JUDGMENT OF THE COURT (Second Chamber)
10 January 1990 *

In Case C-101/88

REFERENCE to the Court under Article 177 of the EEC Treaty by the Finanzgericht (Finance Court) Hamburg for a preliminary ruling in the proceedings pending before that court between

Gebrüder Gausepohl

and

Hauptzollamt (Principal Customs Office) **Hamburg-Jonas,**

on the interpretation of the first paragraph of Article 6 of Commission Regulation (EEC) No 1964/82 of 20 July 1982 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals (Official Journal 1982, L 212, p. 48),

THE COURT (Second Chamber)

composed of: F. A. Schockweiler, President of Chamber, G. F. Mancini and T. F. O'Higgins, Judges,

(the grounds of the judgment are not reproduced)

in answer to the questions referred to it by the Finanzgericht, Hamburg, by order of 14 December 1987, hereby rules:

The first paragraph of Article 6 of Regulation (EEC) No 1964/82 is to be interpreted as meaning that the grant of the special refund is conditional on exportation of the total quantity of pieces from hindquarters placed under supervision. However, the fact that a negligible part of that total quantity is missing does not, in the absence of bad faith, constitute sufficient grounds for considering that the condition relating to exportation has not been met with regard to the remainder of the meat.

* Language of the case: German.