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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 559/87 of 23 February 1987 on the conclusion of the Protocol establishing the fishing rights and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988** 1
Protocol establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988 3
- ★ **Council Regulation (EEC) No 560/87 of 23 February 1987 amending Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural and fisheries products are processed and marketed** 6
- ★ **Council Regulation (EEC) No 561/87 of 23 February 1987 laying down special measures for imports of olive oil originating in Tunisia** 7
Commission Regulation (EEC) No 562/87 of 26 February 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal 9
Commission Regulation (EEC) No 563/87 of 26 February 1987 fixing the premiums to be added to the import levies on cereals, flour and malt 11
Commission Regulation (EEC) No 564/87 of 26 February 1987 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products 13
- ★ **Commission Regulation (EEC) No 565/87 of 26 February 1987 amending Regulation (EEC) No 1184/86 laying down detailed rules for the system for controlling the quantities of certain products in the oils and fats sector released for consumption in Portugal** 16

Contents (continued)

★ Commission Regulation (EEC) No 566/87 of 26 February 1987 authorizing Portugal to suspend partially the import duties on oil-cake	17
★ Commission Regulation (EEC) No 567/87 of 26 February 1987 continuing the measures on the improvement of the quality of milk within the Community referred to in Regulation (EEC) No 1271/78	18
★ Commission Regulation (EEC) No 568/87 of 26 February 1987 continuing the promotional and publicity measures in respect of milk and milk products referred to in Regulation (EEC) No 723/78	22
★ Commission Regulation (EEC) No 569/87 of 26 February 1987 amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter	26
★ Commission Regulation (EEC) No 570/87 of 26 February 1987 on the issue of supplementary trade mechanism (STM) licences for certain floriculture products	27
★ Commission Regulation (EEC) No 571/87 of 24 February 1987 laying down standard rates for the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of expenditure resulting from the free distribution of milk products bought in by the intervention agencies	28
★ Commission Regulation (EEC) No 572/87 of 26 February 1987 laying down standard rates for the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of expenditure resulting from the free distribution of beef products bought in by the intervention agencies	29
Commission Regulation (EEC) No 573/87 of 26 February 1987 fixing the import levies on milk and milk products	30
★ Commission Regulation (EEC) No 574/87 of 26 February 1987 fixing the monetary coefficient applicable on imports of dried grapes	34
Commission Regulation (EEC) No 575/87 of 26 February 1987 fixing the specific levies on beef and veal from Portugal	35
Commission Regulation (EEC) No 576/87 of 26 February 1987 amending for the second time Regulation (EEC) No 442/87 introducing a countervailing charge on clementines originating in Morocco	37
Commission Regulation (EEC) No 577/87 of 26 February 1987 fixing the amount of the subsidy on oil seeds	38
Commission Regulation (EEC) No 578/87 of 26 February 1987 fixing the import levies on white sugar and raw sugar	45
Commission Regulation (EEC) No 579/87 of 26 February 1987 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	46

II *Acts whose publication is not obligatory*

Council

87/141/EEC :

★ Council Decision of 23 February 1987 amending Decision 81/956/EEC on the equivalence of seed potatoes produced in third countries	50
---	----

(Continued on inside back cover)

Commission

87/142/EEC :

- * Commission Recommendation of 6 February 1987 on certain methods for the removal of non-fibrous matter prior to quantitative analysis of fibre mixtures 52

87/143/EEC :

- * Commission Directive of 10 February 1987 amending the first Directive 80/1335/EEC on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products 56

87/144/EEC :

- * Commission Decision of 13 February 1987 amending Decision 80/686/EEC setting up an Advisory Committee on the Control and Reduction of Pollution Caused by Hydrocarbons Discharged at Sea 57

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 559/87**of 23 February 1987**

on the conclusion of the Protocol establishing the fishing rights and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 155 (2) (b) and 167 (3) thereof,

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

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

Whereas, pursuant to Article 17 (2) of the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal ⁽³⁾, as amended by the Agreement signed on 21 January 1982 ⁽⁴⁾, and by the Agreement signed on 20 November 1985 ⁽⁵⁾, both parties have conducted negotiations to determine the amendments or additions to be made to the said Agreement at the end of the period of application of the Protocol;

Whereas, as a result of these negotiations, a Protocol laying down the fishing rights and financial compensation provided for in the abovementioned Agreement for the period from 1 October 1986 to 28 February 1988 was initialled on 1 October 1986;

Whereas, under the terms of Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas in the case in point, the procedure in question should be determined;

Whereas it is in the interest of the Community to conclude that Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol laying down the fishing rights and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988 is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Protocol referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the competent authorities at local level ('registros de base') in the Canary Islands, under the conditions defined in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽⁶⁾.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol, in order to bind the Community.

Article 4

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

⁽¹⁾ OJ No C 292, 18. 11. 1986, p. 4.

⁽²⁾ Opinion delivered on 23 January 1987 (not yet published in the Official Journal).

⁽³⁾ OJ No L 226, 29. 8. 1980, p. 15.

⁽⁴⁾ OJ No L 234, 9. 8. 1982, p. 9.

⁽⁵⁾ OJ No L 361, 31. 12. 1985, p. 87.

⁽⁶⁾ OJ No L 56, 1. 3. 1986, p. 1.

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

Done at Brussels, 23 February 1987.

For the Council

The President

P. DE KEERSMAEKER

PROTOCOL

establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988

THE PARTIES TO THIS PROTOCOL,

2. The compensation shall be paid into the account of the Treasurer-General of Senegal.

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, signed on 15 June 1979 and amended by the Agreement signed on 21 January 1982 and by the Agreement signed on 20 November 1985,

HAVE AGREED AS FOLLOWS:

Article 1

For the period from 1 October 1986 to 28 February 1988, the limits referred to in Article 4 of the abovementioned Agreement shall be set as follows:

1. Tuna boats obliged to land their entire catch in Senegal: 3 000 grt
 2. Wet trawlers:
 - (a) obliged to land their entire catch in Senegal: 1 000 grt
 - (b) not obliged to land their entire catch in Senegal: —
 3. Tuna boats not obliged to land their entire catch in Senegal: 23 300 grt
 4. Freezer trawlers not obliged to land their entire catch in Senegal: 8 000 grt
- of which:
- (a) per month for the duration of this Protocol: 6 000 grt
 - (b) for four months a year: 6 000 grt above the tonnage referred to in point (a)

Article 2

1. The financial compensation referred to in Article 9 of the Agreement shall be CFA 1 700 million for the period referred to in Article 1.

Article 3

At the request of the Community, the fishing rights referred to in Article 1 (2), (4) (a) and (4) (b) of this Protocol may be increased to 1 500 grt, 7 000 grt and 7 000 grt respectively. In this case, the financial compensation referred to in Article 2 shall be increased proportionately on the basis of the period involved.

Article 4

The Community shall in addition contribute CFA 90 million towards the financing of a Senegalese scientific programme.

This sum shall be put at the disposal of the Centre for Oceanographic Research of Dakar-Thiaroye (CRODT), which comes under the Senegalese Institute for Agricultural Research (ISRA). The Senegalese authorities concerned shall send the Commission a summary report on the use made of this sum.

Article 5

1. The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the Community shall make it easier for nationals of Senegal to find places in establishments in its Member States and shall provide for that purpose, during the period referred to in Article 1, ten study and training grants of a maximum duration of five years in the various scientific, technical and economic subjects connected with fisheries.

2. Point D of Annex I to the Agreement, 'Training grants and scientific programme' is hereby repealed.

Article 6

1. During the period from 1 March 1987 until 28 February 1988, the limits laid down in Article 1 of this Protocol shall be increased by:

- (a) 500 grt for tuna boats obliged to land their entire catch in Senegal;

- (b) 6 000 grt for wet trawlers not obliged to land their entire catch in Senegal;
- (c) 33 500 grt for tuna boats not obliged to land their entire catch in Senegal;
- (d) 10 000 grt for freezer trawlers not obliged to land their entire catch in Senegal.

2. During this period, the limits for surface longliners shall be set at 1 200 grt.

Article 7

1. The wet trawlers referred to in Article 6 (1) (b) above, and the shrimp-fishing freezer trawlers referred to in paragraph 1 (d) of the same Article, shall be authorized to fish outside the limit of the first 12 nautical miles of the waters under Senegalese jurisdiction north of latitude 14° 27' 00" N and outside the limit of the first 25 nautical miles of the waters under Senegalese jurisdiction south of latitude 14° 27' 00" N.

2. The longliners referred to in Article 6 (2) shall be authorized to operate in the zone delimited as follows:

- outside the first 15 nautical miles north of latitude 14° 45' 00" N.
- outside the first 25 nautical miles south of latitude 14° 45' 00" N.

Article 8

In return for the increase in the fishing rights referred to in Article 6, the financial compensation paid by the Community for the period specified in that Article shall be CFA 1 550 million.

Article 9

The licences shall be valid for the entire period laid down in Article 1. However, licences issued for the vessels referred to in paragraph 4 (b) of that Article are valid for only four months, and those issued under Article 6, for 12 months.

Article 10

Each Community vessel intending to fish in Senegal's fishing zone shall inform the radio station of the 'Projet de Protection et Surveillance des Pêches du Sénégal' (PSPS — Senegal Fisheries Protection and Surveillance Project) each time it enters or leaves the zone. Shipowners shall be notified of the call sign of the fishing licence. Any vessel found to be fishing without having informed the PSPS of its presence shall be considered to be fishing without a licence.

Article 11

By way of derogation from Article 8 of the Agreement and Annex I to the Agreement:

1. Article 8 (1) of the Agreement shall not apply to wet trawlers.

2. Paragraph A 1.6 shall read as follows:

The fees shall be set according to the following scale:

(a) trawlers landing their entire catch:

CFA 16 250 per grt per year for shrimp boats;

CFA 15 000 per grt per year for other trawlers;

(b) trawlers not landing their entire catch and fishing throughout the year:

CFA 32 500 per grt per year for shrimp boats;

CFA 27 500 per grt per year for other trawlers;

(c) trawlers not landing their entire catch and fishing for a period of four months determined for each vessel on the basis of an overall fishing plan presented by the Community to the Senegalese Government every six months:

CFA 20 000 per grt.

(d) in the case of licences issued under Article 6 of the Protocol, the fees shall be fixed in proportion to the length of the period of validity of the licences.

3. Paragraphs A 1.6 (d) and (e) are hereby replaced by the following paragraphs A 1.7:

(a) tuna boats and longliners landing their entire catch:

CFA 2 per kilogram of fish caught;

(b) tuna boats and longliners not landing their entire catch:

CFA 7 per kilogram of fish caught;

(c) the licences referred to under (b) shall be issued on payment of a fixed sum of CFA 350 000 per vessel to the State Secretariat for Sea Fisheries as an advance on the fees, corresponding to 50 tonnes of tuna or swordfish caught by tuna seiner or longliner per year.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities upon the expiry of this Protocol, on the basis of the catch statements made by each shipowner and forwarded simultaneously to the Senegalese authorities and the Commission departments responsible. The fixed amount in respect of these fees shall be paid by each shipowner to the Office of the Secretary of State for fisheries no later than 31 December 1987.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by the CRODT. The final statement shall be communicated to the Senegalese authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the final statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

4. The following shall be added to paragraph C 1:

'In the case of wet tuna boats, the target set by the two parties shall be to land a minimum quantity of 3 500 tonnes of tuna a year in Senegal's ports from 1 March 1987.

If during the fishing year, the total landings by the fleet concerned fall short of this minimum amount, as a result of an unforeseeable change in the state of the fish stocks or the structure of the said fleet, the two parties shall consult each other without delay in order to determine and ensure implementation of the action required to reach the said amount.'

5. Paragraph C 2 shall read as follows:

'Freezer tuna boats shall land 11 000 tonnes of tuna a year from 1 March 1987 at the international price in force and in accordance with a programme to be determined by common accord between Community shipowners and Senegalese canners. In the event of disagreement on the timetable for landings, the Joint Committee referred to in Article 11 of the Agreement shall hold a special meeting at the request of one of the parties.

During the first phase of the period of application of this Protocol, from 1 October 1986 to 28 February 1987, the freezer tuna boats shall be obliged to land at

least 1 833 tonnes of tuna at the international price in force.'

6. Paragraph C 3 shall read as follows:

'Freezer trawlers shall land 130 kilograms of fish and crustaceans per grt per six months. Any failure to comply with the obligation to land catches shall render the shipowner liable to the following penalties imposed by the Senegalese authorities:

- fine of CFA 300 000 per tonne not landed,
- withdrawal of the licence (which will not be renewed) for the vessels concerned or another vessel operating under the same shipowner.

In order to guarantee payment of the fine, the licence shall be issued subject to the lodging of a banker's guarantee in Senegal of CFA 39 000 per grt per six months.'

Article 12

Should the Community fail to make the payments provided for in Articles 2, 4, 5 and 8 of this Protocol, the Agreement on fishing shall be suspended.

Article 13

Until the expiry of the Fisheries Agreement concluded between the Government of the Kingdom of Spain and the Government of the Republic of Senegal, which has been administered by the Community since 1 January 1986, the rights and obligations arising from that Agreement shall not be affected by this Protocol.

Article 14

This Protocol shall enter into force on the date of its signature.

It shall apply from 1 October 1986 until 28 February 1988.

COUNCIL REGULATION (EEC) No 560/87**of 23 February 1987****amending Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural and fisheries products are processed and marketed**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

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

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

Whereas Article 17 (2) of Regulation (EEC) No 355/77 ⁽³⁾, as last amended by Regulation (EEC) No 2224/86 ⁽⁴⁾, provides that the rate of aid granted from the European Agricultural Guidance and Guarantee Fund for investment projects may vary according to the regional situation as regards facilities for the processing and marketing of agricultural products;

Whereas rapid modernization of pigmeat processing and marketing undertakings in Ireland is hampered by serious structural handicaps; whereas this handicap stems in particular from difficulties in the financing of investment in the modernization and restructuring of this sector;

Whereas the conditions laid down in the Regulation should accordingly be amended in order to deal more effectively with the problems of the pigmeat sector in Ireland; whereas, in particular, the granting of more aid and a higher rate of contribution from the Guidance Section of the Fund may provide the necessary encouragement for economic activities in those regions;

Whereas this additional assistance must be limited in time and must comply with the financial arrangements applicable to common measures introduced by Regulation (EEC) No 355/77,

HAS ADOPTED THIS REGULATION:

Article 1

Article 17 (2) of Regulation (EEC) No 355/77 is hereby amended as follows:

1. The following is inserted after 'Ireland' in the second indent of point (a):
'and in all regions of Ireland in the case of projects relating to pigmeat,'
2. The following is inserted after 'Ireland' in the first indent of point (c):
'and in all regions of Ireland in the case of projects relating to pigmeat,'

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 from 1 January 1987 to 31 December 1989.

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

Done at Brussels, 23 February 1987.

For the Council

The President

P. DE KEERSMAEKER

⁽¹⁾ OJ No C 320, 13. 12. 1986, p. 10.

⁽²⁾ Opinion delivered on 23 January 1987 (not yet published in the Official Journal).

⁽³⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽⁴⁾ OJ No L 194, 17. 7. 1986, p. 4.

COUNCIL REGULATION (EEC) No 561/87

of 23 February 1987

laying down special measures for imports of olive oil originating in Tunisia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to 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 36 thereof,

Having regard to the proposal from the Commission,

Whereas the situation on the Community market is such as to allow a limited quantity of olive oil originating in Tunisia to be imported in coming months without the risk of serious disturbance;

Whereas under Articles 97 and 295 of the 1985 Act of Accession, preferential arrangements, be they contractual or autonomous, applied by the Community with regard to third countries in the olive oil sector, do not apply to Spain or to Portugal; whereas provision should be made for measures to avoid the possibility of olive oil originating in Tunisia being entered for consumption in Spain or in Portugal whilst benefiting from a reduced levy; whereas these measures should be specified in the detailed rules of application of this Regulation;

Whereas provision should accordingly be made for general rules for the issue of import licences in order to guarantee equal access to that quota for importers of olive oil,

HAS ADOPTED THIS REGULATION:

Article 1

1. A special levy of 5 ECU per 100 kilograms shall be charged on imports of olive oil which has not undergone any refining process, falling within subheadings 15.07 A I a) and b) of the Common Customs Tariff, obtained entirely in Tunisia and transported directly therefrom to the Community as constituted on 31 December 1985.

2. The special levy shall apply to a maximum quantity of 10 000 tonnes of olive oil in respect of imports for

which an application for the licence referred to in Article 2 has been lodged within 30 days from the date of entry into force of this Regulation.

Article 2

1. In order to qualify for the special levy referred to in Article 1, importers must submit an import licence application to the competent authorities of the Member States. That application must be accompanied by a copy of the purchase contract concluded with the Tunisian exporter.

2. Import licence applications must be submitted on Mondays or Tuesdays of each week. Member States shall notify the Commission, on Wednesdays, of the data in licence applications received.

3. Each week the Commission shall draw up a total of the quantities for which import licence applications have been submitted. It shall authorize the Member States to issue licences until the quota is exhausted; where there is a risk of the quota being exhausted, the Commission shall authorize the Member States to issue import licences in proportion to the quantity available.

Article 3

The import licences referred to in Article 2 shall be valid for 90 days. The provisions of Regulation (EEC) No 2041/75⁽³⁾ regarding import licences without advance fixing of the levy, shall apply in respect of the securities and the period for issuing the licences.

Article 4

Detailed rules for the application of this Regulation, in particular those intended to avoid deflection of trade, shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 5

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

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 1.

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

Done at Brussels, 23 February 1987.

For the Council

The President

P. DE KEERSMAEKER

COMMISSION REGULATION (EEC) No 562/87

of 26 February 1987

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 135/87 ⁽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 25 February 1987;

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 135/87 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 27 February 1987.

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

Done at Brussels, 26 February 1987.

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 17, 20. 1. 1987, p. 1.

ANNEX

to the Commission Regulation of 26 February 1987 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	9,23	190,77
10.01 B II	Durum wheat	43,91	264,87 ⁽¹⁾ ⁽²⁾
10.02	Rye	38,30	181,02 ⁽²⁾
10.03	Barley	36,57	189,10
10.04	Oats	94,86	158,55
10.05 B	Maize, other than hybrid maize for sowing	—	181,77 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	36,57	129,27
10.07 B	Millet	36,57	155,01 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	22,48	183,58 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	36,57	64,79 ⁽²⁾
11.01 A	Wheat or meslin flour	27,81	281,96
11.01 B	Rye flour	68,51	268,31
11.02 A I a)	Durum wheat groats and meal	81,64	424,53
11.02 A I b)	Common wheat groats and meal	27,96	302,44

⁽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 563/87

of 26 February 1987

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 25 February 1987;

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 27 February 1987.

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

Done at Brussels, 26 February 1987.

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 26 February 1987 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	(ECU/tonne)			
		Current 2	1st period 3	2nd period 4	3rd period 5
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
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	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0,55
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 564/87

of 26 February 1987

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 23 and 24 February 1987 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 27 February 1987.

⁽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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

CCT heading No	Non-member countries
15.07 A I a)	52,00 ⁽¹⁾
15.07 A I b)	54,00 ⁽¹⁾
15.07 A I c)	52,00 ⁽¹⁾
15.07 A II a)	64,00 ⁽²⁾
15.07 A II b)	82,00 ⁽³⁾

⁽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

CCT heading No	Non-member countries
07.01 N II	11,88
07.03 A II	11,88
15.17 B I a)	27,00
15.17 B I b)	43,20
23.04 A II	4,16

COMMISSION REGULATION (EEC) No 565/87

of 26 February 1987

amending Regulation (EEC) No 1184/86 laying down detailed rules for the system for controlling the quantities of certain products in the oils and fats sector released for consumption in Portugal

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 476/86 of 25 February 1986 laying down general rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Portugal⁽¹⁾, and in particular Article 14 thereof,

Whereas Article 3 (2) of Commission Regulation (EEC) No 1184/86⁽²⁾, as last amended by Regulation (EEC) No 140/87⁽³⁾, provides that the maximum annual quantity which may be imported must be split up on a quarterly basis; whereas this period should be extended by three months to enable more flexible management of the market; whereas alterations should therefore also be made to the wording of Article 5 (1), (2) and (3) and of Article 11 (3) of that Regulation, in which the quarter is also used as the reference period;

Whereas Article 5 (4) of Regulation (EEC) No 1184/86 provides that the period of validity of the import documents should be three months; whereas this period of

validity should be extended by two months to take into account the less frequent issue of licences and thus to make management of the market more flexible;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1184/86 is hereby amended as follows:

1. In Article 3 (2), 'quarterly' is replaced by 'six-monthly', and in Article 5 (1), (2) and (3) and in Article 11 (3) 'quarter' is replaced by 'six-month period'.
2. In Article 5 (4), 'three' is replaced by 'five'.

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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 51.

⁽²⁾ OJ No L 107, 24. 4. 1986, p. 25.

⁽³⁾ OJ No L 17, 20. 1. 1987, p. 21.

COMMISSION REGULATION (EEC) No 566/87

of 26 February 1987

authorizing Portugal to suspend partially the import duties on oil-cake

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Article 243 (4) thereof,

Whereas Article 243 (4) (a) of the Act of Accession makes provision for the Portuguese Republic, should it so request, to reduce customs duties on oil-seeds and oleaginous fruits and on products derived from these;

Whereas Commission Regulation (EEC) No 2492/86⁽¹⁾ authorized Portugal to suspend partially the customs duty on imported oil-cake until 31 December 1986; whereas the objective of this measure was to improve the availability of oil-seed cakes to the Portuguese animal feeding-stuffs industry; whereas the factors that gave rise to the need for the measure at the time of its adoption still apply; whereas on 29 January 1987 the Portuguese Republic, under the said Article 243, requested the partial suspension of the customs duties on oil-cake;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Portuguese Republic is authorized to suspend partially the customs duty on oil-cake imported from third countries or from the other Member States and to apply the following duty until 31 December 1987:

CCT heading No	Description	Customs duty
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils: ex B. Other: oil-cake	3 %

Article 2

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

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 217, 5. 8. 1986, p. 7.

COMMISSION REGULATION (EEC) No 567/87

of 26 February 1987

continuing the measures on the improvement of the quality of milk within the Community referred to in Regulation (EEC) No 1271/78

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1338/86⁽²⁾, and in particular Article 4 thereof,

Whereas the measures first carried out pursuant to Commission Regulation (EEC) No 1271/78⁽³⁾, as last amended by Regulation (EEC) No 2341/78⁽⁴⁾, and most recently continued in accordance with Regulation (EEC) No 1153/86⁽⁵⁾ have proved an effective means of improving the quality of milk in the Community;

Whereas, since major difficulties exist with regard to the quality of raw milk in Italy and Greece compared with the other Member States, the measures presently being executed in those countries should be reinforced;

Whereas the organizations, institutions, undertakings and producer groups possessing the necessary qualifications and experience should therefore be invited again to propose detailed programmes which these organizations would themselves carry out;

Whereas the organizations, institutions, undertakings and producer groups who will be responsible for the measures must satisfy certain requirements; whereas the activities of such operators must not be liable to clash with the aim pursued in promoting the disposal of milk products for direct consumption; whereas it is therefore essential that operators whose activities also cover the production, distribution or sales promotion of products which imitate milk and milk products should be barred from the implementation of the measures;

Whereas, as regards the other arrangements, the main provisions of earlier Regulations, as amended in the light of relevant experience, may be repeated;

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

1. Under the conditions laid down in this Regulation, measures shall be taken in Italy and Greece to encourage:

- (a) bacteriological analysis of raw milk;
- (b) testing in relation to health aspects of raw milk;
- (c) testing of milking machines;
- (d) counselling of individual milk producers, directed in particular towards the obtaining of milk (cowshed hygiene, milking, animal health) and its treatment (cooling);
- (e) counselling on the collection (jointly operated equipment, collection points) and transport of raw milk (specifications, equipment and operation of milk tankers);
- (f) setting-up of milk-collection centres, if necessary with refrigeration facilities (in properly justified exceptional cases, aids may also be granted to single farms);
- (g) in certain properly justified cases, equipment for the transport of samples;
- (h) training qualified personnel for quality control and milk collection.

2. The measures referred to in paragraph 1 shall be eligible only if they are begun after 1 April 1987; they shall be completed within two years of the signature of the contract referred to in Article 5 (3) and in any case before 1 August 1989. In exceptional cases, however, a longer period may be agreed in accordance with Article 5 (2) to ensure maximum effectiveness of the measures concerned.

3. The time limit fixed by paragraph 2 shall not prevent subsequent agreement to an extension of that limit where the party to a contract, before the fixed expiry date, makes the appropriate application to the competent authority and proves that due to exceptional circumstances beyond his control, he is unable to meet the deadline originally stipulated. However, this extension may not exceed six months.

Article 2

1. Measures as referred to in Article 1 (1) shall be proposed and carried out by institutions, organizations, undertakings or producer groups which:

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 27.

⁽³⁾ OJ No L 156, 14. 6. 1978, p. 39.

⁽⁴⁾ OJ No L 282, 7. 10. 1978, p. 11.

⁽⁵⁾ OJ No L 105, 22. 4. 1986, p. 18.

- (a) have the necessary qualifications and experience ;
- (b) give guarantees that they are capable of ensuring the satisfactory completion of the work.

Proposals by individual firms will be considered only where they are particularly justified and where they would not prejudice the operations of regional organizations specializing in the field.

Proposals put forward by institutions, organizations, undertakings or producer groups whose activities are exclusively or in part concerned with the production distribution or sales promotion of products which imitate milk and milk products shall not be considered.

2. The Community contribution shall be limited to 90 % of expenditure incurred for the measures concerned. At most 30 % of the Community contribution can be used for measures under point (f) of Article 1 (1) and at most 10 % for those under point (h) of Article 1 (1).

3. In the case of the measures referred to in Article 1 (1) (a), (b) and (g), account shall be taken for purposes of Community contribution only of the first fitting-out of laboratories with :

- equipment (which may include incubators) for examining the bacteriological content of milk, including any combined data-processing equipment, but excluding software,
- equipment for detecting antibiotics, inhibitory substances and impurities in raw milk, including any combined data-processing equipment, but excluding software,
- equipment for detecting mastitis in raw milk.

In certain properly justified cases :

- equipment for taking samples, transporting, sorting, preserving and preparing the samples.

The first fitting-out of already existing laboratories with improved, more economic, equipment shall be regarded as a measure referred to in Article 1 (1) (a), (b) and (g).

Such equipment shall be financed only where its technical capacity will be effectively utilized.

4. When a proposal is submitted by an organization buying milk or by an organization representing such enterprises, the Community contribution shall be subject to an undertaking on the part of the applicant to introduce, in his area of operation, a system whereby payment for milk is varied according to its bacteriological quality

within the period fixed in the contract for the completion of the approved measures.

In other cases, the applicant must undertake to promote in his area of operation before 1 April 1987 a system whereby payment for milk is varied according to its bacteriological quality or, if such a system already exists, to continue this system.

5. The financing of general expenses incurred for the measures referred to in Article 1 (1) shall be limited to 2 % of the total approved cost.

Article 3

1. Those concerned are hereby invited to submit, before 1 April 1987, to the competent authority appointed by the Member States referred to in Article 1 (1) hereinafter called 'the competent authority', complete detailed proposals concerning the measures referred to in Article 1 (1).

Where this date is not complied with, the proposal shall be considered null and void.

2. Further details for submission of proposals shall be as set out in the notices from the competent authorities published in *Official Journal of the European Communities* No C 35 of 11 February 1982, page 8.

Article 4

1. Complete proposals shall include :

- (a) the name and address of the applicant ;
- (b) all details concerning the measures proposed, including the time required for completion, the expected results and details of any third parties to be involved ;
- (c) the total cost of these measures, net of tax, expressed in the currency of the Member State on whose territory the applicant is established, giving an itemized breakdown of this amount and setting out the source of finance ;
- (d) the desired form of payment of the Community contribution (Article 7 (1) (a) or (b)) ;
- (e) the most recent report available on the applicant's activities, unless this is already in the possession of the competent authority.

2. Proposals shall be valid only where :

- (a) they are submitted by an applicant fulfilling the conditions laid down in Article 2 (1) ;
- (b) they are accompanied by an undertaking that the applicant will comply with the provisions of this Regulation, and in particular with the obligations under Article 2 (5).

Article 5

1. Before 1 May 1987 the competent authorities shall :
 - (a) examine all proposals submitted and any supporting documents to check that they are in the correct form and contain the information required. They shall ensure that the proposals comply with the provisions of Article 4 and shall ask applicants for further details if necessary ;
 - (b) compile a list of all the proposals received and send it to the Commission together with copies of each proposal and a reasoned opinion indicating whether or not the proposal conforms with this Regulation.
2. After consulting the relevant interest groups in the milk industry, and following examination of the proposals by the Management Committee for Milk and Milk Products in accordance with Article 31 of Council Regulation (EEC) No 804/68 ⁽¹⁾, the Commission shall establish before 1 June 1987 a list of the proposals selected for financing.
3. The competent authorities shall conclude contracts with those parties whose proposals have been selected before 1 August 1987 in at least two copies and signed by the interested party and the competent authority. The competent authorities shall for this purpose use standard form contracts to be provided by the Commission.
4. The competent authority shall inform each applicant as soon as possible of the decision taken in respect of its proposal.

Article 6

1. The contract referred to in Article 5 (3) shall :
 - (a) include the details referred to in Article 4 (1) or make reference to them ; and
 - (b) supplement these details, where necessary, by additional conditions resulting from the application of Article 5 (1).
2. The competent authority shall send a copy of the contract to the Commission without delay.
3. The competent authority shall ensure compliance with the agreed conditions in particular by means of on-the-spot checks.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

Article 7

1. The competent authority shall pay to the party in question, in accordance with the choice indicated in the latter's proposal, either :
 - (a) within six weeks of the date of signature of the contract, a single payment on account amounting to 60 % of the agreed Community contribution ; or
 - (b) at four-monthly intervals, four equal instalments each amounting to 20 % of the agreed Community contribution, the first such instalment being paid within six weeks of the date of signature of the contract.

However, while a contract is being performed, the competent authority may :

- defer payment of an instalment either wholly or in part where it finds, in particular during the checks referred to in Article 6 (3), irregularities in carrying out the measures concerned or a substantial interval between the due date for payment of the instalment and the date when the party concerned will actually incur the forecast expenditure,
 - in exceptional cases, advance payment of an instalment either wholly or in part if the party concerned submits a reasoned request and shows that he must incur a substantial part of the expenditure significantly earlier than the date laid down for payment of the Community contribution towards the said expenditure.
2. The payment of each instalment shall be conditional upon the lodging with the competent authority of a security equal to the amount of the instalment, plus 10 %.

3. The release of securities and payment of the balance by the competent authority shall be subject to :

- (a) confirmation by the competent authority that the party concerned has fulfilled his obligations as laid down in the contract ;
- (b) transmission to the competent authority of the report referred to in Article 8 (1) and verification of the details contained in this report by the competent authority.

However, on reasoned request by the party concerned, the balance can be paid after the measure has been completed, and after submission of the report referred to in Article 8, and on condition that securities equal to the total amount of the Community contribution plus 10 % have been lodged ;

- (c) the competent authority finding that the party concerned, or any third party named in the contract, has spent his own contribution for the purposes laid down.

4. In so far as the conditions set out in paragraph 3 are not fulfilled, the securities shall be forfeit. In this event, the amount in question shall be deducted from the expenditure of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund, and more particularly from that arising out of the measures referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

1. Each party responsible for one of the measures referred to in Article 1 (1) shall submit to the competent

authority, within four months of the final date fixed in the contract for completion of the measures, a detailed report on the utilization of the Community funds allocated and on the results of the measures in question.

2. On performance of each contract, the competent authority shall send to the Commission a statement to this effect and a copy of the final report.

Article 9

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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 568/87

of 26 February 1987

continuing the promotional and publicity measures in respect of milk and milk products referred to in Regulation (EEC) No 723/78

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1338/86⁽²⁾, and in particular Article 4 thereof,

Whereas the promotional and publicity measures first carried out pursuant to Commission Regulation (EEC) No 723/78⁽³⁾, and last continued by Regulation (EEC) No 1151/86⁽⁴⁾, have proved an effective means of expanding the markets in milk products in the Community; whereas they should therefore be continued during the 1987/88 milk year;

Whereas the organizations representing the dairy sector in one or more Member States or in the Community should be invited again to propose detailed programmes which these organizations would themselves carry out;

Whereas the organizations who will be responsible for the measures must satisfy certain requirements; whereas the activities of such operators must not be liable to clash with the aim pursued in promoting the disposal of milk products for direct consumption; whereas it is therefore essential that operators whose activities also cover the production, distribution or sales promotion of products which imitate milk and milk products should be barred;

Whereas the other rules can, for the most part, be drawn from the earlier Regulations, account being taken of relevant experience;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Publicity and promotional measures advocating human consumption of milk and milk products in the

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 27.

⁽³⁾ OJ No L 98, 11. 4. 1978, p. 5.

⁽⁴⁾ OJ No L 105, 22. 4. 1986, p. 11.

Community shall be encouraged under the conditions laid down in this Regulation.

Subsequent market surveys to ascertain the effectiveness of such measures must be undertaken as well. However, the costs relating thereto may not exceed 5 % of the total cost of the measure concerned.

2. The following shall qualify as measures within the meaning of paragraph 1:

- seminars, courses and conferences designed to provide personnel engaged in marketing milk and milk products with information and training or to aid such persons in spreading awareness about the consumption of these products,
- the purchase of refrigerators and refrigerated dispensers,⁷ provided that the contractor undertakes to use them only for the distribution of milk and milk products and for a minimum period of five years.

3. These measures shall be carried out within a year of the signature of the contract referred to in Article 5 (3) and in any case before 1 July 1988. However, a longer time limit may be agreed in exceptional cases in accordance with Article 5 (2) to ensure maximum effectiveness of the measure in question.

4. The time limit fixed in paragraph 3 shall not prevent subsequent agreement to an extension of that limit where the party to a contract, before the fixed expiry date, makes the appropriate application to the competent authority and proves that, due to exceptional circumstances beyond his control, he is unable to meet the deadline originally stipulated. However, this extension may not exceed six months.

5. Subject to a contract as referred to in Article 5 (3) being concluded, measures carried out from 1 February 1987 shall be eligible for the Community contribution.

Article 2

1. The publicity and promotional measures referred to in Article 1 (1) and (2):

- (a) shall be proposed by organizations representing the dairy sector in one or more Member States or in the Community;

- (b) shall be limited to the territory of the Member State or States whose dairy sector is represented by the organization concerned ;
- (c) shall be carried out as far as possible by the organization which has made the proposal. In cases where this organization must use subcontractors, the proposal must contain a duly justified request for a derogation ;
- (d) must :
 - make use of the publicity media best suited to ensure maximum effectiveness for the measure undertaken,
 - take account of the particular conditions obtaining with regard to the marketing and consumption of milk and milk products in the various regions of the Community,
 - be of a general nature and not brand orientated,
 - promote Community milk products without reference to their country or region of manufacture ; however, this condition does not exclude the mention of the traditional name of a product which includes a specified locality, region or country of the Community,
 - not replace similar measures but, where appropriate, expand them.

Proposals put forward by organizations whose activities are exclusively or in part concerned with the production, distribution or sales promotion of products which imitate milk and milk products shall not be taken into consideration.

2. The Community contribution shall be limited to :

- 90 % of the expenditure incurred in respect of a measure within the meaning of Article 1 (1) and the first indent of Article 1 (2), if the organization in question has not previously financed such measures during the period 1 January 1975 to 31 December 1977,
- 50 % of the expenditure incurred in respect of a measure within the meaning of the second indent of Article 1 (2).

The Community contribution towards the cost of the measures referred to in the second indent of Article 1 (2) may not exceed 25 % of the expenditure incurred in respect of measures within the meaning of Article 1 (1) and (2) for the Member State concerned.

Where a measure in existence before 31 December 1977 is to be expanded, the Community contribution shall be limited to 90 % of the amount in excess of the total average expenditure of the same kind by the organization in question during the period 1 January 1975 to 31 December 1977, irrespective of any change in the legal form of the said organization.

On application by the organization in question, the average annual expenditure during the reference period referred to above may be replaced by an annual flat-rate sum of 0,15 ECU multiplied by the number of inhabitants in the territory where the organization in question carries out its activities in accordance with its statutes.

3. For the purposes of applying paragraph 2, no account shall be taken of administrative expenses incurred in carrying out these measures.

4. Financing of general expenses incurred in carrying out the measures referred to in Article 1 (1) and (2) shall be limited to 2 % of the total amount approved.

Article 3

1. The parties referred to in Article 2 (1) (a) shall be invited to transmit to the competent authority appointed by their Member State, hereinafter called 'the competent authority', detailed proposals concerning the measures referred to in Article 1 (1) and (2).

Should the proposed measures be carried out wholly or partly in the territory of one or more Member States other than that in which the head office of the organization concerned is situated, the organization shall send a copy of its proposal to each of the competent authorities in the countries concerned.

2. Proposals must reach the competent authority before 1 April 1987. Where this date is not complied with, the proposal shall be considered null and void.

3. Further details for submission of proposals shall be as set out in the notice from the competent authorities published in *Official Journal of the European Communities* No C 312 of 6 December 1986, page 7.

Article 4

1. Complete proposals shall include :

- (a) the name and address of the party concerned ;
- (b) all details concerning the measures proposed, indicating the time required for completion, the expected results and any third parties which may be involved ;
- (c) the price asked for these measures, net of taxes, expressed in the currency of the Member State in the territory of which the party concerned is established, giving an itemized breakdown of this amount and showing the corresponding financing plan ;
- (d) the desired form of payment of the Community contribution in accordance with Article 7 (1) (a), (b) or (c) ;
- (e) the most recent report available on the party's activities, unless this is already in the possession of the competent authority.

2. A proposal shall be valid only where :

- (a) it is submitted by a party fulfilling the conditions laid down in Article 2 (1) (a);
- (b) it is accompanied by an undertaking to observe the provisions of this Regulation.

Article 5

1. Before 1 May 1987, the competent authorities shall :

- (a) examine all proposals submitted and any supporting documents to check that they are in the correct form and contain the information required. They shall ensure that the proposals comply with the provisions of Article 4 and shall ask applications for further details if necessary;
- (b) compile a list of all the proposals received and send it to the Commission together with copies of each proposal and a reasoned opinion indicating whether or not the proposal conforms with the Regulation.

2. After consulting the relevant interested groups in the milk industry, and following examination of the proposals by the Management Committee for Milk and Milk Products in accordance with Article 31 of Regulation (EEC) No 804/68⁽¹⁾, the Commission shall establish before 1 June 1987 a list of the proposals selected for financing.

3. The competent authorities shall conclude contracts for the measures selected with the parties concerned before 1 August 1987, in at least two copies and signed by the interested party and the competent authority.

The competent authorities shall for this purpose use the standard form contracts to be provided by the Commission.

4. The competent authority shall inform each applicant as soon as possible of the decision taken in respect of his proposal.

Article 6

1. The contract referred to in Article 5 (3) shall :

- (a) include the details referred to in Article 4 (1) or make reference to them;
- (b) supplement these details, where necessary, by additional provisions arising from the application of Article 5 (1);

2. The competent authority shall send the contract to the Commission without delay.

3. The competent authority shall ensure compliance with the agreed conditions in particular by means of on-the-spot checks in the Community.

Article 7

1. The competent authority shall pay to the party in question, in accordance with the choice indicated in the latter's proposal, either :

- (a) within six weeks of the date of signature of the contract, a single payment on account amounting to 60 % of the agreed Community contribution ; or
- (b) at two-monthly intervals, four equal instalments each amounting to 20 % of the agreed Community contribution, the first such instalment being paid within six weeks of the date of signature of the contract ; or
- (c) within six weeks of the date of signature of the contract, a single payment on account amounting to 80 % of the agreed Community contribution ; however, this form of payment may be stipulated only for measures which will be fully completed within a maximum of two months of the date of signature of the contract.

However, while a contract is being performed, the competent authority may :

- defer payment of an instalment either wholly or in part where it finds, in particular during the checks referred to in Article 6 (3), irregularities in carrying out the measures concerned or a substantial interval between the due date for payment of the instalment and the date when the party concerned will actually incur the forecast expenditure,
- in exceptional cases, advance payment of an instalment either wholly or in part if the party concerned submits a reasoned request and shows that he must incur a substantial part of the expenditure significantly earlier than the date laid down for payment of the Community contribution towards the said expenditure.

2. The payment of such instalment shall be conditional upon the lodging with the competent authority of a security equal to the amount of the instalments, plus 10 %.

3. The release of securities and payment of the balance by the competent authority shall be subject to :

- (a) confirmation by the competent authority that the party concerned fulfilled its obligations as laid down in the contract ;
- (b) transmission to the competent authority of the report referred to in Article 8 (1) and verification of the details contained in this report by the competent authority.

However, on reasoned request by the party concerned, the balance can be paid after the measure has been completed, and after submission of the report referred to in Article 8, and on condition that securities equal to the total amount of the Community contribution plus 10 % have been lodged ;

- (c) the competent authority finding that the party concerned, or any third party named in the contract, has spent his own contribution for the purposes laid down.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

4. In so far as the conditions set out in paragraph 3 are not fulfilled, the securities shall be forfeit. In this event, the amount in question shall be deducted from the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure, and more particularly from that arising out of the measure referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

1. Each party responsible for one of the measures referred to in Article 1 (1) and (2) shall submit to the competent authority, within four months of the final date

fixed in the contract for completion of the measures, a detailed report on the utilization of the Community funds allocated and on the foreseeable results of the measures in question, in particular concerning the evolution of the sales of milk and milk products.

2. On performance of each contract, the competent authority shall send the Commission a statement to this effect and a copy of the final report.

Article 9

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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 569/87

of 26 February 1987

amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter

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 231/87 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Article 5 of Commission Regulation (EEC) No 3143/85 ⁽³⁾, as last amended by Regulation (EEC) No 3157/86 ⁽⁴⁾, specifies the composition and designation of concentrated butter in order to differentiate it from other types of butter; whereas, in the light of the experience gained, it is advisable to provide, in the case of the French version of the forms of wording to be used on the packs of concentrated butter, for an additional form of wording which is likely to be more readily understood by the consumer;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following is hereby added to the fifth indent of Article 5 (4) of Commission Regulation (EEC) No 3143/85: 'or "beurre cuisinier".'

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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 3.

⁽³⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 294, 17. 10. 1986, p. 8.

COMMISSION REGULATION (EEC) No 570/87

of 26 February 1987

on the issue of supplementary trade mechanism (STM) licences for certain floriculture products

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

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

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 643/86 of 28 February 1986 laying down detailed rules for the application for the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal ⁽²⁾, and in particular Article 2 (2) thereof,

Whereas Article 2 (2) of Regulation (EEC) No 643/86 laid down that, in the case of products for which there is a particular need to monitor the issue of STM licences in order to determine the likelihood of the indicative

ceilings being exceeded, the Commission may decide that the licences are to be issued in accordance with the provisions of the first subparagraph of Article 6 (2) of Commission Regulation (EEC) No 574/86 ⁽³⁾ on the fifth day following the day the application is submitted, unless special measures have been taken during this period; whereas there is a likelihood of the indicative ceilings being exceeded in respect of ornamental plants falling within subheading 06.02 ex D of the Common Customs Tariff; whereas, therefore the STM licences should be issued in accordance with the provisions of the first subparagraph of the said Article 6 (2),

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of the first subparagraph of Article 6 (2) of Regulation (EEC) No 574/86 and of Article 4 (2) of Regulation (EEC) No 643/86 shall apply in respect of the following products:

CCT heading No	NIMEXE code	Description
06.02	06.02-96 06.02-99	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips: ex D. Other — Ornamental plants

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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 1.

COMMISSION REGULATION (EEC) No 571/87

of 24 February 1987

laying down standard rates for the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of expenditure resulting from the free distribution of milk products bought in by the 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 3247/81 of 9 November 1981 on the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of certain intervention measures, particularly those involving the buying-in, storage and sale of agricultural products by intervention agencies⁽¹⁾, as last amended by Regulation (EEC) No 2632/85⁽²⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 138/87⁽³⁾ provided for an emergency scheme for the free supply of butter to those most in need following the cold spell in Europe; whereas Article 7 of Regulation (EEC) No 3247/81 provides that, according to the procedure laid down in Article 13 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 3769/85⁽⁵⁾, uniform standard rates should be determined for the Community with a view to the financing of expenditure incurred for the free distribution under this scheme;

Whereas the real costs of distribution in certain Member States differ appreciably from those in the other Member States and that accordingly different standard rates should be set for these Member States to avoid jeopardizing the Community's charity operation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The standard rate to be applied, pursuant to Article 7 of Regulation (EEC) No 3247/81, for the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of expenditure resulting from the free distribution of butter as provided for in Regulation (EEC) No 138/87 shall be 175 ECU per tonne. If it can be shown, to the satisfaction of the competent authority in the Member State concerned that the expenditure on distribution has exceeded 175 ECU per tonne this amount shall be increased by a maximum of 75 ECU per tonne.

Where butter is distributed in a Member State having no intervention stocks, an amount of 40 ECU per tonne shall be added to this rate.

Article 2

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

It shall apply from 15 January 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽²⁾ OJ No L 251, 20. 9. 1985, p. 1.

⁽³⁾ OJ No L 17, 20. 1. 1987, p. 18.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 362, 31. 12. 1985, p. 17.

COMMISSION REGULATION (EEC) No 572/87

of 26 February 1987

laying down standard rates for the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of expenditure resulting from the free distribution of beef products bought in by the 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 3247/81 of 9 November 1981 on the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of certain intervention measures, particularly those involving the buying-in, storage and sale of agricultural products by intervention agencies⁽¹⁾, as last amended by Regulation (EEC) No 2632/85⁽²⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 139/87⁽³⁾ provided for an emergency scheme for the free supply of beef to those most in need following the cold spell in Europe; whereas Article 7 of Regulation (EEC) No 3247/81 provides that, according to the procedure laid down in Article 13 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 3769/85⁽⁵⁾, uniform standard rates should be determined for the Community with a view to the financing of expenditure incurred for the free distribution under this scheme; whereas free distribution costs comprise transport, cutting, packaging and, where appropriate, boning costs;

Whereas the real costs of distribution in a Member State may differ appreciably from those in the other Member States and that accordingly different standard rates should be set for this Member State to avoid jeopardizing the Community's charity operation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The standard rates to be applied, pursuant to Article 7 of Regulation (EEC) No 3247/81, for the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of expenditure resulting from free distribution as provided for in Regulation (EEC) No 139/87 shall be the following:

- 40 ECU per gross tonne for boned meat,
- 160 ECU per gross tonne for bone-in meat.

Where beef is distributed in a Member State having no intervention stocks, an amount of 50 ECU per tonne shall be added to this rate.

If it can be shown, to the satisfaction of the competent authority in the Member State concerned, that the deboning has been carried out in particularly difficult conditions, the amount of 160 ECU per tonne shall be increased by a maximum of 50 ECU per tonne.

Article 2

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

It shall apply from 15 January 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽²⁾ OJ No L 251, 20. 9. 1985, p. 1.

⁽³⁾ OJ No L 17, 20. 1. 1987, p. 19.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 362, 31. 12. 1985, p. 17.

COMMISSION REGULATION (EEC) No 573/87
of 26 February 1987
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 231/87 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 440/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 440/87 to the prices

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

1. The import levies referred to in Article 14 (2) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 1 March 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 3.

⁽³⁾ OJ No L 43, 13. 2. 1987, p. 27.

ANNEX

to the Commission Regulation of 26 February 1987 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	33,55
04.01 A I b)	0120	31,14
04.01 A II a) 1	0130	31,14
04.01 A II a) 2	0140	38,18
04.01 A II b) 1	0150	29,93
04.01 A II b) 2	0160	36,97
04.01 B I	0200	76,88
04.01 B II	0300	162,62
04.01 B III	0400	251,33
04.02 A I	0500	32,16
04.02 A II a) 1	0620	163,16
04.02 A II a) 2	0720	218,13
04.02 A II a) 3	0820	220,55
04.02 A II a) 4	0920	260,81
04.02 A II b) 1	1020	155,91
04.02 A II b) 2	1120	210,88
04.02 A II b) 3	1220	213,30
04.02 A II b) 4	1320	253,56
04.02 A III a) 1	1420	30,14
04.02 A III a) 2	1520	40,69
04.02 A III b) 1	1620	162,62
04.02 A III b) 2	1720	251,33
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,5591 (*)
04.02 B I b) 1 bb)	2320	per kg 2,1088 (*)
04.02 B I b) 1 cc)	2420	per kg 2,5356 (*)
04.02 B I b) 2 aa)	2520	per kg 1,5591 (*)
04.02 B I b) 2 bb)	2620	per kg 2,1088 (*)
04.02 B I b) 2 cc)	2720	per kg 2,5356 (*)
04.02 B II a)	2820	52,91
04.02 B II b) 1	2910	per kg 1,6262 (*)
04.02 B II b) 2	3010	per kg 2,5133 (*)
04.03 A	3110	295,68
04.03 B	3210	360,73
04.04 A	3300	225,73 (*)
04.04 B	3900	379,35 (*)
04.04 C	4000	157,44 (*)
04.04 D I a)	4410	210,17 (*)
04.04 D I b)	4510	220,52 (*)
04.04 D II	4610	317,24
04.04 E I a)	4710	379,35
04.04 E I b) 1	4800	253,33 (*)

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

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	229,12 ⁽¹¹⁾
04.04 E I c) 1	5210	171,84
04.04 E I c) 2	5250	325,84
04.04 E II a)	5310	379,35
04.04 E II b)	5410	325,84
17.02 A II	5500	41,95 ⁽¹²⁾
21.07 F I	5600	41,95
23.07 B I a) 3	5700	119,35
23.07 B I a) 4	5800	155,21
23.07 B I b) 3	5900	145,71
23.07 B I c) 3	6000	120,84
23.07 B II	6100	155,21

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 25,47 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 25,47 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to:
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria and for products listed under (r) of that Annex imported from Norway,
 - 60 ECU per 100 kg net weight for products listed under (s) of that Annex imported from Finland,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and subheadings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 574/87

of 26 February 1987

fixing the monetary coefficient applicable on imports of dried grapes.

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 1838/86 ⁽²⁾, and in particular Article 9 (6) thereof,Having regard to Commission Regulation (EEC) No 2237/85 of 30 July 1985 laying down detailed rules for the application of the minimum import price system for dried grapes ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2237/85 provides that the Commission shall fix a monetary coefficient equal to the real monetary gap between the agricultural conversion rate for the currency of a Member State and the central rate, or, where applicable, the market rate when that gap is equal to or more than 2,5 percentage points;

Whereas Article 4 (2) of Regulation (EEC) No 2237/85 provides that the monetary coefficient shall be fixed before the commencement of the marketing year and, subsequently, on the first Monday of the months of November, January, March, May and July;

Whereas Commission Regulation (EEC) No 2382/86 ⁽⁴⁾, as last amended by Regulation (EEC) No 419/87 ⁽⁵⁾, fixes the minimum import price applicable to dried grapes during the marketing year 1986/87 as well as the counter-

vailing charges to be imposed where that price is not observed; whereas the import prices as set out in Annex II of that Regulation are calculated as specific percentages of the minimum import price; whereas as a result the monetary coefficient should apply both to the minimum import prices and the import prices,

HAS ADOPTED THIS REGULATION:

Article 1

After having converted the minimum import prices and the import prices as set out in Annexes I and II of amended Regulation (EEC) No 2382/86 into one of the following national currencies by applying the agricultural conversion rate, the resulting amount shall be multiplied by the following coefficient:

— for the German mark:	0,972
— for the Dutch guilder:	0,972
— for the Greek drachma:	1,438
— for the pound sterling:	1,317
— for the Portuguese escudo:	1,163
— for the Spanish peseta:	1,118
— for the French franc:	1,095
— for the Irish pound:	1,105
— for the Danish krone:	1,035
— for the Italian lire:	1,059

Article 2

This Regulation shall enter into force on 2 March 1987.

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

Done at Brussels, 26 February 1987.

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 209, 6. 8. 1985, p. 24.⁽⁴⁾ OJ No L 206, 30. 7. 1986, p. 18.⁽⁵⁾ OJ No L 42, 12. 2. 1987, p. 26.

COMMISSION REGULATION (EEC) No 575/87
of 26 February 1987
fixing the specific levies on beef and veal from Portugal

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

Having regard to the Act of Accession of Spain and Portugal and in particular Article 272 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 467/87 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 241/87 ⁽⁴⁾, lays

down detailed implementing rules for the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 25, 28. 1. 1987, p. 17.

ANNEX

Special levies on imports of beef and veal from Portugal

CCT heading No	Description	Amount of the special levies
01.02 A II	Live animals, including animals of the buffalo species, of domestic bovine species other than pure-bred breeding animals	24,54
02.01 A II a)	Fresh or chilled meat of bovine animals	
	1. Carcases, half-carcases or 'compensated' quarters	46,31
	2. Separated or unseparated forequarters	37,05
	3. Separated or unseparated hindquarters	55,57
	4. Other :	
	aa) Unboned (bone-in)	69,47
	bb) Boned or boneless	79,65
02.01 A II b)	Frozen meat of bovine animals :	
	1. Carcases, half-carcases, or 'compensated' quarters	41,68
	2. Separated or unseparated forequarters	33,34
	3. Separated or unseparated hindquarters	51,87
	4. Other :	
	aa) Unboned (bone-in)	62,52
	bb) Boned or boneless :	
	11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	51,87
	22. Crop, chuck and blade and brisket cuts (a)	51,87
	33. Other	71,78
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked :	
	1. Unboned (bone-in)	69,47
	2. Boned or boneless	79,65
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, either uncooked or a mixture of cooked meat or offal and uncooked meat or offal	79,65

(a) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 576/87**of 26 February 1987****amending for the second time Regulation (EEC) No 442/87 introducing a countervailing charge on clementines originating in Morocco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 442/87 of 12 February 1987⁽³⁾, as amended by Regulation (EEC) No 505/87⁽⁴⁾, introduced a countervailing charge on clementines originating in Morocco;

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

Whereas Article 25 of Regulation (EEC) No 1035/72 on the introduction of countervailing charges applies to a

given product only during the period in respect of which a reference price has been fixed for that product; whereas Commission Regulation (EEC) No 3208/86 of 22 October 1986⁽⁵⁾ fixed the reference prices for clementines up to 28 February 1987; whereas Regulation (EEC) No 442/87 should therefore be repealed with effect from 1 March 1987,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 442/87, '9,11 ECU' is hereby replaced by '10,51 ECU'.

Article 2

Regulation (EEC) No 442/87 is repealed with effect from 1 March 1987.

Article 3

This Regulation shall enter into force on 27 February 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 43, 13. 2. 1987, p. 34.

⁽⁴⁾ OJ No L 51, 20. 2. 1987, p. 20.

⁽⁵⁾ OJ No L 299, 23. 10. 1986, p. 14.

COMMISSION REGULATION (EEC) No 577/87

of 26 February 1987

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾ as last amended by Regulation (EEC) No 1454/86⁽²⁾ and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 409/87⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas the target price and the monthly increments in the target price of colza, rape and sunflower seed for the 1986/87 marketing year have been fixed in Council Regulations (EEC) No 1457/86⁽⁷⁾ and (EEC) No 1458/86⁽⁸⁾;

Whereas, in the absence of the target price for the 1987/88 marketing year for colza and rape seed, the amount of the subsidy in the case of advance fixing for July 1987 for colza and rape seed has been obtainable only provisionally on the basis of the target price for the marketing year 1987/88; whereas this amount may, there-

fore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1987/88 marketing year is known;

Whereas estimated production of colza and rape seed for the 1987/88 marketing year has not been fixed; whereas the amount, where appropriate, to be deducted from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC could therefore not be determined; whereas the amounts of the subsidy should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for colza and rape seed are known;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 1457/86;

Whereas, under the system of maximum guaranteed quantities, the amount of the aid is subject to the reduction provided for in Commission Regulation (EEC) No 2482/86⁽⁹⁾ as regards colza and rape seed, and in Commission Regulation (EEC) No 2478/86⁽¹⁰⁾ as regards sunflower seed;

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

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹¹⁾, as last amended by Regulation (EEC) No 1983/82⁽¹²⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹³⁾, as last amended by Regulation (EEC) No 2284/86⁽¹⁴⁾, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on

(¹) OJ No 172, 30. 9. 1966, p. 3025/86.

(²) OJ No L 133, 21. 5. 1986, p. 8.

(³) OJ No L 132, 21. 5. 1983, p. 33.

(⁴) OJ No L 44, 13. 2. 1987, p. 1.

(⁵) OJ No L 167, 25. 7. 1972, p. 9.

(⁶) OJ No L 143, 30. 5. 1984, p. 4.

(⁷) OJ No L 133, 21. 5. 1986, p. 12.

(⁸) OJ No L 133, 21. 5. 1986, p. 14.

(⁹) OJ No L 212, 2. 8. 1986, p. 23.

(¹⁰) OJ No L 212, 2. 8. 1986, p. 16.

(¹¹) OJ No 111, 10. 6. 1967, p. 2196/67.

(¹²) OJ No L 215, 23. 7. 1982, p. 6.

(¹³) OJ No 136, 30. 6. 1967, p. 2919/67.

(¹⁴) OJ No L 200, 23. 7. 1986, p. 16.

which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

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

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

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

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

be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

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

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds ⁽¹⁾, as amended by Regulation (EEC) No 935/86 ⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds ⁽³⁾, as last amended by Regulation (EEC) No 532/87 ⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 5.

⁽³⁾ OJ No L 54, 24. 2. 1987, p. 8.

⁽⁴⁾ OJ No L 54, 24. 2. 1987, p. 8.

and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

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

Whereas, in Article 14 of Council Regulation (EEC) No 475/86⁽²⁾ and Article 12 of Council Regulation (EEC) No 476/86⁽³⁾ of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain and Portugal respectively, provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain and Portugal;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 3826/85⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

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

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

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

- the relationship between the conversion rate used under the common agricultural policy for the

currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and

- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas Commission Regulation (EEC) No 2503/86⁽⁶⁾ fixed the coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 53, 1. 3. 1986, p. 51.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 219, 6. 8. 1986, p. 9.

2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 and Article 12 of Regulation (EEC) No 476/86 shall be as shown in Annex II to this Regulation for sunflower seed harvested in Spain and Portugal.

3. The amount of the subsidy in the case of advance fixing for July 1987 for colza and rape seed will, however, be confirmed or replaced as from 27 February 1987 to take into account the indicative price, and like measures, which is fixed for these products for the 1987/88 marketing year.

4. However, the amount of the subsidy in the case of advance fixing for July 1987 for colza and rape will be confirmed or replaced as from 27 February 1987 to take into account, where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 27 February 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

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

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month	6th month ⁽¹⁾
1. Gross aids (ECU):						
— Spain	0,610	0,610	0,610	0,610	0,610	0,100
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	36,336	36,832	37,170	37,011	36,853	31,477
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	87,55	88,74	89,56	89,28	88,91	76,37
— Netherlands (Fl)	98,65	99,98	100,91	100,58	100,17	86,00
— BLEU (Bfrs/Lfrs)	1 697,12	1 720,36	1 736,13	1 728,08	1 720,60	1 464,49
— France (FF)	249,20	252,72	254,81	253,19	251,95	214,25
— Denmark (Dkr)	306,44	310,67	313,51	312,11	310,71	264,46
— Ireland (£ Irl)	27,355	27,743	27,993	27,720	27,581	23,280
— United Kingdom (£)	20,192	20,503	20,684	20,552	20,422	16,915
— Italy (Lit)	54 521	55 283	55 678	55 526	55 266	46 764
— Greece (Dr)	3 545,95	3 584,43	3 591,98	3 552,46	3 524,98	2 814,37
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	88,94	88,94	88,94	88,94	88,94	14,58
— in another Member State (Pta)	4 264,79	4 337,10	4 383,62	4 332,32	4 306,22	3 622,95
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 159,14	5 230,12	5 248,48	5 210,47	5 181,66	4 322,02

⁽¹⁾ Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month	6th month ⁽¹⁾
1. Gross aids (ECU):						
— Spain	1,860	1,860	1,860	1,860	1,860	2,600
— Portugal	1,250	1,250	1,250	1,250	1,250	2,500
— Other Member States	37,586	38,082	38,420	38,261	38,103	33,977
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	90,54	91,72	92,55	92,27	91,90	82,34
— Netherlands (Fl)	102,02	103,35	104,27	103,94	103,53	92,72
— BLEU (Bfrs/Lfrs)	1 755,71	1 778,96	1 794,73	1 786,67	1 779,19	1 581,67
— France (FF)	258,08	261,60	263,69	262,07	260,83	232,00
— Denmark (Dkr)	317,12	321,35	324,19	322,79	321,39	285,82
— Ireland (£ Irl)	28,334	28,722	28,971	28,698	28,560	25,237
— United Kingdom (£)	20,976	21,287	21,468	21,337	21,206	18,483
— Italy (Lit)	56 445	57 207	57 603	57 450	57 190	50 612
— Greece (Dr)	3 691,80	3 730,27	3 737,83	3 698,31	3 670,82	3 106,06
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	271,19	271,19	271,19	271,19	271,19	271,19
— in another Member State (Pta)	4 447,04	4 519,35	4 565,87	4 514,57	4 488,47	3 987,44
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	189,77	189,77	189,77	189,77	189,77	379,54
— in another Member State (Esc)	5 348,91	5 419,89	5 438,25	5 400,24	5 371,43	4 701,56

⁽¹⁾ Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU):					
— Spain	1,720	1,720	1,720	1,720	1,720
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	41,722	42,363	41,942	42,021	42,100
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	100,76	102,17	101,21	101,50	101,68
— Netherlands (Fl)	113,53	115,12	114,02	114,34	114,55
— BLEU (Bfrs/Lfrs)	1 950,27	1 977,97	1 958,04	1 961,11	1 964,86
— France (FF)	285,40	289,60	286,06	286,18	286,80
— Denmark (Dkr)	351,80	356,85	353,13	353,83	354,52
— Ireland (£ Irl)	31,315	31,777	31,410	31,307	31,376
— United Kingdom (£)	22,893	23,263	22,916	22,981	23,046
— Italy (Lit)	62 504	63 412	62 580	62 851	62 981
— Greece (Dr)	3 990,74	4 035,00	3 932,90	3 931,34	3 945,09
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	250,77	250,77	250,77	250,77	250,77
— in another Member State (Pta)	3 962,51	4 048,67	3 979,93	3 960,69	3 973,74
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 542,12	6 629,16	6 512,96	6 515,83	6 530,71
— in another Member State (Esc)	6 329,83	6 414,04	6 301,62	6 304,39	6 318,80
3. Compensatory aids:					
— in Spain (Pta)	3 909,45	4 000,83	3 932,09	3 915,01	3 928,06
— in Portugal (Esc)	6 297,06	6 384,49	6 272,07	6 276,18	6 290,58

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0335380.

ANNEX IV

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

(value of 1 ECU)

	Current month	2nd month	3rd month	4th month	5th month	6th month
DM	2,065510	2,060310	2,054560	2,049370	2,049370	2,034470
Fl	2,328150	2,324710	2,321070	2,317200	2,317200	2,306620
Bfrs/Lfrs	42,993500	43,007800	43,034000	43,050100	43,050100	43,104900
FF	6,876610	6,884760	6,895200	6,905390	6,905390	6,937440
Dkr	7,790740	7,812130	7,834260	7,854450	7,854450	7,914690
£ Irl	0,775519	0,779479	0,784085	0,787998	0,787998	0,797162
£	0,734411	0,736447	0,738421	0,740051	0,740051	0,744871
Lit	1 467,24	1 470,57	1 474,34	1 478,48	1 478,48	1 488,66
Dr	151,64800	153,77500	155,86100	158,04000	158,04000	165,59900
Esc	159,69800	161,17700	162,50700	163,88500	163,88500	167,36600
Pta	145,21900	145,82300	146,46300	147,08400	147,08400	148,83500

COMMISSION REGULATION (EEC) No 578/87
of 26 February 1987
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 558/87 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2051/86 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 27 February 1987.

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

Done at Brussels, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.
⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.
⁽⁴⁾ OJ No L 56, 26. 2. 1987, p. 17.

ANNEX

to the Commission Regulation of 26 February 1987 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	50,80
	B. Raw sugar	42,86 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 579/87

of 26 February 1987

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 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 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 27 February 1987.

⁽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, 26 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 26 February 1987 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne) Refund
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria, Liechtenstein, Ceuta and Melilla — zone II b) — other third countries	121,00 127,00 —
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	15,00 (?) 20,00 (?)
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	5,00 10,00
10.03	Barley for exports to : — Switzerland, Austria, Liechtenstein, Ceuta and Melilla — zone II b) — other third countries	125,00 129,00 20,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing for exports to : — Switzerland, Austria and Liechtenstein — other third countries	141,00 —
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 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	178,00 178,00 156,00 144,00 133,00 118,00

		(ECU/tonne)
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	178,00
	— of an ash content of 701 to 1 150	178,00
	— of an ash content of 1 151 to 1 600	178,00
	— of an ash content of 1 601 to 2 000	178,00
11.02 A I a)	Durum wheat groats and meal for export to :	
	— Algeria	
	— of an ash content of 0 to 1 300 ⁽¹⁾	383,50 ⁽³⁾
	— other third countries	
	— of an ash content of 0 to 1 300 ⁽¹⁾	345,00 ⁽³⁾
	— of an ash content of 0 to 1 300 ⁽²⁾	324,00 ⁽³⁾
	— of an ash content of 0 to 1 300	291,00 ⁽³⁾
	— of an ash content of more than 1 300	275,00 ⁽³⁾
11.02 A I b)	Common wheat groats and meal :	
	— of an ash content of 0 to 520	178,00

⁽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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 23 February 1987

amending Decision 81/956/EEC on the equivalence of seed potatoes produced in third countries

(87/141/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes ⁽¹⁾, as last amended by Directive 86/215/EEC ⁽²⁾, and in particular Article 15 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, by Decision 81/956/EEC ⁽³⁾, as last amended by Decision 85/478/EEC ⁽⁴⁾, the Council declared that seed potatoes harvested and officially controlled in Austria, Switzerland and Poland afforded the same assurances as seed potatoes harvested and controlled within the Community;

Whereas the validity of that equivalence expired on 31 January 1984 in the case of Poland and on 30 June 1986 in the case of Austria and Switzerland;

Whereas it has been shown that the conditions on which the Community findings were based at the outset are still fulfilled as regards the standards and procedures applicable to the certification of seed potatoes;

Whereas equivalence may be used in practice, however, only if the seed potatoes also satisfy the conditions which Member States must, or may, lay down pursuant to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the

Member States of organisms harmful to plants or plant products ⁽⁵⁾ a last amended by Regulation (EEC) No 3768/85 ⁽⁶⁾;

Whereas it was established in this connection that the plant health situation in the third countries covered by Decision 81/956/EEC regarding *Corynebacterium sepedonicum* and potato spindle tuber viroid must be studied in depth; whereas that study is complete as far as Austria and Switzerland are concerned; whereas, however, the evaluation of the results has not yet been completed; whereas the study is continuing in respect of Poland; whereas, at this stage in the evaluation, the results of the study have shown that there are no plant health considerations preventing a renewal of the equivalence in respect of Austria and Switzerland; whereas a revival of equivalence in respect of Poland would still be pointless at this stage;

Whereas, furthermore, this Decision does not prevent Community findings from being revoked or the period of their validity from not being extended if it becomes apparent that the conditions on which such findings are based are not, or are no longer, fulfilled,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Decision 81/956/EEC '30 June 1986' replaced by '30 June 1988'.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽²⁾ OJ No L 152, 6. 6. 1986, p. 46.

⁽³⁾ OJ No L 351, 7. 12. 1981, p. 1.

⁽⁴⁾ OJ No L 285, 25. 10. 1985, p. 64.

⁽⁵⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽⁶⁾ OJ No L 362, 31. 12. 1985, p. 8.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 23 February 1987.

For the Council

The President

P. DE KEERSMAEKER

COMMISSION

COMMISSION RECOMMENDATION

of 6 February 1987

on certain methods for the removal of non-fibrous matter prior to quantitative analysis of fibre mixtures

(87/142/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the second indent of Article 155,

Whereas Council Directive 71/307/EEC of 26 July 1971, on the approximation of the laws of the Member States relating to textile names ⁽¹⁾, as last amended by Directive 83/623/EEC ⁽²⁾, requires mandatory labelling of textile products, whose fibre content must be checked by analysis for conformity with the indications given on the label;

Whereas Council Directive 72/276/EEC ⁽³⁾, as last amended by Directive 81/75/EEC ⁽⁴⁾, and Council Directive 73/44/EEC ⁽⁵⁾ lay down analytical requirements that must be complied with in order to determine, during checks on conformity carried out in the Community, the fibre content of textile products composed of binary and ternary mixtures; whereas these requirements concern both the pretreatment of the sample and the quantitative analysis itself;

Whereas Directive 72/276/EEC and 73/44/EEC stipulate that non-fibrous matter added to textile products must be removed prior to the analysis of the fibre content of the sample; whereas these Directives lay down a standard removal method applicable exclusively to non-fibrous matter that can be extracted with light petroleum and water, but do not specify any procedure in respect of the many types of added matter that are insoluble in those substances; whereas, under these circumstances, the laboratories carrying out conformity checks on textile

products may use different methods that may give differing results;

Whereas, in the current state of the art, it is in practice impossible to lay down binding and exhaustive methods for the removal of added matter that is insoluble in light petroleum and water, because of the complexity and varying composition of such matter;

Whereas it is nevertheless expedient, in order to ensure as far as possible the necessary uniformity of the results of conformity checks on textile products carried out in the Community, to provide laboratories with suitable methods for the removal of the main types of added matter that cannot be extracted with light petroleum and water, which those laboratories should use; whereas methods displaying these characteristics are set out in ISO technical report 5090 of 15 February 1977 and UNI standard 8046 of June 1980, as confirmed by experts from the national laboratories at a meeting of the Commission's 'Analyses' working party; whereas it is desirable to make provision for using these methods in appropriate cases and, therefore, that their use be recommended; whereas reference can therefore be made to the abovementioned documents, stipulating the necessary variants and the inherent limits of such methods;

Whereas these conclusions are in accordance with the views expressed by the Committee for Directives relating to Textile Names and Labelling,

HEREBY FORMULATES THIS RECOMMENDATION:

Article 1

It is hereby recommended that the laboratories conducting verifications of the conformity of the composition of textile products use, for the pretreatment of the sample for analysis, the methods for the removal of non-fibrous matter given in the Annex to this recommendation.

⁽¹⁾ OJ No L 185, 16. 8. 1971, p. 16.

⁽²⁾ OJ No L 353, 15. 12. 1983, p. 8.

⁽³⁾ OJ No L 173, 31. 7. 1972, p. 1.

⁽⁴⁾ OJ No L 57, 4. 3. 1981, p. 23.

⁽⁵⁾ OJ No L 83, 30. 3. 1973, p. 1.

Article 2

The Member States shall inform the Commission of the measures taken on the basis of this recommendation.

Article 3

This recommendation is addressed to the Member States.

Done at Brussels, 6 February 1987.

For the Commission

Grigoris VARFIS

Member of the Commission

ANNEX

RECOMMENDED METHODS FOR THE REMOVAL OF NON-FIBROUS MATTER PRIOR TO THE QUANTITATIVE ANALYSIS OF TEXTILE FIBRE MIXTURES

(Point I.6, third paragraph, first sentence of Annex II, part 1 to Directive 72/276/EEC and Directive 72/44/EEC)

1. INTRODUCTION

In the textile industry 'non-fibrous matter' means all substances of natural or synthetic origin added to textile products at any stage in their processing. These substances serve a wide variety of purposes depending on the type and intended use of the textile product to which they are applied.

Non-fibrous matter is subdivided into a number of categories, namely :

- lubricants and batching agents,
- sizes,
- finishes.

2. PROVISIONS FOR THE REMOVAL OF ADDED MATTER

To verify the fibre content of textile products, it is necessary, in the case of mixtures or when extraneous fibres are found in textile products claimed to be 'pure', to make a quantitative analysis of the fibre composition, generally by dissolving one or more constituents of the product.

- 2.1. Prior to the analysis proper, however, all the non-fibrous matter must be removed in accordance with the new Article 12 (3) of Directive 71/307/EEC on textile names, set out in Article 1 (7) of Directive 83/623/EEC.
- 2.2. This requirement is also included in a slightly different form in Directives 72/276/EEC (Annex II, section 1, fourth and fifth paragraphs) and 73/44/EEC (Annex I, Introduction, eighth and ninth paragraphs) on the quantitative analysis of binary and ternary fibre mixtures.
- 2.3. For the removal of certain types of non-fibrous matter, in particular non-fibrous matter that can be extracted with light petroleum and water (oils, fats, waxes, water-soluble products, etc.), Annexes I and II to the two abovementioned Directives on quantitative analysis lay down in item I.6, 'Pretreatment of laboratory test sample', a standard method consisting of extraction with light petroleum, followed by soaking in cold water, then hot water.
- 2.4. No removal method is given for other non-fibrous matter, the third and fourth paragraphs of item I.6 stipulating :

'Where non-fibrous matter cannot be extracted with light petroleum and water, it should be removed by substituting for the method described above a suitable method that does not substantially alter any of the fibre constituents...

Analysis reports should include full details of the methods of pretreatment used.'

The great variety and complexity of composition of the matter added to textile products and the continual technical development of such substances, the characteristics and in particular solubility of which vary over a period of time, mean that their removal is highly complex and gives varying results.

Consequently, it appears virtually impossible to define before the analysis precise and exhaustive standard methods for the removal of all types of added matter.

That is why the Directives on analysis do not specify such methods but leave it to the laboratories to choose suitable procedures for the removal of added matter that may be present in textile products for analysis.

3. RECOMMENDED METHODS

- 3.1. Despite the impossibility of devising standard methods for all added matter, it would still be useful for analytical laboratories to have methods with precise procedures that could, where appropriate, be used in the different cases that arise and in particular for the dissolution of the added substances most frequently used.

Without such methods the removal of these substances prior to the analysis of textile products may well be carried out in different laboratories in varying ways, which could lead to varying results being obtained from analysis.

Consequently, to introduce some uniformity in the pretreatment of the samples to be examined it is advisable to suggest suitable methods for the removal of the main substances added to textile products.

3.2. The following methods are regarded as suitable for the removal of non-fibrous matter, especially finishes, and can therefore be used:

- those given in ISO technical report 5090 of 15 February 1977, Table and Annex,
- those given in UNI⁽¹⁾ standard 8046 of June 1980, appearing in Chapter 4, points 4.2, 4.3, 4.4, 4.6, 4.7, 4.8, 4.9, 4.11 on the added substances referred to in Chapter 5 under serial Nos 5.4, 5.8, 5.10, 5.17, 5.19, 5.21, 5.22, 5.23, 5.28 and 5.29.

4. COMMENTS

The methods of removing resins for crease-resistant treatment described in points A.11 of ISO technical report 5090 and 4.9 of UNI standard 8046 are equivalent and either may be used.

The methods for the removal of sizes and finishes based on acrylic resins described in point A.6 of ISO technical report 5090 and points 5.4 and 5.21 of UNI standard 8046 are to be regarded as complementary, and therefore their use depends on the case in question.

5. WARNING

Attention should be drawn to the following considerations also set out in the second sentence of the first paragraph of ISO report 5090:

- the methods proposed are sometimes imprecise and cannot, in the present state of knowledge, be improved,
 - some methods are missing for the removal of certain non-fibrous materials,
 - since methods for the identification of all non-fibrous matter are not available at present, it is not possible to decide whether removal has been total or not,
 - certain methods can damage textile fibres without it being possible, at present, to assess the degree of damage.
-

⁽¹⁾ UNI = Ente Nazionale Italiano di Unificazione.

COMMISSION DIRECTIVE

of 10 February 1987

amending the first Directive 80/1335/EEC on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products

(87/143/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products⁽¹⁾, as last amended by Commission Directive 87/137/EEC⁽²⁾, and in particular Article 8 (1) thereof,

Whereas in the light of scientific and technical data it has been found necessary to adapt the method of analysis for the determination of zinc; whereas Commission Directive 80/1335/EEC⁽³⁾ should therefore be amended;

Whereas the measures laid down in this Directive are in conformity with the opinion of the Committee on the Adaptation to Technical Progress with the opinion of the Committee on the Adaptation to Technical Progress of Directives for the Removal of Technical Barriers to Trade in Cosmetics,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Chapter VI in the Annex to Directive 80/1335/EEC is hereby amended as follows:

1. The following is added to point 5:

‘5.13. Filter paper, Whatman No 4 or equivalent’.

2. The following is added to point 6.1:

‘6.1.1. Filter, with the aid of a vacuum pump if necessary, and retain the filtrate.

6.1.2. Repeat the extraction step with a further 50 ml of distilled water. Filter and combine the filtrates.’

3. At point 6.2, the reference to the solution should read 6.1.2 instead of 6.1.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 1 July 1988. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 10 February 1987.

For the Commission

Grigoris VARFIS

Member of the Commission

⁽¹⁾ OJ No L 262, 27. 9. 1976, p. 169.

⁽²⁾ OJ No L 56, 26. 2. 1987, p. 20.

⁽³⁾ OJ No L 383, 31. 12. 1980, p. 27.

COMMISSION DECISION

of 13 February 1987

amending Decision 80/686/EEC setting up an Advisory Committee on the Control and Reduction of Pollution Caused by Hydrocarbons Discharged at Sea

(87/144/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community,

Whereas by Decision 80/686/EEC⁽¹⁾ the Commission set up an Advisory Committee on the Control and Reduction of Pollution Caused by Hydrocarbons Discharged at Sea; whereas by Decision 85/208/EEC⁽²⁾ the Commission extended the terms of reference of that Committee to include other harmful substances;

Whereas substantial progress has been made with action by the Community concerning the control and reduction of pollution caused by the spillage of oil at sea;

Whereas in its resolution of 16 September 1983⁽³⁾ the European Parliament considered that strict rules should operate regarding *inter alia* the members of committees and groups of experts;

Whereas for the reasons set out above Decision 80/686/EEC should be amended,

Article 1

Decision 80/686/EEC is hereby amended as follows:

1. In Article 3 (1) the words 'three representatives per Member State' are replaced by 'two representatives per Member State'.
2. Article 7 is replaced by following:

'Article 7

Where necessary, the Commission may invite one or more members who are particularly well qualified in the area in question to attend a meeting on an individual basis.'

3. Article 10 is deleted.

Done at Brussels, 13 February 1987.

For the Commission

Stanley CLINTON DAVIS

Member of the Commission

⁽¹⁾ OJ No L 188, 22. 7. 1980, p. 11.

⁽²⁾ OJ No L 89, 29. 3. 1985, p. 64.

⁽³⁾ OJ No C 277, 17. 10. 1983, p. 195.

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