COMMISSION REGULATION (EEC) No 3539/87

of 25 November 1987

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat [1], as last amended by Regulation (EEC) No 794/87 [2], and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products falling within subheading 02.01 A IV b) listed in Annex I to that Regulation ;

Whereas, pursuant to Article 13 of Regulation (EEC) No 1837/80, the levy on frozen carcases and halfcarcases is to be equal to the difference between :

(a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcases, and

(b) the Community free-at-frontier offer price for the said frozen meat ;

Whereas the basic price for the 1987 marketing year is fixed in Article 1 of Council Regulation (EEC) No 1472/86 [3] ; whereas the coefficient referred to in Article 13 (1) (a) of Regulation (EEC) No 1837/80 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 [4] ;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience ;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries ; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded ;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices ;

Whereas the levy on the meat falling within subheadings 02.01 A IV b) 2, 3, 4 and 5 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for frozen carcases, multiplied by a standard coefficient fixed for each of the products in question ; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80 ;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries ;

Whereas Council Regulation (EEC) No 486/85 [5], as last amended by Regulation (EEC) No 1821/87 [6], lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ;

Whereas the levies are fixed before the 27th day of each month for each week during the following month ; whereas they are applicable from Monday to Sunday ; whereas they can be altered within that period if necessary ;

[1] OJ No L 183, 16. 7. 1980, p. 1.
[2] OJ No L 79, 21. 3. 1987, p. 3.
[3] OJ No L 133, 21. 5. 1986, p. 34.
[4] OJ No L 276, 20. 10. 1980, p. 39.
[5] OJ No L 61, 1. 3. 1985, p. 4.
[6] OJ No L 172, 30. 6. 1987, p. 102.

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the common Customs Tariff [1] introduces, with effect from 1 January 1988, a new combined nomenclature, which meets the requirements of both the Common Customs Tariff and the Community's statistics on foreign trade and which replaces the existing nomenclature; whereas the combined-nomenclature codes should therefore be specified, together, with the relevant import duties;

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 coefficient provided for in the last paragraph of Article 3 (b) of Council Regulation (EEC) No 1676/85 [2], as last amended by Regulation (EEC) No 1636/87 [3],

— 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 7 December 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

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[1] OJ No L 256, 7. 9. 1987, p. 1.
[2] OJ No L 164, 24. 6. 1985, p. 1.
[3] OJ No L 153, 13. 6. 1987, p. 1.

ANNEX I

to the Commission Regulation of 25 November fixing the import levies on frozen sheepmeat and goatmeat

(ECU/100 kg)

CCT heading No	Week No 49 from 7 to 13 December 1987 (1)	Week No 50 from 14 to 20 December 1987 (1)	Week No 51 from 21 to 27 December 1987 (1)	Week No 52 from 28 to 31 December 1987 (1)
02.01 A IV b) 1	176,318	182,708	189,090	193,980
2	123,423	127,896	132,363	135,786
3	193,950	200,979	207,999	213,378
4	229,213	237,520	245,817	252,174
5 aa)	229,213	237,520	245,817	252,174
bb)	320,899	332,529	344,144	353,044

(1) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

ANNEX II

to the Commission Regulation of 25 November fixing the import levies on frozen sheepmeat and goatmeat

(ECU/100 kg)

CN code (*)	Week No 52 from 1 to 3 January 1988 (1)
0204 30 00	193,980
0204 41 00	193,980
0204 50 51	193,980
0204 42 10	135,786
0204 50 53	135,786
0204 42 30	213,378
0204 50 55	213,378
0204 42 50	252,174
0204 50 59	252,174
0204 42 90	252,174
0204 50 71	252,174
0204 43 00	353,044
0204 50 79	353,044

(*) See Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

(1) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.