTH COUNCIL DIRECTIVE

of 17 November 1986

**on the harmonization of the laws of the Member States relating to turnover taxes
— Arrangements for the refund of value added tax to taxable persons not
established in Community territory**

(86/560/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 99 and 100 thereof,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax : uniform basis of assessment ⁽¹⁾, and in particular Article 17 (4) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁴⁾,

Whereas Article 8 of Directive 79/1072/EEC ⁽⁵⁾ on the arrangements for the refund of value added tax to taxable persons not established in the territory of the country provides that in the case of taxable persons not established in the territory of the Community, Member States may refuse refunds or impose special conditions ;

Whereas there is a need to ensure the harmonious development of trade relations between the Community and

third countries based on the provisions of Directive 79/1072/EEC, while taking account of the varying situations encountered in third countries ;

Whereas certain forms of tax evasion or avoidance should be prevented,

HAS ADOPTED THIS DIRECTIVE :

Article 1

For the purposes of this Directive :

1. 'A taxable person not established in the territory of the Community' shall mean a taxable person as referred to in Article 4 (1) of Directive 77/388/EEC who, during the period referred to in Article 3 (1) of this Directive, has had in that territory neither his business nor a fixed establishment from which business transactions are effected, nor, if no such business or fixed establishment exists, his permanent address or usual place of residence, and who, during the same period, has supplied no goods or services deemed to have been supplied in the Member State referred to in Article 2, with the exception of :
 - (a) transport services and services ancillary thereto, exempted pursuant to Article 14 (1) (i), Article 15 or Article 16 (1), B, C and D of Directive 77/388/EEC ;
 - (b) services provided in cases where tax is payable solely by the person to whom they are supplied, pursuant to Article 21 (1) (b) of Directive 77/388/EEC ;

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽²⁾ OJ No C 223, 27. 8. 1982, p. 5 and
OJ No C 196, 23. 7. 1983, p. 6.

⁽³⁾ OJ No C 161, 20. 6. 1983, p. 111.

⁽⁴⁾ OJ No C 176, 4. 7. 1983, p. 22.

⁽⁵⁾ OJ No L 331, 27. 12. 1979, p. 11.

2. 'Territory of the Community' shall mean the territories of the Member States in which Directive 77/388/EEC is applicable.

Article 2

1. Without prejudice to Articles 3 and 4, each Member State shall refund to any taxable person not established in the territory of the Community, subject to the conditions set out below, any value added tax charged in respect of services rendered or moveable property supplied to him in the territory or the country by other taxable persons or charged in respect of the importation of goods into the country, in so far as such goods and services are used for the purposes of the transactions referred to in Article 17 (3) (a) and (b) of Directive 77/388/EEC or of the provision of services referred to in point 1 (b) of Article 1 of this Directive.

2. Member States may make the refunds referred to in paragraph 1 conditional upon the granting by third States of comparable advantages regarding turnover taxes.

3. Member States may require the appointment of a tax representative.

Article 3

1. The refunds referred to in Article 2 (1) shall be granted upon application by the taxable person. Member States shall determine the arrangements for submitting applications, including the time limits for doing so, the period which applications should cover, the authority competent to receive them and the minimum amounts in respect of which applications may be submitted. They shall also determine the arrangements for making refunds, including the time limits for doing so. They shall impose on the applicant such obligations as are necessary to determine whether the application is justified and to prevent fraud, in particular the obligation to provide proof that he is engaged in an economic activity in accordance with Article 4 (1) of Directive 77/388/EEC. The applicant must certify, in a written declaration, that, during the period prescribed, he has not carried out any transaction which does not fulfil the conditions laid down in point 1 of Article 1 of this Directive.

2. Refunds may not be granted under conditions more favourable than those applied to Community taxable persons.

Article 4

1. For the purposes of this Directive, eligibility for refunds shall be determined in accordance with Article 17 of Directive 77/388/EEC as applied in the Member State where the refund is paid.

2. Member States may, however, provide for the exclusion of certain expenditure or make refunds subject to additional conditions.

3. This Directive shall not apply to supplies of goods which are or may be exempted under point 2 of Article 15 of Directive 77/388/EEC.

Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1988 at the latest. This Directive shall apply only to applications for refunds concerning value added tax charged on purchases of goods or services invoiced or on imports effected on or after that date.

2. Member States shall communicate to the Commission the main provisions of national law which they adopt in the field covered by this Directive and shall inform the Commission of the use they make of the option afforded by Article 2 (2). The Commission shall inform the other Member States thereof.

Article 6

Within three years of the date referred to in Article 5, the Commission shall, after consulting the Member States, submit a report to the Council and to the European Parliament on the application of this Directive, particularly as regards the application of Article 2 (2).

Article 7

As from the date on which this Directive is implemented, and at all events by the date mentioned in Article 5, the last sentence of Article 17 (4) of Directive 77/388/EEC and Article 8 of Directive 79/1072/EEC shall cease to have effect in each Member State.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 17 November 1986.

For the Council

The President

N. LAWSON

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 3064/86 of 7 October 1986 amending Regulation (EEC) No 2409/86 on the sale of intervention butter intended for incorporation in compound feedingstuffs**

(Official Journal of the European Communities No L 285 of 8 October 1986)

Page 13, Article 1 (10), subparagraph (a):

for: '(a) either in fat obtained from biological material of animal origin with which the entire quantity of the butter purchased must first be mixed in a proportion not exceeding 8 % by weight; or',

read: '(a) either in fat obtained from biological material of animal origin with which latter material the entire quantity of the butter purchased must first be mixed in a proportion not exceeding 8 % by weight; or'.

COMMISSION OF THE EUROPEAN COMMUNITIES

REPORT ON SOCIAL DEVELOPMENTS

YEAR 1985

Brussels — Luxembourg / April 1986

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in accordance with Article 122 of the EEC Treaty**

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