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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3550/86

of 17 November 1986

opening, allocating and providing for the administration of a Community tariff quota for silver hake (*Merluccius bilinearis*) falling within subheading ex 03.01 B I t) of the Common Customs Tariff (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual Community tariff quota at 8 % duty for 2 000 tonnes of silver hake (*Merluccius bilinearis*) falling within subheading ex 03.01 B I t) of the Common Customs Tariff; whereas the tariff quota concerned should be opened on 1 January 1987 and allocated among the Member States;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the said goods, the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the tariff year in question;

Whereas, since the fish concerned are not separately specified in the statistical nomenclatures of the Member States, the available import figures provided by them cannot be regarded as sufficiently exact or representative for use as a basis for the allocation referred to above; whereas the incomplete figures available together with the estimates made by the Member States allow the following percentage estimates to be made as to the import needs of each of them from third countries for the quota period envisaged:

Benelux	0,76
Denmark	23,11
Germany	41,82
Greece	0,07
Spain	0,38
France	14,70
Ireland	0,38
Italy	0,68
Portugal	0,38
United Kingdom	17,72

Whereas to take account of the possible import trends for these fish, the quota volume should be divided into two instalments, the first being allocated between the Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial share; whereas, to afford importers some degree of certainty, the first instalment of the tariff quota should be fixed at a high level, which in this case could be 66 % of the amount of the quota;

Whereas initial shares may be used up at different rates; whereas, to avoid disruption of supplies on this account, it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost used up, a Member State should draw a further share and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas if, at a given date in the quota period, a considerable quantity of a Member State's initial share remains unused it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of the Community tariff quota

from remaining unused in one Member State while it could be used in others;

HAS ADOPTED THIS REGULATION:

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

Article 1

From 1 January to 31 December 1987, the Common Customs Tariff duty on the following products shall be suspended at the level and within the limit of a Community tariff quota as shown below:

Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
09.0009	ex 03.01 B I t)	Silver hake (<i>Merluccius bilinearis</i>)	2 000	8

Within the limit of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions laid down by the 1985 Act of Accession.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment of 1 320 tonnes shall be allocated among the Member States; the shares, which subject to Article 5, shall be valid from 1 January to 31 December 1987, shall be as follows:

	(tonnes)
Benelux	71
Denmark	305
Germany	552
Greece	1
Spain	5
France	194
Ireland	5
Italy	9
Portugal	5
United Kingdom	170

3. The second instalment of 680 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (2), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share, rounded up as necessary to the next whole number.

2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share

equal to 5 % of its initial share, rounded up as necessary to the whole number.

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

Member States shall, not later than 1 October 1987, return to the reserve the unused portion of their initial share which, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1987, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1987, and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 October 1987, inform the Member States of the amount still in reserve, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their accumulated shares of the Community quota.
2. The Member States shall ensure that importers of the product in question have free access to the shares allocated to them.
3. The Member States shall charge imports of the product in question against their shares as and when the product is entered with the customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, the Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 17 November 1986.

For the Council
The President
M. JOPLING

COUNCIL REGULATION (EEC) No 3551/86

of 17 November 1986

opening, allocating and providing for the administration of a Community tariff quota for frozen cod (*Gadus morhua*) fillets falling within subheading ex 03.01 B II b) 1 of the Common Customs Tariff (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual Community tariff quota at 8 % duty for 10 000 tonnes of frozen cod (*Gadus morhua*) fillets falling within subheading ex 03.01 B II b) 1 of the Common Customs Tariff; whereas the tariff quota concerned should be opened on 1 January 1987 and allocated among the Member States;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the said goods, the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the tariff year in question;

Whereas, during the last three years for which complete statistics are available, the corresponding imports into each of the Member States represented the following percentages of total imports of the product in question:

Member States	1983	1984	1985
Benelux	4,45	1,29	0,85
Denmark	2,23	2,35	2,24
Germany	6,57	9,23	16,35
Greece	1,10	0,41	0,77
Spain	0,01	0	0
France	20,55	17,34	13,16
Ireland	0	0	0
Italy	1,55	6,88	5,93
Portugal	0,01	0,01	0
United Kingdom	63,53	62,49	60,70

Whereas, in view of these factors and of market forecasts for this product for 1987, the initial percentage shares in the quota volume can be expressed approximately as follows:

Benelux	0,48
Denmark	3,35
Germany	23,90
Greece	0,08
Spain	0,08
France	23,90
Ireland	0,08
Italy	7,97
Portugal	0,32
United Kingdom	39,84

Whereas, to take account of future import trends for the products in question in the various Member States, the quota should be divided into two instalments, the first being allocated among Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial share; whereas, to give importers in each Member State some degree of certainty, the first instalment of the Community quota should be fixed at a relatively high level, in this case approximately 63 % of the full quota;

Whereas Member States may exhaust their initial shares for the products in question at different rates; whereas, to avoid disruption of supplies on this account, it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which latter must in particular be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State it is essential that that Member State pay a large amount of it back into the reserve, in order to avoid a part

of the Community quota remaining unused in one Member State when it could be used in others;

HAS ADOPTED THIS REGULATION:

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

Article 1

From 1 January to 31 December 1987, the Common Customs Tariff duty on the following products shall be suspended at the level and within the limit of a Community tariff quota as shown below:

Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
09.0011	ex 03.01 B II b) 1	Frozen cod fillets (<i>Gadus morhua</i>)	10 000	8

Within the limit of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions laid down by the 1985 Act of Accession.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment of 6 275 tonnes shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid from 1 January to 31 December 1987 shall be as follows:

	(tonnes)
Benelux	30
Denmark	210
Germany	1 500
Greece	5
Spain	5
France	1 500
Ireland	5
Italy	500
Portugal	20
United Kingdom	2 500

3. The second instalment of 3 725 tonnes shall constitute the reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (2), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up, should the occasion arise, to the nearest unit above.

2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to

the extent provided in paragraph 1, draw a third share, equal to 5 % of its initial share rounded up, should the occasion arise, to the nearest unit above.

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, under the same conditions, draw a fourth share equal to the third. This process shall continue until the reserve has been exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

Member States shall, not later than 1 October 1987, return to the reserve the unused portion of their initial share which, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1987, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1987, and charged against the Community quotas and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 October 1987, inform the Member State of the amount still in reserve following any return of shares pursuant to Article 5.

It shall ensure that when an amount exhausting the reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. Member States shall charge imports of the products in question against their shares as and when the products are entered with the customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, the Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 17 November 1986.

For the Council
The President
M. JOPLING

COMMISSION REGULATION (EEC) No 3552/86

of 21 November 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2010/86 ⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 20 November 1986;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2010/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 21 November 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	9,84	182,91
10.01 B II	Durum wheat	35,26	238,33 ⁽¹⁾ ⁽²⁾
10.02	Rye	46,39	155,28 ⁽²⁾
10.03	Barley	16,48	175,18
10.04	Oats	79,01	143,75
10.05 B	Maize, other than hybrid maize for sowing	—	164,29 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	16,48	118,26 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	1,50	166,30 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	—	0 ⁽²⁾
11.01 A	Wheat or meslin flour	27,85	269,83
11.01 B	Rye flour	79,02	231,16
11.02 A I a)	Durum wheat groats and meal	67,98	383,60
11.02 A I b)	Common wheat groats and meal	28,89	290,23

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

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

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

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

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

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

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

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

COMMISSION REGULATION (EEC) No 3553/86

of 21 November 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2011/86 ⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 20 November 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 21 November 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	<i>(ECU/tonne)</i>			
		Current 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	0	0	8,26
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0,44	0,44	0,44
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	104,88
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	11,56

B. Malt

CCT heading No	Description	<i>(ECU/tonne)</i>				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	14,70	14,70
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	10,99	10,99
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0,78	0,78	0,78	0,78
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0,59	0,59	0,59	0,59
11.07 B	Roasted malt	0	0,68	0,68	0,68	0,68

COMMISSION REGULATION (EEC) No 3554/86
of 21 November 1986
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1449/86⁽²⁾, and in particular Article 11 (2) thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2683/86⁽³⁾, as last amended by Regulation (EEC) No 3516/86⁽⁴⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾,
- 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 contained in Regulation (EEC) No 2683/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽³⁾ OJ No L 246, 30. 8. 1986, p. 5.

⁽⁴⁾ OJ No L 325, 20. 11. 1986, p. 10.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 21 November 1986 fixing the import levies on rice and broken rice

CCT heading No	Description	(ECU / tonne)		
		Portugal	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :			
	B. Other :			
	I. Paddy rice ; husked rice :			
	a) Paddy rice :			
	1. Round grain	—	301,57	147,18
	2. Long grain	—	340,90	166,85
	b) Husked rice :			
	1. Round grain	—	376,96	184,88
	2. Long grain	—	426,12	209,46
	II. Semi-milled or wholly milled rice :			
	a) Semi-milled rice :			
	1. Round grain	13,05	501,42	238,78
	2. Long grain	12,97	618,83	297,53
b) Wholly milled rice :				
1. Round grain	13,90	534,02	254,66	
2. Long grain	13,90	663,39	319,34	
III. Broken rice	68,46	209,18	101,59	

N.B. The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Regulation (EEC) No 3294/86.

⁽¹⁾ Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

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

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 3555/86
of 21 November 1986
fixing the premiums to be added to the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1449/86 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2684/86 ⁽³⁾, as last amended by Regulation (EEC) No 3517/86 ⁽⁴⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾,
- 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, 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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.
2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission
 Frans ANDRIESEN
 Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.
⁽³⁾ OJ No L 246, 30. 8. 1986, p. 8.
⁽⁴⁾ OJ No L 325, 20. 11. 1986, p. 12.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 21 November 1986 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 11	1st period 12	2nd period 1	3rd period 2
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
1. Round grain	0	0	0	—	
2. Long grain	0	0	0	—	
III. Broken rice	0	0	0	0	

COMMISSION REGULATION (EEC) No 3556/86**of 21 November 1986****altering the specific agricultural conversion rates applicable in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽²⁾, as last amended by Regulation (EEC) No 2502/86⁽³⁾, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86⁽⁴⁾, as amended by Regulation (EEC) No 3492/86⁽⁵⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁶⁾;

Whereas Regulation (EEC) No 3153/85 lays detailed rules for the calculation of monetary compensatory amounts;

whereas the spot market rates for the pound sterling, recorded in accordance with Regulation (EEC) No 3153/85 during the period 12 to 18 November 1986, require the specific agricultural conversion rates applicable for the United Kingdom to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 24 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽³⁾ OJ No L 219, 6. 8. 1986, p. 8.

⁽⁴⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁵⁾ OJ No L 320, 15. 11. 1986, p. 30.

⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

1 ECU	= Bfs	47,3307
	= Dkr	8,58155
	= DM	2,31728
	= FF	7,54539
	= £ Irl	0,839794
	= Fl	2,61094
	= £	0,798790
	= Lit	1 588,19
	= Dr	157,625
	= Pta	153,669

COMMISSION REGULATION (EEC) No 3557/86

of 20 November 1986

re-establishing the levying of customs duties on cotton yarn, not put up for retail sale, products of category 1a) (code 40.0014), originating in Thailand, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3600/85 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3600/85 of 17 December 1985 applying generalized tariff preferences for 1986 to textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of Annex I or II thereto, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of cotton yarn, not put up for retail sale, products of category 1 a) (code 40.0014), the relevant ceiling amounts to 13,2 tonnes; whereas, on 12 November 1986, imports of the products in question into the Community, originating in Thailand, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 25 November 1986, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3600/85, shall be re-established in respect of the following products, imported into the Community and originating in Thailand:

Code	Category	CCT heading No	NIMEXE code	Description
	(1)	(2)	(3)	(4)
40.0014	1 a)	ex 55.05	55.05-33, 35, 37, 41, 45, 46, 61, 65, 67, 69, 72, 78	Cotton yarn, not put up for retail sale

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, 20 November 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 107.

COMMISSION REGULATION (EEC) No 3558/86

of 20 November 1986

re-establishing the levying of customs duties on other woven fabrics of cotton, unbleached or bleached, products of category ex 2 (code 40.0023), originating in Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3600/85 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3600/85 of 17 December 1985 applying generalized tariff preferences for 1986 to textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of Annex I or II thereto, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of other woven fabrics of cotton unbleached or bleached, products of category ex 2 (code

40.0023), the relevant ceiling amounts to 29,9 tonnes; whereas, on 12 November 1986, imports of the products in question into the Community, originating in Indonesia, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Indonesia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 25 November 1986, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3600/85, shall be re-established in respect of the following products, imported into the Community and originating in Indonesia:

Code	Category	CCT heading No	NIMEXE code	Description
	(1)	(2)	(3)	(4)
40.0023	ex 2	ex 55.09	55.09-03, 04, 05, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 68, 69, 75, 76, 77, 78, 79, 80, 81, 82	Other woven fabrics of cotton: Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics: — Unbleached or bleached

Article 2

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

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 107.

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

Done at Brussels, 20 November 1986.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 3559/86

of 20 November 1986

re-establishing the levying of customs duties on woven fabrics of man-made fibres (discontinuous or waste), unbleached or bleached, products of category ex 3 (code 40.0033), originating in Pakistan, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3600/85 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3600/85 of 17 December 1985 applying generalized tariff preferences for 1986 to textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of Annex I or II thereto, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of woven fabrics of man-made fibres (discontinuous or waste), unbleached or bleached,

products of category ex 3 (code 40.0033), the relevant ceiling amounts to 5,1 tonnes; whereas on 12 November 1986, imports of the products in question into the Community, originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Pakistan,

HAS ADOPTED THIS REGULATION :

Article 1

As from 25 November 1986, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3600/85, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan :

Code	Category	CCT heading No	NIMEXE code	Description
	(1)	(2)	(3)	(4)
40.0033	ex 3	ex 56.07 A	56.07-04, 10, 20, 30, 39, 45	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres: Woven fabrics of synthetic fibres (discontinuous or waste), other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics: — Unbleached or bleached

Article 2

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

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 107.

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

Done at Brussels, 20 November 1986.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 3560/86
of 21 November 1986
concerning the quantities of sheepmeat and goatmeat products which may be
imported from Romania during 1986

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

Having regard to Council Decision 84/633/EEC of 11 December 1984 authorizing the Commission, within the context of the voluntary restraint agreements on trade in the sheepmeat and goatmeat sector between the Community and 12 non-member States, to convert, for the purposes of the smooth operation of trade and within the limits agreed, live animal quantities into fresh or chilled meat quantities or such latter quantities into the former⁽¹⁾, and in particular Article 1 (1) thereof;

Whereas, under an Agreement concluded with the Community, Romania has undertaken to restrict its exports of sheepmeat and goatmeat to the Community to annual quantities of 475 tonnes of live animals, expressed as carcase weight bone-in, and of 75 tonnes of fresh and chilled meat;

Whereas Romania has asked the Community to convert the 75 tonnes of fresh and chilled meat that may be exported to the Community in 1986 into 75 tonnes of live animals expressed as carcase weight bone-in; whereas the extremely limited quantity covered by the request will not disturb the Community market; whereas the market situation is such that the application can be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantity of live sheep and goats other than pure-bred breeding animals falling within subheading 01.04 B of the Common Customs Tariff that may be imported from Romania in 1986, under the Agreement concluded with that country, shall be 550 tonnes expressed as carcase weight bone-in.

The quantity of fresh and chilled sheepmeat and goatmeat falling within subheading 02.01 A IV a) of the Common Customs Tariff that may be imported from Romania in 1986 under the Agreement concluded with that country, shall be nil.

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, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 331, 19. 12. 1984, p. 32.

COMMISSION REGULATION (EEC) No 3561/86
of 21 November 1986
fixing the export refunds on baled tobacco from the 1986 harvest

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1576/86 ⁽²⁾, and in particular the second subparagraph of Article 9 (1) and the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas under Article 9 of Regulation (EEC) No 727/70 the difference between world prices and Community prices for the products referred to in Article 1 of the said Regulation may be covered by an export refund;

Whereas under Council Regulation (EEC) No 326/71 of 15 February 1971 laying down general rules for granting export refunds on raw tobacco and fixing the amount of such refunds ⁽³⁾ the granting of refunds must be limited to baled tobacco produced from leaf tobacco harvested in the Community; whereas the refunds must be fixed for each variety produced in the Community in the light of the factors referred to in Article 2 (1) of Regulation (EEC) No 326/71;

Whereas for some varieties the outlets are very limited or involve high transport costs; whereas, moreover, some third countries exporting tobacco charge prices which have a marked effect on the competitive position of Community tobacco; whereas Article 4 of Regulation (EEC) No 326/71 foresees criteria to be taken into account in the assessment of the exceptional cases referred to in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70; whereas in view of the abovementioned situation it may be concluded that these circumstances constitute exceptional cases which therefore justify the refund being fixed outside the limits specified in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70;

Whereas, as a result of progress in processing and market preparation, an increasingly large part of Community production of certain varieties of tobacco is being exported in the form of threshed (stripped) tobacco; whereas, consequently, the amount of the refund should

be differentiated according to the form in which the baled tobacco is presented; whereas for exports of entirely threshed (stripped) tobacco it should be specified that the refund is to be granted only on the strips, not scraps, and the amount should be increased accordingly to take account of the results of threshing; whereas, to avoid any risk of confusion, the strips must measure at least 0,5 centimetres;

Whereas the trade in threshed (stripped) tobacco involves only a few tobacco varieties; whereas some oriental varieties in particular are not threshed on account of their small leaf size; whereas the refund should therefore be differentiated only for strips from varieties which are actually threshed and the differentiated amount worked out by applying to the basic amount set for unthreshed tobacco of the particular variety the coefficient set in the Annex to Commission Regulation (EEC) No 410/76 of 23 February 1976, fixing the maximum permissible weight losses in connection with the supervision of the first processing and market preparation of tobacco ⁽⁴⁾, as last amended by Regulation (EEC) No 2131/86 ⁽⁵⁾;

Whereas, to apply the rules and criteria referred to above in the present situation on the market in tobacco, and in particular in the light of Community and world prices, a refund should be fixed for the products listed in the Annex, at the levels and for the countries specified therein;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of varieties of baled tobacco from the 1986 harvest on which the export refund referred to in Article 9 of Regulation (EEC) No 727/70 is to be granted, the amount of the refund and the countries of destination shall be as specified in the Annex.

The refund shall be granted on baled tobacco presented in one of the following two forms:

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 1.

⁽³⁾ OJ No L 39, 17. 2. 1971, p. 1.

⁽⁴⁾ OJ No L 50, 26. 2. 1976, p. 11.

⁽⁵⁾ OJ No L 187, 9. 7. 1986, p. 9.

- (a) tobacco in the form of whole or cut (not stripped) leaves falling within heading No 24.01 of the Common Customs Tariff (column 3);
- (b) threshed (totally stripped) tobacco in the form of strips measuring at least 0,5 centimetres, falling within heading No 24.01 of the Common Customs Tariff (column 4).

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 until 31 December 1987.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

(ECU/kg)

Serial No	Variety	Amount of the refund on tobacco in the form of whole or cut (unstripped) leaves (Article 1 (2) (a))	Amount of the refund on threshed (totally stripped) tobacco (Article 1 (2) (b))	Countries of destination
1	2	3	4	5
1	Badischer Geudertheimer	0,34	0,47	} All third countries
2	Badischer Burley E	0,34	0,47	
3	Virgin D	0,30	0,42	All third countries except the United States and Canada
4	(a) Paraguay	0,34	0,47	} All third countries
	(b) Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appel terre	0,34	0,47	
7	Bright	0,30	0,42	} All third countries except the United States and Canada
8	Burley I	0,30	0,42	
9	Maryland	0,30	0,42	
10	Kentucky	0,44	0,61	
11	(a) Forchheimer Havana II c)	0,34	0,47	All third countries
13	Xanti-Yaka	0,44	—	} All third countries except Turkey and Yugoslavia
14	(a) Perustitza	0,44	—	
	(b) Samsun	0,30	—	
15	Erzegovina	0,44	—	} All third countries except the United States and Canada
16	(a) Round Tip	} 0,72	—	
	(b) Scafati		—	
	(c) Sumatra I		—	
17	Basmas	0,34	—	} All third countries except Turkey and Yugoslavia
18	Katerini and similar varieties	0,34	—	
19	(a) Kaba Koulak classic	0,34	—	
	(b) Ellassona	0,34	—	
20	(a) Kaba Koulak non classic	0,44	—	
	(b) Myrodata Smyrne, Trapezous, and Phi I	0,44	—	
21	Myrodata Agrinion	0,44	—	
22	Zichnomyrodata	0,34	—	
23	Tsebelia	0,44	0,61	
24	Mavra	0,44	—	
25	Burley GR	0,30	0,42	} All third countries except the United States and Canada
26	Virginia GR	0,30	0,42	
27	Santa Fé	0,34	0,47	} All third countries
28	Burley Fermenté	0,34	0,47	
29	Havana ESP	0,34	0,47	
30	Round Scafati	0,44	—	} All third countries except the United States and Canada
31	Virginia ESP	0,30	0,42	
32	Burley ESP	0,30	0,42	
33	Virginia PORT	0,30	0,42	
34	Burley PORT	0,30	0,42	

COMMISSION REGULATION (EEC) No 3562/86

of 21 November 1986

postponing the date for the take-over of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 2374/79

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾,Whereas Commission Regulation (EEC) No 2374/79 ⁽³⁾, as last amended by Regulation (EEC) No 940/86 ⁽⁴⁾, fixes certain selling prices for beef and veal taken over by the intervention agencies before 31 May 1985; whereas the situation regarding these stocks is such that this date should be replaced by 31 May 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 of Regulation (EEC) No 2374/79, '31 May 1985' is hereby replaced by '31 May 1986'.

*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, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.⁽³⁾ OJ No L 272, 30. 10. 1979, p. 16.⁽⁴⁾ OJ No L 87, 2. 4. 1986, p. 4.

COMMISSION REGULATION (EEC) No 3563/86

of 21 November 1986

on the sale at prices fixed at a standard rate in advance of certain beef from intervention stocks for processing in the Community and repealing Regulation (EEC) No 2908/86

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created large stocks in certain Member States;

Whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas such sales should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽³⁾, should also be governed by the rules laid down by Commission Regulation (EEC) No 1687/76 ⁽⁴⁾, as last amended by Regulation (EEC) No 3522/86 ⁽⁵⁾, and by those laid down by Commission Regulation (EEC) No 2182/77 ⁽⁶⁾, as last amended by Regulation (EEC) No 632/85 ⁽⁷⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas Council Regulation (EEC) No 1055/77 ⁽⁸⁾ provides that, in the case of products stored by an intervention agency outside the territory of the Member State within whose jurisdiction it falls, a different selling price from that for products stored on that territory may be fixed; whereas Commission Regulation (EEC) No 1805/77 ⁽⁹⁾ fixed the method for calculating the selling prices for such products; whereas, to avoid all confusion, it should be expressly stated that the prices fixed by this Regulation are subject to adjustment in the case of those products;

Whereas it seems appropriate to waive the second subparagraph of Article 2 (2) of Regulation (EEC) No

2173/79, taking into account the administrative difficulties which the application of this rule raises in certain Member States;

Whereas Commission Regulation (EEC) No 2908/86 ⁽¹⁰⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 24 November 1986 to 9 January 1987 the following approximate quantities of beef products shall be put up for sale for processing within the Community:

- 800 tonnes of bone-in beef held by the Spanish intervention agency and bought in before 1 January 1985,
- 850 tonnes of bone-in beef held by the Irish intervention agency and bought in before 1 January 1985,
- 1 000 tonnes of bone-in beef held by the Italian intervention agency and bought in before 1 January 1985,
- 1 500 tonnes of bone-in beef held by the United Kingdom intervention agency and bought in before 1 January 1985,
- 150 tonnes of boned beef held by the French intervention agency and bought in before 1 April 1986,
- 2 000 tonnes of boned beef held by the Irish intervention agency and bought in before 1 January 1986,
- 300 tonnes of boned beef held by the Dutch intervention agency and bought in before 1 November 1985,
- 700 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 January 1986.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The prices, quality and quantities of this meat are set out in Annex I hereto.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁵⁾ OJ No L 325, 20. 11. 1986, p. 25.

⁽⁶⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁷⁾ OJ No L 72, 13. 3. 1985, p. 25.

⁽⁸⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁹⁾ OJ No L 198, 5. 8. 1977, p. 19.

⁽¹⁰⁾ OJ No L 271, 23. 9. 1986, p. 10.

4. The sales shall be conducted in accordance with Regulation (EEC) No 2173/79 together with Regulations (EEC) No 1687/76, (EEC) No 2182/77 and this Regulation.

5. Notwithstanding the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, purchase applications shall not name the coldstore or stores where the products applied for are stored.

6. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the addresses listed in Annex II hereto.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, applications to purchase :

(a) shall be valid only if presented by a natural or legal person who for at least 12 months has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;

(b) must be accompanied by :

— a written undertaking by the applicant to process the meat purchased within the period referred to in Article 5 (1) of Regulation (EEC) No 2182/77,

— a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall

submit the applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be :

— 30 ECU per 100 kilograms for unboned forequarters intended for the manufacture of the products specified in Article 1 (1)(a) of Regulation (EEC) No 2182/77,

— 15 ECU per 100 kilograms for unboned forequarters intended for the manufacture of the products specified in Article 1 (1)(b) of Regulation (EEC) No 2182/77,

— 75 ECU per 100 kilograms for boned meats intended for the manufacture of the products specified in Article 1 (1)(a) of Regulation (EEC) No 2182/77,

— 65 ECU per 100 kilograms for boned meats intended for the manufacture of the products specified in Article 1 (1)(b) of Regulation (EEC) No 2182/77.

Article 4

Regulation (EEC) No 2908/86 is hereby repealed.

Article 5

This Regulation shall enter into force on 24 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio de venta (ECUS/100 kg) (1) Salgspris (ECU/100 kg) (1) Verkaufspreise (ECU/100 kg) (1) Τιμές πώλησεως (ECU/100 kg) (1) Selling prices (ECU/100 kg) (1) Prix de vente (Écus/100 kg) (1) Prezzi di vendita (ECU/100 kg) (1) Verkoopprijzen (Ecu/100 kg) (1) Preço de venda (ECUs/100 kg) (1)
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a) Carne sin deshuesar — Ikke-udbenet kød — Fleisch mit Knochen — Κρέας μη αποστεωμένο — Unboned beef — Viande avec os — Carni con osso — Vlees met been — Carne com osso

		A		B	
España	— <i>Delantero recto con 7 costillas:</i> animales jóvenes machos	800	112,00	122,00	
Ireland	— <i>Forequarters, straight cut at 10th rib from:</i> Steers 1 and 2 / Category C, class U, R, O	850	125,00	135,00	
Italia	— <i>Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti da:</i> Categoria A, classe U, R, O	2 000	122,00	132,00	
United Kingdom A. Great Britain	— <i>Forequarters, straight cut at 10th rib from:</i> Category C, class U, R, O	1 296	125,00	135,00	
	— <i>Forequarters 'pistola' cut at fifth rib from:</i> Category C, class U, R, O	100	125,00	135,00	
B. Northern Ireland	— <i>Forequarters, straight cut at 10th rib from:</i> Category C, class U, R, O	100	125,00	135,00	
	— <i>Forequarters, 'pistola' cut at fifth rib from:</i> Category C, class U, R, O	4	125,00	135,00	

b) Carne deshuesada (2) — Udbenet kød (2) — Fleisch ohne Knochen (2) — Αποστεωμένο κρέας (2) — Boned beef (2) — Viande désossée (2) — Carni senza osso (2) — Vlees zonder been (2) — Carne desossada (2)

Ireland	— <i>From steers 1 and 2 / Category C, class U, R, O:</i> Forequarters (excluding cube rolls) Shins and/or shanks Plate and flank Briskets	64 369 1 550 9	230,00 205,00 150,00 220,00	240,00 215,00 160,00 230,00	
France	— <i>Catégorie A / Catégorie C:</i> Caisse «C» (arrière de caparaçon)	150	160,00	170,00	
Nederland	— <i>Afkomstig van categorie A, klasse R:</i> Schenkel (voor) Schenkel (achter) Nek en onderrib Borst Vang	12 15 106 79 82	205,00 205,00 220,00 200,00 160,00	215,00 215,00 230,00 210,00 170,00	
United Kingdom	— <i>From steers / Category C, class U, R, O:</i> Striploin flankedge Chuck Brisket Flank (plate) Thin flank	19 1 70 200 400	80,00 90,00 110,00 160,00 160,00	90,00 100,00 120,00 170,00 170,00	

- (¹) En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención, estos precios se ajustarán de acuerdo con lo dispuesto en el Reglamento (CEE) n° 1805/77.
- (¹) I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.
- (¹) Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.
- (¹) Σε περίπτωση που η αποθεματοποίηση των προϊόντων αυτών πραγματοποιείται εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.
- (¹) In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.
- (¹) Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.
- (¹) Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.
- (¹) Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.
- (¹) No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.
- (²) Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.
- (²) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- (²) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- (²) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- (²) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- (²) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.
- (²) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.
- (²) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.
- (²) Estes preços aplicam-se a peso líquido conforme o disposto no n° 1 do artigo 17° do Regulamento (CEE) n° 2173/79.
- A. Aplicables a las carnes destinadas a la elaboración de las conservas contempladas en la letra a) del apartado 1 del artículo 1 del Reglamento (CEE) n° 2182/77.
- A. Finder anvendelse på kød bestemt til konserverfremstilling i henhold til artikel 1, stk. 1, litra a), i forordning (EØF) nr. 2182/77.
- A. Anwendbar für zur Herstellung von Konserven gemäß Artikel 1 Absatz 1 Buchstabe a) der Verordnung (EWG) Nr. 2182/77 bestimmtes Fleisch.
- A. Εφαρμόζεται στα κρέατα που προορίζονται για την παρασκευή κονσερβών όπως καθορίζονται στο άρθρο 1 παράγραφος 1 στοιχείο α) του κανονισμού (ΕΟΚ) αριθ. 2182/77.
- A. Applicable to meat intended for the manufacture of preserves as specified in Article 1 (1) (a) of Regulation (EEC) No 2182/77.
- A. Applicables aux viandes destinées à la fabrication des conserves visées à l'article 1^{er} paragraphe 1 point a) du règlement (CEE) n° 2182/77.
- A. Applicabili alle carni destinate alla fabbricazione delle conserve di cui all'articolo 1, paragrafo 1, lettera a), del regolamento (CEE) n. 2182/77.
- A. Van toepassing op vlees dat is bestemd voor de vervaardiging van de in artikel 1, lid 1, sub a), van Verordening (EEG) nr. 2182/77 bedoelde conserven.
- A. Aplicáveis à carne destinada ao fabrico de conservas referidas no n° 1, alínea a), do artigo 1° do Regulamento (CEE) n° 2182/77.
- B. Aplicables a las carnes destinadas a la elaboración de los productos contemplados en la letra b) del apartado 1 del artículo 1 del Reglamento (CEE) n° 2182/77.
- B. Finder anvendelse på kød bestemt til fremstilling af produkter i henhold til artikel 1, stk. 1, litra b), i forordning (EØF) nr. 2182/77.
- B. Anwendbar für zur Herstellung von Erzeugnissen gemäß Artikel 1 Absatz 1 Buchstabe b) der Verordnung (EWG) Nr. 2182/77 bestimmtes Fleisch.
- B. Εφαρμόζεται στα κρέατα που προορίζονται για την παρασκευή προϊόντων όπως καθορίζονται στο άρθρο 1 παράγραφος 1 στοιχείο β) του κανονισμού (ΕΟΚ) αριθ. 2182/77.
- B. Applicable to meat intended for the manufacture of products as specified in Article 1 (1) (b) of Regulation (EEC) No 2182/77.
- B. Applicables aux viandes destinées à la fabrication des produits visés à l'article 1^{er} paragraphe 1 point b) du règlement (CEE) n° 2182/77.
- B. Applicabili alle carni destinate alla fabbricazione dei prodotti di cui all'articolo 1, paragrafo 1, lettera b), del regolamento (CEE) n. 2182/77.
- B. Van toepassing op vlees dat is bestemd voor de vervaardiging van de in artikel 1, lid 1, sub b), van Verordening (EEG) nr. 2182/77 bedoelde produkten.
- B. Aplicáveis à carne destinada ao fabrico dos produtos referidos no n° 1, alínea b), do artigo 1° do Regulamento (CEE) n° 2182/77.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως —
Addresses of the intervention agencies — Adresses des organismes d'intervention —
Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços
dos organismos de intervenção**

- ESPAÑA :** Servicio nacional de productos agrarios (Senpa)
c/o Beneficencia 8
2800 Madrid
Tel. 222 29 61
Télex 23427 SENPA C
- FRANCE :** OFIVAL
Tour Montparnasse
33, avenue du Maine
75755 Paris Cedex 15
Tél. : 538 84 00, télex : 26 06 43
- IRELAND :** Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118
- ITALIA :** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Roma, via Palestro 81
Tel. 47 49 91
Telex 61 30 03
- NEDERLAND :** Voedselvoorzienings In- en Verkoopbureau
Ministerie van Landbouw en Visserij
Postbus 960
6430 AZ Hoensbroek
Tel. (045) 23 83 83
Telex : 56 396
- UNITED KINGDOM :** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302
-

COMMISSION REGULATION (EEC) No 3564/86

of 21 November 1986

opening an invitation to tender for the sale of olive oil held by the Spanish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78⁽³⁾, provides that olive oil held by the intervention agencies shall be put up for sale by tender;

Whereas, pursuant to Article 1 (2) of Commission Regulation (EEC) No 629/86⁽⁴⁾, the Spanish intervention agency hold in stock large quantities of olive oil;

Whereas Commission Regulation (EEC) No 2960/77⁽⁵⁾, as last amended by Regulation (EEC) No 3826/85⁽⁶⁾ laid down the conditions for the sale by tender on the Community market and for export of olive oil; whereas the state of the market in olive oil is at present favourable for the sale of part of the said oil;

Whereas in the present situation of the market in lampant virgin olive oils where supply is temporarily low compared with demand and in order to provide the greatest possible number of operators with a minimum supply for their immediate needs, it should be stipulated that each operator may only submit tenders for a maximum quantity of such oils; whereas in order to avoid any misuse of this provision and therefore prevent a limited number of operators from monopolizing the quantities put up for sale, it should be stipulated that only recognized operators may submit tenders in response to this invitation;

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 Spanish intervention agency 'Servicio Nacional de Productos agrarios', hereinafter referred to as 'SENPA',

shall open an invitation to tender in accordance with the provisions of this Regulation and of Regulation (EEC) No 2960/77 for the sale on the Community market of approximately 5 000 tonnes of lampant virgin olive oil.

Article 2

The invitation to tender shall be published on 22 November 1986.

Particulars of the lots of oil offered for sale and of the places where they are stored shall be displayed at the central office of SENPA, calle Beneficencia, 8, Madrid 28003, Spain.

A copy of the invitation to tender shall be sent without delay to the Commission.

Article 3

The tenders must reach SENPA, calle Beneficencia, 8, Madrid 28003, Spain, not later than 2 p. m. (local time) on 26 November 1986.

Article 4

1. Tenders shall be submitted for an oil of 3° acidity.
2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to be paid shall be equal to the price tendered, increased or reduced in accordance with the scale below:
 - up to 3° acidity:
 - increase of Pta 467 for each degree or fraction of degree of acidity below 3°,
 - above 3° up to 8° acidity:
 - reduction of Pta 467 for each degree or fraction of degree of acidity above 3°,
 - above 8°:
 - additional reduction of Pta 510 for each degree or fraction of degree above 8°.

A tender shall be admissible only if submitted by a natural or legal person who exercises an activity in the olive oil sector and is registered as at 31 October 1986 in a public register of a Member State.

Furthermore, no tenderer may submit a tender for a quantity in excess of 500 tonnes.

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 60, 1. 3. 1986, p. 8.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁶⁾ OJ No L 371, 31. 12. 1975, p. 1.

Article 5

Not later than one day after the expiry of the time limit laid down for the submission of tenders, SENPA shall send the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 6

The minimum selling price shall be fixed, on the basis of the tenders received, not later than the last working day of the month during which the tenders were submitted and in accordance with the procedure set out in Article 38 of Regulation No 136/66/EEC. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

Article 7

The olive oil shall be sold by SENPA not later than the third day of the month following that during which the tenders were submitted.

SENPA shall supply the agencies responsible for storage with a list of the lots remaining unsold.

Article 8

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be Ptas 3 000 per 100 kilograms.

Article 9

The storage charge referred to in Article 15 of Regulation (EEC) No 2960/77 shall be Ptas 400 per 100 kilograms.

Article 10

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, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3565/86
of 21 November 1986
concerning the stopping of fishing for sole by vessels flying the flag of the
United Kingdom

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

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as last amended by Regulation (EEC) No 3723/85 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 3721/85 of 20 December 1985, fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1986 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 3221/86 ⁽⁴⁾, provides for sole quotas for 1986;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of sole in the waters of ICES divisions VII a, h, j and k by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quotas allocated for 1986; whereas the United Kingdom has prohibited fishing for these stocks as from 15 November 1986;

Whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION :

Article 1

Catches of sole in the waters of ICES divisions VII a, h, j and k by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quotas allocated to the United Kingdom for 1986.

Fishing for sole in the waters of ICES divisions VII a, h, j and k by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transshipment and the landing of such stocks captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 15 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 361, 31. 12. 1985, p. 42.

⁽³⁾ OJ No L 361, 31. 12. 1985, p. 5.

⁽⁴⁾ OJ No L 300, 24. 10. 1986, p. 2.

COMMISSION REGULATION (EEC) No 3566/86

of 21 November 1986

on the sale at a price fixed in advance of certain boned beef held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the possibility of permanent intervention in beef and veal has led to the build-up of considerable stocks in the Community; whereas some of the intervention purchases have been stored in the form of boned meat in order to improve the intervention system in accordance with Commission Regulation (EEC) No 2226/78⁽³⁾, as last amended by Regulation (EEC) No 3485/86⁽⁴⁾;

Whereas Article 2(1) of Council Regulation (EEC) No 98/69⁽⁵⁾, as amended by Regulation (EEC) No 429/77⁽⁶⁾, provides that the selling prices of frozen beef and veal bought in by the intervention agencies may be fixed in advance; whereas it is appropriate to make use of this system of selling;

Whereas it is important to comply with the provisions of Commission Regulation (EEC) No 2173/79⁽⁷⁾, with regard to selling at a price fixed in advance;

Whereas Council Regulation (EEC) No 1055/77⁽⁸⁾ provides that, in the case of products held by an intervention agency and stored outside the territory of the Member State within whose jurisdiction that agency falls, a selling price different from that for products stored on that territory may be fixed; whereas Commission Regulation (EEC) No 1805/77⁽⁹⁾ laid down the method of calculating the selling prices for those products; whereas in

order to avoid any confusion, it should be made clear that the prices fixed by this Regulation do not apply as they stand to those products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 24 November 1986 to 9 January 1987 the sale shall take place of approximately:

- 1 000 tonnes of boned beef held by the Danish intervention agency and put into store before 1 June 1985,
- 2 000 tonnes of boned beef held by the German intervention agency and put into store before 1 December 1985,
- 1 000 tonnes of boned beef and veal held by the Irish intervention agency and put into store before 1 June 1985,
- 1 000 tonnes of boned beef held by the United Kingdom intervention agency and put into store before 1 June 1985.

The qualities and prices of this meat are given in Annex I.

2. The intervention agencies shall sell first the meat which has been in storage longest.

3. Sales shall take place in accordance with the provisions of Regulation (EEC) No 2173/79, and in particular Articles 2 to 5 thereof.

4. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

This Regulation shall enter into force on 24 November 1986.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁴⁾ OJ No L 320, 15. 11. 1986, p. 19.

⁽⁵⁾ OJ No L 14, 21. 1. 1969, p. 2.

⁽⁶⁾ OJ No L 61, 5. 3. 1977, p. 18.

⁽⁷⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁸⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁹⁾ OJ No L 198, 5. 8. 1977, p. 19.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

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

Precio de venta expresado en ECUS por tonelada ⁽¹⁾ ⁽²⁾ — Salgspriser i ECU/ton ⁽¹⁾ ⁽²⁾ —
Verkaufspreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Τιμές πώλησεως εκφραζόμενες σε ECU
ανά τόνο ⁽¹⁾ ⁽²⁾ — Selling prices expressed in ECU per tonne ⁽¹⁾ ⁽²⁾ — Prix de vente exprimés
en Écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi di vendita espressi in ECU per tonnellata ⁽¹⁾ ⁽²⁾ — Verkoop-
prijzen uitgedrukt in Ecu per ton ⁽¹⁾ ⁽²⁾ — Preço de venda expresso em ECUs por tone-
lada ⁽¹⁾ ⁽²⁾

1. DANMARK	Ungtyre 1. kvalitet / Kategori A	Stude 1. kvalitet / Kategori C
Mørbrad med bimørbrad	9 400	9 200
Filet med entrecôte og tyndsteg	5 250	5 150
Inderlår med kappe	4 000	3 900
Tykestegsfilet med kappe	3 235	3 100
Klump med kappe	3 235	3 100
Yderlår med lårtunge	3 610	3 300
Skank og muskel sammenhængende	2 500	2 300
Øvrigt kød af forfjerdinger	3 000	2 700
Bryst og slag	2 200	1 800

⁽¹⁾ En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención poseedor, estos precios se ajustarán con arreglo a lo dispuesto en el Reglamento (CEE) n° 1805/77.

⁽¹⁾ I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽¹⁾ Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

⁽¹⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽¹⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽¹⁾ No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.

⁽²⁾ Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

⁽²⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽²⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽²⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽²⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽²⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽²⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.

⁽²⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽²⁾ Estes preços aplicam-se a peso líquido, conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

2. BUNDESREPUBLIK DEUTSCHLAND	<i>Bullen A / Kategorie A</i>	<i>Ochsen A / Kategorie C</i>
Filet	11 540	10 765
Roastbeef	6 300	6 175
Oberschalen	3 830	3 820
Unterschalen	3 785	3 785
Kugeln	3 775	3 775
Hüften	3 400	3 340
Kniekehlfleisch	2 500	2 400
Dünnung	1 700	1 700
Hesse	2 400	2 400
3. IRELAND	<i>Steers / Category C</i>	
Fillets	10 580	
Striploins	6 600	
Insides	4 030	
Outsides	3 890	
Knuckles	3 865	
Rumps	4 190	
Cube rolls	5 300	
Forequarters (excluding cube rolls)	2 590	
Plates and flanks	1 895	
Thin flanks	1 895	
Briskets	2 570	
Plates	1 895	
Shins and shanks	2 320	
Shins	2 320	
Shanks	2 320	
4. UNITED KINGDOM	<i>Steers / Category C</i>	
Fillets	10 485	
Striploins	6 600	
Topsides	4 280	
Silversides	4 055	
Thick flanks	3 725	
Rumps	4 315	
Foreribs	3 305	
Thin flanks	1 895	
Flanks (plate)	1 895	
Shins and shanks	2 340	
Pony parts	2 200	
Clod and sticking	2 510	
Brisket	2 415	
Ponies	2 685	

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρέμβασης —
Addresses of the intervention agencies — Adresses des organismes d'intervention —
Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços
dos organismos de intervenção**

DANMARK : Direktoratet for markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tel. (01) 92 70 00, telex 151 37 DK

**BUNDESREPUBLIK
DEUTSCHLAND :** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 9) 1 56 40 App. 772/773, Telex : 411 156

IRELAND : Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 3567/86
of 21 November 1986
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 934/86 ⁽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 3500/86 ⁽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 22 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.

⁽⁴⁾ OJ No L 323, 18. 11. 1986, p. 10.

ANNEX

to the Commission Regulation of 21 November 1986 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	50,59 43,99 ⁽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 3568/86

of 21 November 1986

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1449/86⁽⁴⁾ and in particular Article 12 (4) thereof,

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

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3296/86⁽⁶⁾, as amended by Regulation (EEC) No 3385/86⁽⁷⁾;

Whereas Council Regulation (EEC) No 1588/86⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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

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

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

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

Whereas these exchange rates being those recorded on 20 November 1986;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1588/86, as fixed in the Annex to amended Regulation (EEC) No 3296/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 133, 21. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 304, 30. 10. 1986, p. 29.

⁽⁷⁾ OJ No L 310, 5. 11. 1986, p. 15.

⁽⁸⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 21 November 1986 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a) ^(?)	245,76	242,74
11.02 C I ^(?)	295,04	292,02
11.02 D I ^(?)	189,18	186,16
11.02 E II a) ^(?)	334,56	328,52
11.02 F I ^(?)	334,56	328,52
11.02 G I	142,92	136,88
11.07 A I a)	335,75	324,87
11.07 A I b)	253,62	242,74
11.08 A III	378,07	357,52
11.09	831,38	650,04

^(?) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION REGULATION (EEC) No 3569/86
of 21 November 1986
fixing the aid for cotton

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

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽¹⁾, as last amended by Regulation (EEC) No 3128/86⁽²⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3343/86⁽³⁾, as last amended by Regulation (EEC) No 3454/86⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3343/86 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 70,346 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 22 November 1986.

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

Done at Brussels, 21 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.
⁽²⁾ OJ No L 292, 16. 10. 1986, p. 2.
⁽³⁾ OJ No L 306, 1. 11. 1986, p. 58.
⁽⁴⁾ OJ No L 318, 13. 11. 1986, p. 35.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 June 1986

on an aid to fish producers' organizations granted by the German Government

(Only the German text is authentic)

(86/561/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the markets in fishery products⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Article 28 thereof,

Having given notice, pursuant to the provisions of the first subparagraph of Article 93 (2) of the Treaty, to those concerned to submit their comments⁽²⁾,

Whereas :

I

Notification and description of the aid

In letters from its Permanent Representative to the European Communities dated 8 July and 22 October 1982, the German Government notified the Commission, in accordance with Article 93 (3) of the EEC Treaty, of its intention to convert into subsidies the market stabiliza-

tion loans made to organizations of producers engaged in inshore and cutter fishing in 1975 and 1976.

This is an aid scheme coming under the area of the market organization for fishery products. Article 6 (2) of Council Regulation (EEC) No 100/76, on the common organization of the markets in fishery products⁽³⁾, and Article 6 (4) of Regulation (EEC) No 3796/81, which succeeded the former Regulation, stipulate that the Member States may make aid available to producers' organizations, either directly or through credit institutions, in the form of loans on special terms to cover part of the anticipated cost of market intervention within the meaning of Article 8 or 9 of these Regulations, i.e. market withdrawal measures. In 1975/76, four German cutter fishing organizations obtained, under this article, loans totalling DM 4 500 000. These were to be reimbursed from 1979 onwards in ten equal annual instalments, the interest rate being between 2 % and 4 %. However, several of these organizations were forced to cease repayments because of economic problems besetting the industry.

The German Government was prepared to forego reimbursement of the amounts of these loans outstanding (DM 3 150 000) provided that all the organizations of cutter fishermen agreed to market their output jointly and to set up a single marketing organization for this purpose. The draft contracts on the conversion into subsidies of the amounts of the loans outstanding stipulated that any producers' organizations withdrawing from joint marketing would be required to reimburse the balance

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No C 57, 2. 3. 1983, p. 6.

⁽³⁾ OJ No L 20, 28. 1. 1976, p. 1.

outstanding by 1989. The balance is calculated on the basis of one-seventh per remaining year of the amount of the debt when the contracts entered into force.

Under Article 28 of Regulation (EEC) No 3796/81, this aid comes under Articles 92, 93 and 94 of the EEC Treaty.

Review by the Commission

After a tentative review, the Commission took the view that the principle of joint marketing of fishery products is compatible with Regulation (EEC) No 3796/81, but that the methods proposed to achieve such marketing, the conversion into subsidies of loans on special terms, are not provided for in the abovementioned Regulation on the market organization; the organization is a comprehensive system and any aid not provided for is liable to interfere with its proper operation; the entry into force of the aid scheme therefore constitutes an infringement of the provision set out in that Regulation.

Accordingly, the Commission decided to initiate, in respect of this aid, the review procedure provided for in Article 93 (2) of the EEC Treaty, and, in a letter dated 23 December 1982, it gave notice to the German Government to submit its comments.

II

Comments of the parties concerned

Several Member States, and one producers' organization, sent comments to the Commission. All these comments endorse the Commission's assessment.

Comments of the German Government

In its reply, sent to the Commission on 25 January 1983, the German Government made the following comments:

1. The purpose is not to grant additional funds to the producers' organizations concerned, but only to cancel the redemption of loans granted in the past, one-third of which had in fact already been reimbursed. Dispensation from reimbursement of annual payments against loans granted is authorized under very strict conditions set by the budgetary legislation of the German Federation. Article 59 (1), Section 3, of the Organic Law on the Federal budget confers on the competent authorities the right to remit claims where recovery in the specific case would entail particular hardship for the debtor.

2. The Commission has acknowledged that the aim of the scheme, i.e. the joint marketing of the products of the organizations concerned, is in line with the objectives of the common organization of the market.

3. The loans on special terms provided for in Article 6 (4) of Regulation (EEC) No 3796/81 are defined only in a very general way and remission of the reimbursement obligation made to avoid jeopardizing the very existence of the debtor could be included in the special terms of these loans. Also, this provision sets no absolute limit to the level of the aid, as the anticipated intervention costs which the aid will cover at least in part have only to be estimated. Nor does it make any restriction with regard to the rate of the interest subsidy, or the number of years for which the reimbursement can be deferred or even for the reimbursement deadlines. It would therefore be possible to grant loans which would provide equal cover of intervention costs and identical terms of reimbursement but would represent a subsidy equivalent exceeding the amount concerned in this case.

4. The scheme has a structural character because of its long-lasting impact on the improvement of the facilities for marketing fishery products, since the remission of the debt is linked with an obligation on producers' organizations to market their products jointly without limitation as to time. Failure to comply with this obligation entails a requirement to repay the loan, that is, cancellation of the remission. The structural objective of the scheme, which requires the beneficiary organization to adopt an attitude in line with the market organization for fishery products, is therefore achieved with limited means and underpinned by a strict obligation. These structural effects of the scheme are such as to qualify it under Article 92 (3) (c) of the EEC Treaty. Rulings of the Court of Justice of the European Communities to the effect that national aid not provided for under existing market organizations is automatically incompatible with the Treaty, refer to aid concerning products and not aid designed to ensure improvement of production or marketing structure.

5. According to the guidelines concerning aid for the purchase of fuel for heating glasshouses, the Commission would not be opposed to such aid in view of the structural aspect, although it is operating aid coming under Council Regulation (EEC) No 1035/72⁽¹⁾ on the common organization of the market in the fruit and vegetables sector.

6. Articles 8 and 9 of Council Regulation (EEC) No 101/76, on the establishment of a common policy on structures in the fisheries sector⁽²⁾, authorize Member States to grant financial aid which contributes to the

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 20, 28. 1. 1976, p. 19.

adaptation of production and marketing conditions in relation with market requirements. This would cover not only investment aid but also other aid in line with the same objectives.

The German Government's conclusion is that the aid scheme concerned can be considered compatible with the common market by virtue of Article 92 (3) (c) of the EEC Treaty.

In a supplementary communication dated 14 May 1984, replying to letters from the Commission dated 17 November 1983 and 26 April 1984, the German authorities provided further information on the financial situation of the producers' organizations concerned, showing that reimbursement of the loan would prevent these organizations from continuing their work and indicating the legal consequences for the cooperatives (legal status of the producers' organizations), which would no longer be in a position to settle their debts. The balance sheets of the producers' organizations show that they would no longer be in a position to ensure pursuit of their operations if they had to reimburse the loans. Also, under German legislation on cooperatives, the bankruptcy procedure is activated at the time of excess debt, a situation faced by all the beneficiaries concerned.

III

Legal assessment

On the initiation of the Article 93 (2) procedure in respect of this aid scheme the Commission stated that the aim of the scheme seemed favourable to the development of the market, as sought by the common market organization, but that the method chosen by the German Government for this purpose was not in line with Article 6 of Regulation (EEC) No 3796/81. Meetings between German officials and Commission staff, and an exchange of letters between the German Government and the Commission, failed to yield a solution other than that proposed in the notification. In these circumstances, the German Government decided to grant the aid provisionally; in the contracts with the producers' organizations there is a clause providing for cancellation of the commitment of the German Government to forego reimbursement of the loans should there be a Commission decision to the effect that the aid is incompatible.

Article 6 (4) of Regulation (EEC) No 3796/81 stipulates that, during the five years immediately following the crea-

tion of the intervention funds referred to in Article 9 of the same Regulation (financing of withdrawal), Member States may make aid available to producers' organizations, i.e. either directly or through credit institutions, in the form of loans on special terms to cover part of the anticipated cost of market intervention within the meaning of Article 9. However, the purpose of the German aid in question is the conversion into outright grants of such loans made to organizations of cutter fishermen in 1975 and 1976.

A broad interpretation of the expression 'special terms' for the loans mentioned above, going so far as to cover actual remission of the repayment requirement, cannot be accepted since an outright grant is not a 'loan' at all. Community Regulations provide for the grant of loans, even on favourable redemption terms, only '... to cover part of the anticipated cost of market intervention within the meaning of Article 9' (of Regulation (EEC) No 3796/81). It follows that a comparison of the amount of the aid, in subsidy equivalent, in the form of direct subsidy is ruled out, since to forego completely reimbursement of a loan is tantamount to the granting of a new non-repayable subsidy. It would thus constitute a direct aid to producers' organizations in conflict with the restrictive provisions of Article 6 (4) of the abovementioned Regulation. Also, the original loans were granted under either Article 6 (2) of Council Regulation (EEC) No 2142/70⁽¹⁾ or Article 6 (2) of Regulation (EEC) No 100/76 (since superseded by Article 6 (4) of Regulation (EEC) No 3796/81), which provide for this measure a time limit of five years following the constitution of the intervention funds referred to in Articles 7 and 8, respectively. The subsequent conversion of these loans must be deemed to be a new aid having in principle the same objective, i.e. to cover part of the anticipated cost of intervention on the market for withdrawals, but the granting of which in 1983 came after the time limit set and was, for this reason, in conflict with the Regulations.

The aid cannot be considered as aid benefiting structures which would have a lasting effect on the improvement of marketing facilities. The objective sought was the joint marketing of the products of the beneficiary producers' organizations. This aim, though desirable under the market organization, is not covered by the types of measure referred to in the second indent of Article 9 of Regulation (EEC) No 101/76 concerning the adaptation of marketing conditions, in particular through the development of conservation and treatment facilities necessary to strengthen the effectiveness of the work of the producers' organizations.

⁽¹⁾ OJ No L 236, 27. 10. 1970, p. 5.

The joint marketing referred to here is one of the normal marketing measures, which may require the constitution of a new organization structure, which may therefore be stimulated by the aids provided for in Article 6 of the abovementioned Regulation on the common organization of the market. The aid concerned has no direct link with this joint marketing, but is designed to restore the producers' organizations to a sound financial footing, thus facilitating for them the creation of new organizational structures, e.g. joint marketing. The link between the aid and such joint marketing is relied upon by the German authorities to justify the 'structural' nature of the measure, but neither the grant itself nor the amount of the aid have a comparative basis with any costs that may be involved in instituting joint marketing.

The reference to the guidelines on aid for the purchase of fuel for heating glasshouses is immaterial; the fuel aid enjoyed an authorization restricted in time on severe terms to enable horticulturists to adapt to the sharp increases in oil prices. Such a temporary authorization was also agreed for fisheries. This operating aid concerned and its purpose was to cushion the impact of a sharp increase in a production cost which cannot be recuperated by necessary structural measures, the effect of which can only be achieved in the longer term. There is no direct link with the marketing of the products concerned and the aid concerned therefore cannot be considered as a marketing aid, interfering directly in the common organization of the market.

The conversion of loans into subsidies cannot therefore qualify under the strict terms governing the grant of certain aids to producers' organizations, laid down in Article 6 of Regulation (EEC) No 3796/81. It has a direct impact on the financial situation of the cutter fishermen's organizations in Germany, especially with regard to possibilities for support of autonomous withdrawal prices, as the intervention funds available to each organization are increased indirectly by the amounts of the loans which are not repaid. These intervention funds, normally provided by levies based on quantities sold, cannot qualify for financial compensation from public funds. The difficult financial situation of these organizations when the relevant aid was granted cannot justify the grant of an aid conflicting with the Regulations on the common organization of the markets.

It should also be recalled that the producers' organizations receiving the aid also benefited from the financial compensation arrangements for withdrawals provided for in Community Regulations. This strengthening of their competitive situation may have a negative influence on their readiness to adapt towards the objectives set under the common organization of the markets, i.e. an incentive

to tailor supply more closely to market needs; there is also discrimination against competing producers' organizations, which had not enjoyed the same financial advantages.

A stronger competitive situation for these organizations weakens that of producers in the other Member States, since only about a quarter of the German market is covered by its own landings and about half the supplies are imports from the other Member States; Germany exports about half of its production and, of this, three-quarters goes to other Member States (1984).

IV

Aid in the form of release from the obligation to repay loans made to producers' organizations jeopardizes the proper operation of the EEC market organization and runs counter to the objectives of the organization. It therefore constitutes an infringement of Community law.

The scheme in question, being a support measure financed from State resources and strengthening the competitive position of German producers vis-à-vis that of producers in the other Member States, is a state aid incompatible with the common market within the meaning of Article 92 (1) of the EEC Treaty. None of the derogations laid down in Article 92 (2) of the EEC Treaty is applicable in this case.

As for the derogations laid down in Article 92 (3) of the EEC Treaty, the Court of Justice of the European Communities has consistently held that, wherever the Community has adopted regulations establishing market organizations, Member States must refrain from any action liable to entail exceptions to the organization or to hamper its operation, having due regard not only to express provisions but also to the objectives of the regulations. It follows from the foregoing that the scheme in question is harmful to the market organization in the relevant sector and is thus a measure infringing Community law. Consequently, this measure may in no circumstances qualify for the derogations laid down in Article 92 (3) of the EEC Treaty (1).

To ensure compliance with Community law, the scheme in question, if it has not yet been discontinued by the German Government, must be brought to an end without delay.

(1) Judgment of the Court on 23 January 1975 in Case 51/74, *Hulst/Produktschap voor Siergewassen*, ECR (1975), p. 79. Judgment of the Court on 27 March 1984 in Case 169/82, *Commission v Italy*, ECR (1984), p. 1603.

This Decision is without prejudice to the consequences which, as appropriate, the Commission may draw with regard to the recovery of the abovementioned aid from beneficiaires and with regard to the financing of the common fisheries policy by the EAGGF,

HAS ADOPTED THIS DECISION :

Article 1

The aid from the German Government to inshore and cutter fishing producers' organizations, in the form of conversion into subsidies of market stabilization loans, is hereby found incompatible with the common market pursuant to Article 92 of the EEC Treaty and must be discontinued.

Article 2

The Federal Republic of Germany shall inform the Commission, within one month from notification of this Decision, of the action it has taken to ensure compliance with Article 1.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 25 June 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION DIRECTIVE

of 6 November 1986

adapting to technical progress Council Directive 71/127/EEC on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles

(86/562/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Directive 80/1267/EEC ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Directive 71/127/EEC of 1 March 1971 on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles ⁽³⁾, as last amended by Commission Directive 85/205/EEC ⁽⁴⁾;

Whereas all rear-view mirrors EEC component type-approved after 1 October 1986 must bear the EEC component type-approval mark with the sequence number 02; whereas sequence number 01 may still be used for Class I, II and III mirrors for so long as the requirements for those three classes of rear-view mirrors remain unchanged;

Whereas a great many rear-view mirrors incorporate protective plastic casings and whereas a change to a single digit of the component type-approval mark would involve a major, if not complete modification of the moulding equipment used; whereas the cost of these modifications would be unjustifiably out of proportion to the intended aim;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of Directives on the removal of technical barriers to trade in the motor vehicles sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 71/127/EEC is hereby amended as follows:

1. The following is added to the end of item 4.2 of Appendix 2 in Annex II:

'Sequence number 01 may, however, be retained for Class I, II and III rear-view mirrors if the requirements relating to these three classes of mirror remain unchanged.'

2. A new item 1.3 as follows is added to Annex III:

'1.3. Vehicles having received EEC type-approval in respect of the fitting of their rear-view mirrors in pursuance of this Directive may, either fully or in part, be fitted with Class I, II or III rear-view mirrors bearing within their EEC component type-approval number sequence number 01, on condition that the requirements relating to these three classes of rear-view mirror remain unchanged.'

Article 2

Member States shall bring into force the provisions necessary to comply with this Directive by 31 December 1986. They forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 6 November 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 375, 21. 12. 1980, p. 34.

⁽³⁾ OJ No L 68, 22. 3. 1971, p. 1.

⁽⁴⁾ OJ No L 90, 29. 3. 1985, p. 1.

COMMISSION DECISION

of 12 November 1986

amending Decision 81/675/EEC establishing that particular sealing systems are 'non-reusable systems' within the meaning of, *inter-alia*, Council Directives 66/401/EEC and 69/208/EEC

(86/563/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Directive 86/155/EEC⁽²⁾, and in particular Article 9 (1) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽³⁾, as last amended by Directive 86/155/EEC, and in particular Article 9 (1) thereof,

Whereas Commission Decision 81/675/EEC⁽⁴⁾, established that particular sealing systems were 'non-reusable systems' within the meaning of certain Council Directives on the market of seed and propagating material, including Directive 66/401/EEC and Directive 69/208/EEC;

Whereas it was understood at the time that the use of one of the systems concerned, which was then specified exclusively for cereal seed, should show a tendency to decrease in favour of new systems and should be reconsidered after five years;

Whereas experience has shown that the said system provides a sufficient guarantee of effectiveness and should furthermore also be considered to be a 'non-reusable system' within the meaning of Directive 66/401/EEC and Directive 69/208/EEC for the seed of certain species of fodder plants and oil and fibre plants;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

Article 1

In Article 1 (2) of Decision 81/675/EEC the words 'within the meaning of Article 9 (1) of Directive 66/402/EEC' are hereby replaced by the following words:

'within the meaning of:

— Directive 66/401/EEC in so far as the following species are concerned:

Lupinus albus,
Lupinus angustifolius,
Lupinus luteus,
Pisum sativum,
Vicia faba,
Vicia pannonica,
Vicia sativa,
Vicia villosa;

— Directive 66/402/EEC;

— Directive 69/208/EEC in so far as the following species are concerned:

Arachis hypogaea,
Glycine max.,
Gossypium spp.,
Helianthus annuus;

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 November 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 23.

⁽³⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁴⁾ OJ No L 246, 29. 8. 1981, p. 26.

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Brussels — Luxembourg / April 1986

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