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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 79/89**of 16 January 1989****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 2221/88⁽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⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, 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 2401/88⁽⁵⁾ 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 13 January 1989;

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 2401/88 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 17 January 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 16 January 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	19,20	118,75
0712 90 19	19,20	118,75
1001 10 10	51,30	179,83 ⁽¹⁾ ⁽²⁾
1001 10 90	51,30	179,83 ⁽¹⁾ ⁽²⁾
1001 90 91	13,64	114,02
1001 90 99	13,64	114,02
1002 00 00	57,33	111,02 ⁽³⁾
1003 00 10	47,89	118,16
1003 00 90	47,89	118,16
1004 00 10	38,94	72,74
1004 00 90	38,94	72,74
1005 10 90	19,20	118,75 ⁽²⁾ ⁽³⁾
1005 90 00	19,20	118,75 ⁽²⁾ ⁽³⁾
1007 00 90	42,54	129,90 ⁽⁴⁾
1008 10 00	47,89	23,20
1008 20 00	47,89	93,57 ⁽⁴⁾
1008 30 00	47,89	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	47,89	0,00
1101 00 00	33,11	173,65
1102 10 00	94,28	169,45
1103 11 10	92,90	292,12
1103 11 90	34,68	186,46

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/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 ECU 1,81/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 ECU 0,60/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 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 80/89

of 16 January 1989

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 2221/88⁽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⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, 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 2402/88⁽⁵⁾ 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 13 January 1989;

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

Article 2

This Regulation shall enter into force on 17 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 16 January 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 1	1st period 2	2nd period 3	3rd period 4
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	10,75	10,75	10,75
1001 90 99	0	10,75	10,75	10,75
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	15,05	15,05	15,05

B. Malt

CN code	(ECU/tonne)				
	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
1107 10 11	0	19,14	19,14	19,14	19,14
1107 10 19	0	14,30	14,30	14,30	14,30
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 81/89**of 16 January 1989****concerning applications for STM licences for cereals submitted during the first 10 days of January 1989**

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 Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM)⁽¹⁾, as last amended by Regulation (EEC) No 2159/87⁽²⁾, and in particular Article 6 (4) thereof,

Whereas Commission Regulation (EEC) No 598/86 of 28 February 1986 on the application of the supplementary trade mechanism to imports into Spain of common wheat of bread-making quality from the Community as constituted at 31 December 1985⁽³⁾, as amended by Regulation (EEC) No 3592/86⁽⁴⁾, lays down that STM licences issued during any one month may not be issued for quantities totalling more than 50 % of the guide quantity;

Whereas, pursuant to Article 6 (3) of Regulation (EEC) No 574/86, the Commission has been notified of the admis-

sible applications for STM licences for imports of common wheat of bread-making quality into Spain during the first 10 days of January 1989; whereas the necessary provisions regarding the acceptance of the said applications should be adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for STM licences for common wheat of bread-making quality falling within subheading 1001 90 99 of the combined nomenclature submitted during the first 10 days of January 1989 and notified to the Commission shall be accepted for the tonnages applied for adjusted by a coefficient of 0,81692

Article 2

This Regulation shall enter into force on 17 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽²⁾ OJ No L 202, 23. 7. 1987, p. 30.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 16.

⁽⁴⁾ OJ No L 334, 27. 11. 1986, p. 19.

COMMISSION REGULATION (EEC) No 82/89**of 16 January 1989****on the supply of refined sunflower oil to non-governmental organizations (NGOs) as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 16 March 1988 on the supply of food aid to NGOs the Commission allocated to the latter organizations 15 tonnes of refined sunflower oil to be supplied free at port of shipment;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of refined sunflower oil to NGOs in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. Operation Nos⁽¹⁾: 672 and 673/88
2. Programme: 1988
3. Recipient: Euronaid
4. Representative of the recipient⁽²⁾: see OJ No C 103, of 16. 4. 1987
5. Place or country of destination: Egypt
6. Product to be mobilized: refined sunflower oil
7. Characteristics and quality of the goods⁽³⁾⁽⁴⁾⁽⁵⁾⁽⁶⁾: see list published in OJ No C 216, of 14. 8. 1987, p. 3 (under IIIA.2)
8. Total quantity: 15 tonnes net
9. Number of lots: one (in two parts: I, 10 tonnes; II, 5 tonnes)
10. Packaging and marking⁽⁷⁾⁽⁸⁾ see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of 10 litres or 10 kilograms,
 - the cans must be packed in cartons, with two cans per carton,
 - the cans must carry the following wording:
 - I. 'ACTION No 672/88 / VEGETABLE OIL / EGYPT / CARITAS GERMANY / 80404 / CAIRO VIA ALEXANDRIA / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
 - II. 'ACTION No 673/88 / VEGETABLE OIL / CARITAS GERMANY / 80405 / ALEXANDRIA / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
11. Method of mobilization: Community market
12. Stage of supply: free at port of shipment
13. Port of shipment: —
14. Port of landing specified by the recipient: —
15. Port of landing: —
16. Address of the warehouse and, if appropriate, port of landing: —
17. Period for making the goods available at the port of shipment: 28. 2. 1989 to 28. 3. 1989
18. Deadline for the supply: —
19. Procedure for determining the costs of supply⁽⁹⁾: tendering
20. Date of expiry of the period allowed for submission of tenders: 31. 1. 1989 not later than 12 noon. Tenders shall be valid until 12 midnight on 1. 2. 1989
21. In the case of a second invitation to tender:
 - (a) deadline for the submission of tenders: 14. 2. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 15. 2. 1989
 - (b) period for making the goods available at the port of shipment: 14. 3. 1989 to 14. 4. 1989
 - (c) deadline for the supply: —
22. Amount of the tendering security: ECU 15/tonne
23. Amount of the delivery security: 10 % of the amount of the tender in ecus
24. Address for submission of tenders⁽⁷⁾:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Bruxelles;
telex AGREC 22037 B
25. Refund payable on request by the successful tenderer: —

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
Radiation certificate must be issued by official authorities and be legalized for Egypt.
- (⁴) The supplier should send a duplicate of the original invoice to :
MM de Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (⁵) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁷) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁸) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁹) Supply free-at-port-of-shipment, as provided for in Article 13 of Regulation (EEC) No 2200/87, implies that the following costs at the port of shipment shall be borne by the successful tenderer :
 - Should containers be used on an FCL/FCL or FCL/LCL basis, all costs pertaining to the use of such containers, with the exception of rental costs, up to the terminal stage, including THC (terminal handling charges).
Where, on the basis of the second subparagraph of point 2 of the aforementioned Article 13, the successful tenderer is responsible for loading the containers on board the vessel designated by the recipient, the refund of the costs within the meaning of the said provisions does not include the THC ;
 - Should containers be used on an LCL/FCL or LCL/LCL basis, no costs ; the successful tenderer shall deliver the goods to the terminal at a stage where the stuffing of the containers can be immediately done at the recipient's expense.

COMMISSION REGULATION (EEC) No 83/89

of 16 January 1989

on the supply of various lots of skimmed-milk powder as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, and in particular Article 6 (1) (c) thereof,Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 700 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

Article 2

This Regulation shall enter into force on the 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, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 1237/88 — Commission Decision of 16. 3. 1988
2. **Programme**: 1988
3. **Recipient**: CICR — Nicaragua
4. **Representative of the recipient** ⁽²⁾ ⁽¹⁰⁾: Delegación del CICR, Apartado 2005, Reparto Belmonte, km 7, Carretera Sur, Managua, Nicaragua, Tel. (005052) 52081 / 2 / 3 / 4 / 5
5. **Place or country of destination**: Nicaragua
6. **Product to be mobilized**: vitaminized (A + D) skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁹⁾ ⁽⁷⁾ ⁽⁸⁾ ⁽¹¹⁾ ⁽¹²⁾: see OJ No C 216, of 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 100 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms
see OJ No C 216, of 14. 8. 1987, pp. 4 and 5, (under I.1.B.4 and I.1.B.4.2)
Supplementary markings on the packaging:
'ACTION N° 1237/88 / NI-84 / LECHE EN POLVO VITAMINADA / one red cross 10 × 10 cm followed by / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DISTRIBUCION GRATUITA / CORINTO / fecha de fabricacion:'⁽⁶⁾
see OJ No C 216, of 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at destination: CICR warehouse — Managua
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Corinto
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Delegación del CICR, Apartado 2005, Reparto Belmonte, km 7, Carretera Sur, Managua, Nicaragua
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 20. 2. 1989
18. **Deadline for the supply**: 15. 4. 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁵⁾: 6. 2. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 2. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 25. 2 to 6. 3. 1989
 - (c) deadline for the supply: 1. 5. 1989
22. **Amount of the tendering security**: ECU 20/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Bruxelles;
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: refund applicable on 16. 12. 1988 fixed by Commission Regulation (EEC) No 3909/88 (OJ No L 347, of 16. 12. 1988, p. 23)

LOT B

1. **Operation No** (1): 938/88 — Commission Decision of 8. 6. 1988
2. **Programme**: 1988
3. **Recipient**: Honduras
4. **Representative of the recipient** (2): M. F. Figueroa, Ministro del Plan, Apdo Postal 1327, Comayagüela DC, Honduras, Telex 1222. Copy: M. Zapata, Ambassade du Honduras, 3, avenue des Gaulois, B-1040 Brussels, Tel.: 734 00 00)
5. **Place or country of destination**: Honduras
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (7) (13): see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (14): 25 kilograms; in containers (OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3))
Supplementary markings on the packaging:
'ACCIÓN N° 938/88 / LECHE EN POLVO DESCREMADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A HONDURAS'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market limited to the United Kingdom, Ireland and Denmark
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Puerto Cortés
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 18 to 28. 2. 1989
18. **Deadline for the supply**: 15. 4. 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** (15): 6. 2. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 2. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 4 to 14. 3. 1989
 - (c) deadline for the supply: 30. 4. 1989
22. **Amount of the tendering security**: ECU 20/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Bruxelles,
(Telex: AGREC 22037 B)
25. **Refund payable on request by the successful tenderer** (16): refund applicable on 16. 12. 1988 fixed by Commission Regulation (EEC) No 3909/88 (OJ No L 347, 16. 12. 1988, p. 23)

Notes :

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (3) Commission delegate to be contacted by the successful tenderer : M. Cerini, Centro Colón, BP, 836, 1007 San José, Costa Rica, Tel. 332755, Telex 3482 CCEACCR, Telecopy 210893.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (5) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (7) The successful tenderer shall give the beneficiaries' representative a certificate of origin at the time of delivery.
- (8) All certificates must be legalized by the Nicaragua Consultate in the country of origin of the goods.
- (9) The production date to be shown on the packages.
- (10) The successful tenderer is to contact the recipient as soon as possible to establish what consignment documents are required and how they are to be distributed.
- (11) A statement must appear on health certificates in Spanish to the effect that there is no risk of foot-and-mouth disease and the certificates must be accompanied by a UHT treatment certificate.
- (12) All the documents must be legalized by the diplomatic representative at the country of origin of the product.
- (13) Analysis quality certificate listing technical specifications of the product and issued by official entity in country of origin.
- (14) Should containers be used at the stage of delivery free at port of shipment, on FCL/FCL or FCL/LCL basis, the supplier will bear all costs pertaining to the use of such containers up to the terminal stage, including THC (terminal handling charges). However, the supplier shall not bear any rental cost.

Where, pursuant to Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87, the supplier is responsible for loading the containers on board of the vessel designated by the recipient, the Commission will refund the corresponding costs, excluding terminal handling charges.

Should containers be used on LCL/FCL or LCL/LCL basis, the supplier must deliver the goods to the terminal, at a stage where the stuffing of the containers can be done immediately at the recipient's costs. The supplier shall not bear any cost pertaining to the use of the containers.

COMMISSION REGULATION (EEC) No 84/89

of 16 January 1989

amending Regulation (EEC) No 1193/88 in respect of the documents required for imports of bran

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1058/88 of 28 March 1988 on the import of bran, sharps and residues derived from the sifting, milling or other working of cereals other than maize and rice and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 1193/88⁽²⁾ lays down detailed rules for the application of an annual import quota of a maximum of 550 000 tonnes of bran with a reduced levy; whereas Articles 4 and 5 of that Regulation provide for the use by the exporting country of a certificate of origin from 1 January 1989 at the latest for proof of payment of the export tax corresponding to the reduction in the import levy; whereas the specimen form for such certificates has not yet been adopted and will not be available on 1 January 1989 as anticipated; whereas provision should accordingly be made for alternative customs export documents to be accepted until the specimen form for the certificate of origin is introduced and no final date should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 of Regulation (EEC) No 1193/88 is hereby replaced by the following:

Article 5

Until the introduction of the specimen form for the certificate of origin referred to in Article 4 and for products exported before the introduction of that certificate of origin, proof of payment of the export tax shall be provided by any customs export document provided that it includes the particulars required to identify the goods, the amount of the tax levied per tonne, the words "Special export tax levied" and the date of payment of the tax certified by the signature and the stamp of a body listed in the Annex hereto.'

Article 2

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

It shall apply with effect from 1 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽²⁾ OJ No L 111, 30. 4. 1988, p. 87.

COMMISSION REGULATION (EEC) No 85/89**of 16 January 1989****opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1988/89 wine year from certain detailed rules for the application thereof**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2964/88 ⁽²⁾, and in particular Article 39 (9), (10) and (11) thereof,

Whereas the data available at present to the Commission, and in particular those in the forward estimate for the 1988/89 wine year, show that a feature of that year is an imbalance on the market for table wine and wine suitable for yielding table wine; whereas the conditions laid down in Article 39 (1) of Regulation (EEC) No 822/87 for initiating compulsory distillation are therefore fulfilled;

Whereas, in view of the prices and the desirable level of availabilities at the end of the year, the distillation of 9 million hectolitres of table wine appears necessary in the Community,

Whereas, in view of the derogation provided for in Article 39 (10) of Regulation (EEC) No 822/87, it should be specified that the quantity for preventive distillation is to be deducted from the quantity for compulsory distillation in Greece;

Whereas the experience acquired in the 1987/88 marketing year of the option whereby grape must intended for the production after 15 March of products other than table wine may be deducted from the volume to be used for determining the quantity of wine to be delivered for distillation is inadequate for judging the effect of the measure; whereas that option should be made available again in the 1988/89 marketing year so that its impact can be assessed;

Whereas a large number of small producers of grapes belong to cooperative wineries or producer groups; whereas the articles of association of these organizations are such that in certain production regions the delivery obligation provided for in Article 39 of Regulation (EEC) No 822/87 falls on the organization as a whole and in others falls on the producers individually; whereas in

consequence there is a danger that the exemption provided for small producers will differ greatly in effect between regions; whereas both this fact and the difficulties that were produced by the introduction of a dual exemption arrangement within regions must be taken into account for the fixing of the minimum quantity for delivery by producers;

Whereas experience has shown that the fulfilment of a producers' obligation through the delivery of wine obtained in a region of production other than that of the production of the said wine-grower has contributed to the imbalance on the market in certain regions; whereas the obligation should be considered as fulfilled only where wine delivered and wine which is the subject of the obligation are obtained from the same region;

Whereas application of the rule laid down at the second indent of the second subparagraph of Article 39 (6) of Regulation (EEC) No 822/87 leads, in order to ensure a smooth changeover between the guide price percentages set for the 1987/88 and 1990/91 wine years, to fixing at 25 % the percentage of the guide price for each of the wine types concerned to be used for determining the buying-in price of the table wine to be delivered for distillation; whereas, however, since the volume to be compulsorily distilled for the 1988/89 wine year does not require application of this percentage application of the rule laid down in the second subparagraph of Article 39 (6) of Regulation (EEC) No 822/87 leads to fixing the price at 50 % of the guide price for each of the table wine types concerned;

Whereas, in accordance with Article 39 (7) of Regulation (EEC) No 822/87, distillers may either receive aid in respect of the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Council Regulation (EEC) No 2179/83 ⁽³⁾, as last amended by Regulation (EEC) No 2505/88 ⁽⁴⁾; whereas to avoid production of wine spirits of mediocre quality and since there are no provisions on the subject, provision should be made for wine spirits produced to comply with national provisions in force;

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽³⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁴⁾ OJ No L 225, 15. 8. 1988, p. 14.

HAS ADOPTED THIS REGULATION:

Article 1

1. Distillation as provided for in Article 39 (1) of Regulation (EEC) No 822/87 is hereby decided on for the 1988/89 wine year.

2. The total quantity of table wine to be distilled shall be 9 million hectolitres.

3. The quantities to be distilled in the regions as referred to in Article 4 (2) of Commission Regulation (EEC) No 441/88⁽¹⁾ shall be as follows:

- Region 1: 0 hectolitres,
- Region 2: 0 hectolitres,
- Region 3: 2 470 000 hectolitres,
- Region 4: 6 330 000 hectolitres,
- Region 5: 200 000 hectolitres,
- Region 6: 0 hectolitres.

In the case of Region 5, the quantity provided for preventive distillation in that Region pursuant to Commission Regulation (EEC) No 2722/88⁽²⁾ shall be deducted from the abovementioned quantity.

Article 2

By way of derogation from Article 6 (1) of Regulation (EEC) No 441/88 producers may deduct from the volume indicated in the first paragraph of that Article quantities of grape must intended for the preparation of products other than table wine not yet processed by 15 March, provided that they undertake to process them by 31 August. If such processing has not taken place by the latter date, producers must deliver for compulsory distillation in the form of wine, a quantity resulting from the application of the percentage provided for in Article 8 to the quantity of unprocessed must, plus 20 %. That quantity must be delivered by the date fixed by the competent national authority pursuant to Article 12 (5) of Regulation (EEC) No 441/88.

Article 3

By way of derogation from Article 9 (1) of Regulation (EEC) No 441/88 the quantity of table wine below which producers are exempted from the obligation to deliver shall be 5 hectolitres except for producers in the regions indicated in the first indent in the second subparagraph of Article 7 of that Regulation, for whom it shall be 25 hectolitres.

Article 4

1. The percentage referred to in the second indent in the second subparagraph of Article 39 (6) of Regulation (EEC) No 822/87 shall be 25.

2. Without prejudice to the application of Article 44 of Regulation (EEC) No 822/87, the buying-in prices for table wine to be delivered for compulsory distillation shall be:

- ECU 1,56 per % vol alcohol and per hectolitre for white table wine of type A I,
- ECU 1,68 per % vol alcohol and per hectolitre for red table wine of type R I or R II.

Article 5

The aid for which the distiller may qualify, as against the prices laid down in Article 4, shall be:

(a) where the product obtained from distillation complies with the definition of neutral spirits as set out in the Annex to Regulation (EEC) No 2179/83:

- ECU 1,05 per % vol alcohol per hectolitre where it is obtained from white wine of type A I,
- ECU 1,18 per % vol alcohol per hectolitre where it is obtained from red table wine of type R I or R II;

(b) where the product obtained from distillation is wine spirits complying with the quality criteria laid down by national provisions in force:

- ECU 0,94 per % vol alcohol per hectolitre where it is obtained from white wine of type A I,
- ECU 1,07 per % vol alcohol per hectolitre where it is obtained from red table wine of type R I or R II;

(c) where the product obtained from distillation is raw spirits with an alcoholic strength of at least 52 % vol:

- ECU 0,94 per % vol alcohol per hectolitre where it is obtained from white wine of type A I,
- ECU 1,07 per % vol alcohol per hectolitre where it is obtained from red table wine of type R I or R II.

Article 6

1. The price to be paid to the distiller by the intervention agency for the product delivered in accordance with the second indent of the first subparagraph of Article 39 (7) of Regulation (EEC) No 822/87, as against the prices laid down in Article 4, shall be:

- ECU 2,01 per % vol alcohol per hectolitre where it is obtained from white wine of type A I,
- ECU 2,14 per % vol alcohol per hectolitre where it is obtained from red table wine of type R I or R II.

These prices shall apply to neutral spirits complying with the definition as set out in the Annex to Regulation (EEC) No 2179/83.

⁽¹⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽²⁾ OJ No L 241, 1. 9. 1988, p. 94.

2. For spirits other than those referred to in paragraph 1, the prices given in that paragraph shall be reduced by ECU 0,11 per % vol alcohol per hectolitre.

Article 7

The aid for which fortifiers of wine for distillation shall qualify, as against the prices laid down in Article 4, shall be :

- ECU 0,92 per % vol alcohol per hectolitre where it is obtained from white wine of type A I.
- ECU 1,04 per % vol alcohol per hectolitre where it is obtained from red table wine of type R I or R II.

Article 8

For the purposes of Article 12 (1) and (2) of Regulation (EEC) No 441/88 the obligation shall be deemed to have been fulfilled only where the wine delivered is obtained from the same region as that of the producer's own production.

Article 9

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, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 86/89**of 16 January 1989****opening, for the 1988/89 wine year, distillation of table wine as provided for in
Article 41 (1) of Regulation (EEC) No 822/87**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 2964/88⁽²⁾, and in particular Articles 41 (10), 47 (3) and 81 thereof,

Whereas Commission Regulation (EEC) No 2721/88⁽³⁾ lays down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas Commission Regulation (EEC) No 2720/88⁽⁴⁾, as last amended by Regulation (EEC) No 3479/88⁽⁵⁾, fixes the prices, the aid and certain other factors applicable to preventive distillation for the 1988/89 wine year;

Whereas Article 41 (1) of Regulation (EEC) No 822/87 provides that in years during which the distillation indicated in Article 39 thereof is decided on, support distillation is to be introduced as soon as the said measure enters into force;

Whereas Commission Regulation (EEC) No 85/89⁽⁶⁾ opened for the 1988/89 wine year distillation as indicated in the said Article 39; whereas distillation as provided for in Article 41 (1) of Regulation (EEC) No 822/87 must therefore be opened;

Whereas given the improvement in market conditions expected to result from application in the 1988/89 wine year of the provisions on compulsory distillation of the said Article 39, the application of the present support distillation measure should be restricted to the regions in which compulsory distillation is opened, the total

quantity of table wine that may be distilled should be restricted to 3 500 000 hectolitres and the total quantity of table wine for which each producer may submit one or more delivery contract declarations for approval by the intervention agency should be limited to an appropriate percentage of the quantity of table wine that he produced during the 1988/89 wine year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Distillation under Article 41 (1) of Regulation (EEC) No 822/87 is hereby opened for all table wine up to a maximum of 3 500 000 hectolitres obtained from grapes grown in the production regions in which compulsory distillation is opened for the 1988/89 wine year.

Article 2

The total quantity of table wine for which each producer may conclude one or more contracts may not exceed:

— 7 hectolitres per hectare of area used for the production of table wine,

or

— in the Greek part of wine-growing zone C III, 10 % of the quantity of table wine produced,

— in the other wine-growing zones, 9 % of the quantity of table wine produced.

Article 3

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.

⁽⁴⁾ OJ No L 241, 1. 9. 1988, p. 79.

⁽⁵⁾ OJ No L 305, 10. 11. 1988, p. 26.

⁽⁶⁾ See page 14 of this Official Journal.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 87/89**of 16 January 1989****amending Regulation (EEC) No 2984/88 fixing the yields of olives and olive oil
for the 1987/88 marketing year in Italy, Spain and Portugal**

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 2210/88⁽²⁾,

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organizations⁽³⁾, as last amended by Regulation (EEC) No 892/88⁽⁴⁾, and in particular Article 19 thereof,

Whereas Commission Regulation (EEC) No 2984/88⁽⁵⁾, as amended by Regulation (EEC) No 3530/88⁽⁶⁾, fixed the olive and olive oil yields for each homogeneous production zone; whereas a mistake has been noted in Annex II to the said Regulation in respect of the province of Cosenza; whereas this should, accordingly, be corrected, taking into account the fact that potential recipients have not yet received production aid;

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

Annex II (Italy) to Regulation (EEC) No 2984/88 is hereby amended as follows:

1. The commune of Santa Sofia d'Epiro is deleted from the list of communes in point 2 under the province of Cosenza.
2. The commune of Santa Sofia d'Epiro is added to the list of communes in point 3 under the province of Cosenza.

Article 2

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

It shall apply with effect from 3 October 1988.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽⁴⁾ OJ No L 89, 6. 4. 1988, p. 1.

⁽⁵⁾ OJ No L 270, 30. 9. 1988, p. 1.

⁽⁶⁾ OJ No L 309, 15. 11. 1988, p. 12.

COMMISSION REGULATION (EEC) No 88/89
of 16 January 1989
correcting Regulation (EEC) No 69/89 fixing the import levies on rice and
broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 2229/88 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as amended by Regulation (EEC) No 1546/87 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the levies applicable to imports of rice and broken rice were fixed in Commission Regulation (EEC) No 2699/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 69/89 ⁽⁶⁾;

Whereas a mistake has crept into that Regulation; whereas the Regulation in question should be corrected accordingly,

Article 1

In the Annex to Regulation (EEC) No 69/89, for CN codes 1006 30 67 and 1006 30 98:

- in the column headed 'Third countries (except ACP or OCT) ⁽⁷⁾', '470,82' is replaced by '627,76',
- in the column headed 'ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾', '470,82' is replaced by '301,53'.

Article 2

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

At the request of the interested party, it shall apply with effect from 16 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.
⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.
⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.
⁽⁶⁾ OJ No L 11, 14. 1. 1989, p. 5.

COMMISSION REGULATION (EEC) No 89/89

of 16 January 1989

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 27 (4) thereof,Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 4136/88⁽⁴⁾,Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3806/88⁽⁷⁾, as last amended by Regulation (EEC) No 51/89⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3806/88 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ are as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is fixed in Annex III.

Article 2

This Regulation shall enter into force on 17 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 362, 30. 12. 1988, p. 13.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 335, 7. 12. 1988, p. 18.

⁽⁸⁾ OJ No L 9, 12. 1. 1989, p. 14.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	0,580	0,580
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	18,137	18,221	18,384	18,546	18,786	18,631
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	43,25	43,45	43,84	44,23	44,80	44,70
— Netherlands (Fl)	48,20	48,43	48,86	49,29	49,93	49,75
— BLEU (Bfrs/Lfrs)	875,78	879,84	887,71	895,53	907,12	899,63
— France (FF)	131,88	132,46	133,66	134,85	136,66	135,44
— Denmark (Dkr)	158,49	159,21	160,64	162,06	164,18	162,79
— Ireland (£ Irl)	14,666	14,731	14,865	14,997	15,198	15,063
— United Kingdom (£)	11,202	11,248	11,351	11,440	11,599	11,391
— Italy (Lit)	28 024	28 146	28 315	28 439	28 827	28 189
— Greece (Dr)	1 763,65	1 755,95	1 745,25	1 734,87	1 768,03	1 643,73
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	89,44	89,44
— in another Member State (Pta)	2 851,02	2 865,60	2 885,81	2 876,54	2 913,87	2 873,36
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	3 979,26	3 994,28	4 014,57	4 030,68	4 075,54	3 987,84

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,080	3,080
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	20,637	20,721	20,884	21,046	21,286	21,131
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,15	49,35	49,74	50,14	50,70	50,61
— Netherlands (Fl)	54,82	55,05	55,48	55,91	56,54	56,37
— BLEU (Bfrs/Lfrs)	996,50	1 000,55	1 008,42	1 016,25	1 027,83	1 020,35
— France (FF)	150,84	151,42	152,62	153,81	155,62	154,40
— Denmark (Dkr)	180,59	181,31	182,74	184,16	186,28	184,90
— Ireland (£ Irl)	16,776	16,840	16,974	17,107	17,308	17,172
— United Kingdom (£)	12,889	12,936	13,039	13,127	13,287	13,079
— Italy (Lit)	32 112	32 233	32 403	32 526	32 914	32 276
— Greece (Dr)	2 135,64	2 127,95	2 117,25	2 106,87	2 140,02	2 015,73
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	474,98	474,98
— in another Member State (Pta)	3 236,55	3 251,14	3 271,34	3 262,07	3 299,40	3 258,89
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	470,02	470,02	470,02	470,02	470,02
— in another Member State (Esc)	4 449,28	4 464,30	4 484,59	4 500,70	4 545,56	4 457,86

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	5,170
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	23,891	24,149	24,569	25,113	25,166
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	56,82	57,43	58,42	59,71	59,84
— Netherlands (Fl)	63,43	64,11	65,22	66,66	66,80
— BLEU (Bfrs/Lfrs)	1 153,62	1 166,08	1 186,36	1 212,63	1 215,19
— France (FF)	175,72	177,65	180,86	185,03	185,36
— Denmark (Dkr)	209,43	211,70	215,42	220,25	220,69
— Ireland (£ Irl)	19,545	19,759	20,116	20,581	20,617
— United Kingdom (£)	15,123	15,293	15,580	15,943	15,964
— Italy (Lit)	37 491	37 905	38 515	39 298	39 359
— Greece (Dr)	2 653,30	2 677,17	2 715,16	2 778,47	2 772,33
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	797,28
— in another Member State (Pta)	3 763,19	3 803,69	3 862,27	3 911,76	3 921,68
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 762,70	6 812,13	6 884,09	6 977,04	6 985,80
— in another Member State (Esc)	6 590,84	6 639,01	6 709,14	6 799,73	6 808,27
3. Compensatory aids:					
— in Spain (Pta)	3 711,14	3 753,08	3 812,14	3 863,56	3 874,44
4. Special aid:					
— in Portugal (Esc)	6 590,84	6 639,01	6 709,14	6 799,73	6 808,27

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0260760.

ANNEX IV

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

(value of 1 ECU)

	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6
DM	2,081910	2,078100	2,074630	2,071000	2,071000	2,060380
Fl	2,350120	2,346390	2,343130	2,339530	2,339530	2,328920
Bfrs/Lfrs	43,621100	43,607300	43,599300	43,587900	43,587900	43,555300
FF	7,103000	7,108170	7,112770	7,117790	7,117790	7,132380
Dkr	8,025580	8,025890	8,026250	8,026460	8,026460	8,027250
£Irl	0,777653	0,777342	0,777359	0,777621	0,777621	0,778593
£	0,644699	0,646060	0,647250	0,648570	0,648570	0,652728
Lit	1 527,02	1 533,04	1 538,41	1 544,04	1 544,04	1 559,87
Dr	172,50000	173,95400	175,52000	177,03900	177,03900	182,01200
Esc	170,78100	171,38000	172,05600	172,64100	172,64100	175,06900
Pta	131,15100	131,55100	132,04100	133,42000	133,42000	134,09900

COMMISSION REGULATION (EEC) No 90/89

of 16 January 1989

concerning applications for STM licences for milk and milk products submitted during the first 10 days of January 1989

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 Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM)⁽¹⁾, as last amended by Regulation (EEC) No 2159/87⁽²⁾, and in particular Article 6 (4) thereof,

Having regard to Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten⁽³⁾, as last amended by Regulation (EEC) No 3851/88⁽⁴⁾, and in particular Article 3 (2) thereof,

Whereas pursuant to Article 6 (3) of Regulation (EEC) No 574/86 the Commission has been notified of the applications for STM licences for milk and milk products during the first 10 days of January 1989; whereas the necessary provisions regarding the acceptance of the said applications should be adopted,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for STM licences submitted during the first 10 days of January 1989 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by the coefficient set out below in the case of the following products and the categories referred to in Article 2 of Regulation (EEC) No 606/86:

CN code	Description	Coefficient
ex 0401	Milk and cream, fresh, not concentrated or sweetened:	
ex 0403	— in immediate packings of a net capacity of 2 litres or less	0,49714
	— other	1,00000
0405 00	Butter and other fats and oils derived from milk	0,03905
ex 0406	Cheese:	
	— Category 1: Emmentaler, Gruyère	1,00000
	— Category 2: Blue-veined cheese	1,00000
	— Category 3: Processed cheese	0,00672
	— Category 4: Parmigiano Reggiano, Grana Padano	0,37249
	— Category 5: Havarti, fat content 60 %	1,00000
	— Category 6: Edam in balls, Gouda	0,24073
	— Category 7: Soft ripened cow's milk cheeses	0,01797
	— Category 8: Cheddar, Chester	0,00478
	— Category 9: Other	0,20925

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽²⁾ OJ No L 202, 23. 7. 1987, p. 30.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 343, 13. 12. 1988, p. 8.

Article 2

This Regulation shall enter into force on 17 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 91/89**of 16 January 1989****abolishing the countervailing charge on fresh clementines originating in Morocco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 3796/88⁽³⁾, as last amended by Regulation (EEC) No 4/89⁽⁴⁾, introduced a countervailing charge on fresh clementines originating in Morocco;

Whereas for these fresh clementines originating in Morocco there were no prices for six consecutive working

days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh clementines originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3796/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 17 January 1989.

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

Done at Brussels, 16 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 334, 6. 12. 1988, p. 18.

⁽⁴⁾ OJ No L 2, 4. 1. 1989, p. 5.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 16 December 1988

adopting the second phase of the programme on cooperation between universities and industry regarding training in the field of technology (Comett II) (1990 to 1994)

(89/27/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 128 thereof,

Having regard to Council Decision 63/266/EEC of 2 April 1963 laying down general principles for implementing a common vocational training policy⁽¹⁾, and in particular the second, sixth, seventh, ninth and tenth principles thereof,

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

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

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

Whereas, by Decision 86/365/EEC⁽⁵⁾, the Council adopted a programme on cooperation between universities and enterprises regarding training in the field of technology for a period of four years beginning on 1 January 1986;

Whereas Article 6 of the abovementioned Decision provides that the Commission will submit by 31 October 1988 to the Council, the European Parliament and the Economic and Social Committee a report on experience in implementing the Comett programme, together with a proposal regarding the arrangements for continuing it, if

appropriate; whereas the Council is to take a decision on this proposal by 31 October 1989, after consulting the European Parliament and the Economic and Social Committee;

Whereas the European Council emphasized in December 1986 the importance of Community actions for employment and such actions aimed at encouraging better training of young people and adults;

Whereas the Council, in its resolution of 2 December 1986 concerning a strategic programme for growth and employment⁽⁶⁾, underlined the priority of initial and continuing education; whereas it confirmed this commitment in Decision 87/569/EEC of 1 December 1987 adopting the action programme for the vocational training of young people and their preparation for adult and professional life⁽⁷⁾;

Whereas the Council has already adopted, in extending the framework programme of research and development⁽⁸⁾, measures aimed at reinforcing technological and industrial cooperation at Community level, in particular by Decisions 88/479/EEC⁽⁹⁾, 88/108/EEC⁽¹⁰⁾, 88/419/EEC⁽¹¹⁾ concerning Esprit, Brite/Euram, Science, and 88/417/EEC⁽¹²⁾ concerning Delta, which is directed specifically at learning technologies; whereas this technological and industrial cooperation in the field of research and development must be supported by parallel efforts in the field of vocational training;

⁽¹⁾ OJ No 63, 20. 4. 1963, p. 1338/63.

⁽²⁾ OJ No C 239, 14. 9. 1988, p. 3.

⁽³⁾ OJ No C 326, 19. 12. 1988.

⁽⁴⁾ Opinion delivered on 23 November 1988 (not yet published in the Official Journal).

⁽⁵⁾ OJ No L 222, 8. 8. 1986, p. 17.

⁽⁶⁾ OJ No C 340, 31. 12. 1986, p. 2.

⁽⁷⁾ OJ No L 346, 10. 12. 1987, p. 31.

⁽⁸⁾ OJ No L 302, 24. 10. 1987, p. 1.

⁽⁹⁾ OJ No L 118, 6. 5. 1988, p. 23.

⁽¹⁰⁾ OJ No L 59, 4. 3. 1988, p. 23.

⁽¹¹⁾ OJ No L 206, 30. 7. 1988, p. 34.

⁽¹²⁾ OJ No L 206, 30. 7. 1988, p. 20.

Whereas Council Decision 83/624/EEC of 25 November 1983 on the Strategic Programme for Innovation and Transfer of Technology (Sprint)⁽¹⁾, as last amended by Decision 87/307/EEC⁽²⁾, adopted certain activities concerning the transfer of know-how in the fields of innovation management and transfer of technology;

Whereas the European Parliament adopted, on 24 May 1983, a resolution on the competitiveness of Community industry⁽³⁾, in which it asks for increased efforts to be made in favour of vocational training and the training of the leaders of enterprises; whereas this resolution complements the resolution on the continuing training of workers in enterprises⁽⁴⁾ and various other resolutions concerning, in particular, higher education and the development of university cooperation in the European Community⁽⁵⁾, open universities in the European Community⁽⁶⁾, the framework programme for Community action in technological development⁽⁷⁾, and regional development, education and training⁽⁸⁾;

Whereas the exploitation of technological developments throughout industry will depend on the adaptability of the qualifications and the enterprise of the workforce; whereas, in this context, there is a more urgent need than ever to reinforce, at Community level, the appropriate initiatives and actions in progress which aim to draw the full potential from human resources and investments in the field of industrial, research, development, innovation and technology transfer policies; and whereas, with this in view, vocational training is an essential instrument for the completion of the internal market in 1992;

Whereas the Comett programme should be one of the extensions of social dialogue and open to both sides of industry in the spirit of the joint opinion of 6 March 1987 on the training and motivation of workers in the context of technological change;

Whereas cooperation between university and enterprise in the field of training already developed within the first Comett programme must be strengthened within Member States, particularly at local and regional level, and be assisted by Community measures; whereas, in this context, it is important to support training actions having a European dimension and to ensure balanced development throughout the Community; whereas therefore, in order to do so, it is appropriate to involve, as far as possible, existing bodies in the Member States;

Whereas the Comett programme must take greater account of the needs of regions whose participation in the Comett programme is more difficult and in which cooperation between universities and undertakings is still at a low level of development, in order to allow balanced participation in the programme by the different regions;

Whereas the important restructuring changes under way in the technological and industrial spheres and the establishment of undertakings in technologically advanced sectors create a need for in-service vocational training schemes in the context of regional cooperation between industry and higher education sectors;

Whereas Comett is thus contributing to the strengthening of the scientific and technological base of European industry and its international competitiveness as well as to the reduction of the disparities between various regions and in the gap between the more and the less developed regions within the meaning of Articles 130f and 130a of the Treaty;

Whereas it is necessary, as an extension to the Council resolution of 3 November 1986 concerning a strategic programme in favour of small and medium-sized enterprises⁽⁹⁾, to engage such enterprises in the implementation of Comett as well as in the dissemination of the results of the programme;

Whereas the Council has taken its Decision 87/327/EEC of 15 June 1987 adopting the European Community action programme for the mobility of university students (Erasmus)⁽¹⁰⁾;

Whereas it is necessary to proceed with a periodic evaluation of the programme;

Whereas, in the implementation of the programme, the Commission should be assisted by a committee;

Whereas the Commission, with a view to preparing its proposal for Comett II, consulted the Comett Committee set up by Decision 86/365/EEC and, in particular having regard to the opinions expressed by the Industrial Research and Development Advisory Committee (IRDAC), by the Advisory Committee for Vocational Training, the Union of Confederations of Industry and Employers in Europe (UNICE), the European Trades Union Confederation (ETUC), as well as the Liaison Committee of Rectors Conferences of the Member States of the European Communities,

HAS DECIDED AS FOLLOWS:

Article 1

1. A second phase of the Comett programme for intra-Community cooperation between universities and industry regarding initial and continuing training in the field of, in particular, advanced technology, hereinafter referred to as 'Comett II', is hereby adopted for a period of five years beginning on 1 January 1990.

2. The detailed arrangements for Comett II are contained in the Annex.

⁽¹⁾ OJ No L 353, 15. 12. 1983, p. 15.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 45.

⁽³⁾ OJ No C 135, 24. 5. 1983, p. 27.

⁽⁴⁾ OJ No C 156, 15. 6. 1987, p. 211.

⁽⁵⁾ OJ No C 104, 16. 4. 1984, p. 48.

⁽⁶⁾ OJ No C 244, 14. 9. 1987, p. 133.

⁽⁷⁾ OJ No C 7, 12. 1. 1987, p. 19.

⁽⁸⁾ OJ No C 99, 13. 4. 1987, p. 15.

⁽⁹⁾ OJ No C 287, 14. 11. 1986, p. 1.

⁽¹⁰⁾ OJ No L 166, 25. 6. 1987, p. 20.

Article 2

For the purposes of the Comett II:

- the term 'university' is used in its general sense to indicate all types of post-secondary education and training establishments which offer, within the framework of initial and/or continuing training, qualifications or diplomas of that level, whatever such establishments may be called in the Member States,
- the term 'industry' is used to indicate all types of economic activity, including not only large but also small and medium-sized businesses whatever their legal status and manner of applying new technologies. The term also covers independent economic organizations, in particular chambers of commerce and industry and/or their equivalents, professional associations and organizations representing employers or employees.

Article 3

Comett II aims at reinforcing training in, in particular, advanced technology, the development of highly skilled human resources and the competitiveness of European industry. It is centred on the changing skill requirements of industry and its personnel, requirements which necessitate complementary action both in the Member States and at Community level. Through the training projects it supports, Comett II will contribute to the utilization and exploitation of the results, methods and tools of technology developed by the Community policy for research and development. Comett II will facilitate innovation and technology transfer as well as the balanced economic and social development of the Community.

In this context, the objectives of Comett II are the following:

- (i) to improve the contribution of, in particular, advanced technology training at the various levels concerned and thus the contribution of training to the economic and social development of the Community;
- (ii) to foster the joint development of training programmes and the exchange of experience, and also the optimum use of training resources at Community level, notably through the creation of transnational sectoral and regional networks of, in particular, advanced technology training projects;
- (iii) to respond to the specific skill requirements of small and medium-sized businesses having regard to the priority measures set out in the Annex;
- (iv) to promote equal opportunities for men and women in initial and continuing training in, in particular, advanced technology;

- (v) to give a European dimension to cooperation between universities and industry in initial and continuing training relating to technologies and their applications and transfer.

Article 4

1. The Community will contribute to the execution of Comett II to the extent of the resources allocated to this programme in the budget of the European Communities, in conformity with the financial perspectives decided jointly by the three institutions and their development.
2. The funds estimated as necessary for the implementation of Comett II amount to ECU 200 million for the period from 1 January 1990 to 31 December 1994. This amount is intended to finance the assistance and other measures set out in the Annex.

Article 5

1. The Commission shall implement Comett II in accordance with the provisions of the Annex.

2. In the performance of that task the Commission shall be assisted by a committee consisting of two representatives from each Member State and chaired by a Commission representative.

The members of the committee shall be responsible for liaison between Comett II and similar initiatives implemented in the Member States.

3. The committee shall deliver opinions on the following points:

- (a) the general guidelines governing the Comett II programme; the general guidelines for the financial assistance to be provided by the Community (amounts, duration and recipients of assistance); questions concerning the general balance of the Comett II programme, including a breakdown of the various types of action;
- (b) the procedure for selecting the various types of project described in the Annex; any measures which require a Community contribution of more than ECU 100 000.

4. As far as the points referred to in paragraph 3 (a) are concerned, the Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter.

The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith.

In that event, the Commission may defer application of the measures which it has decided for a period of two months.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous subparagraph.

5. As far as the points referred to in paragraph 3 (b) are concerned, the Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote. The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

6. The Commission may, moreover, consult the committee on any other matter concerning the implementation of Comett II. In this case, the procedure described in paragraph 5 shall apply.

7. Two representatives of the social partners, appointed by the Commission on the basis of proposals by the organizations representing the social partners at Community level, shall participate in the work of the committee as observers.

8. A group of experts representing the circles involved in Comett II, in particular industry, shall be established by the Commission and chaired by a Commission representative. The function of the group will be to advise the Commission and the committee in the execution of the programme so as to ensure significant participation by industry in its implementation.

9. An annual report regarding the implementation of Comett II shall be submitted by the Commission, after consulting the Comett Committee, to the Council, and to

the Education Committee set up by the resolution of 9 February 1976⁽¹⁾, the European Parliament and the Economic and Social Committee.

10. The Commission shall ensure that Comett II is consistent with other Community research and development projects already programmed — in particular the Delta programme — as well as those implemented on the one hand in the field of innovation and technology transfer — notably the Sprint programme — and on the other hand in the field of education and training, in particular the Erasmus programme for the mobility of university students, the Eurotinet programme for vocational training in information technologies, and those projects intended to help small and medium-sized businesses.

Article 6

1. By 30 June 1992 the Commission shall submit an interim evaluation report to the Council, and to the Education Committee set up by the resolution of 9 February 1976, the European Parliament and the Economic and Social Committee, on the implementation of Comett II.

2. By 30 June 1995 the Commission shall submit to the Council, the European Parliament and the Economic and Social Committee a final evaluation report on the experience and results of Comett II having regard to the programme objectives set and defined in Article 3.

3. To that end, the Commission shall invite the Member States to present a contribution describing the national measures taken to implement Comett II.

Article 7

This Decision shall take effect on 1 January 1990.

Done at Brussels, 16 December 1988.

For the Council

The President

G. GENNIMATAS

⁽¹⁾ OJ No C 38, 19. 2. 1976, p. 1.

ANNEX

1. The Comett II programme comprises a range of transnational projects to strengthen and encourage cooperation between universities and industry within the European framework in regard to initial and continuing training in, in particular, advanced technology in response to technological change and social changes in the context of completion of the internal market and the strengthening of its economic and social cohesion.

These measures are directed at trainees, including those who have completed their initial training, and at persons in active employment, including employers' and workers' representatives and the training officers concerned.

2. Within the framework of the Comett programme the projects which are to receive Community assistance will be chosen on the basis of, in particular, their stimulative and exemplary character, and their contribution to the achievement of the objectives set out in Article 3 of the Decision.

The selection of projects in the various strands will take account of the development of the framework programme for technology R & D, to promote the training schemes resulting from Community research, while avoiding duplication. It will also take account of the skills needed by industry and its highly qualified personnel, in particular for small and medium-sized businesses, and of regions where university-industry cooperation is still not very highly developed.

Priority will be given to training geared towards new skills, both in the growth technology industries and in sectors where such technologies are traditionally applied and as regards technology transfer and administration.

3. The projects which are to receive Community assistance will be chosen from projects which :
 - (i) propose to cover ground, whether in terms of content, mechanisms or links, which is new not only for the universities and the industry concerned, but for the Member States concerned and for the Community as a whole ;
 - (ii) are designed to be disseminated widely and effectively not only in the Member States involved but more widely in the Community ;
 - (iii) are designed explicitly to stimulate similar developments elsewhere in the Community, and to stimulate further development in the universities and the industry concerned.
4. The following measures will be implemented in the course of Comett II :

A. European Network

- (a) The development and reinforcement of university-industry training partnerships (UITPs) and the extension of the European network, both regional and sectoral, in order to further transnational cooperation particularly in the following fields :
 - (i) in contributing to the identification of training needs in technology and to resolving them in liaison with relevant bodies in this field ;
 - (ii) in assisting and facilitating the development and exploitation of projects within the other strands of the Comett II programme ;
 - (iii) in strengthening cooperation and inter-regional transfer between Member States in the development of initial and continuing training for the needs of technologies, their application and transfer ;
 - (iv) in developing links in the form of transnational sectoral networks bringing together projects from various strands of the programme in the same area of training.
- (b) The Community will grant financial support for activities with a European dimension as well as for the functioning of the UITPs. This flat-rate contribution will not exceed 50 % of the expenditure eligible. The support will be reduced progressively, with a ceiling per UITP of ECU 70 000, ECU 60 000 and ECU 50 000 respectively for the first three years. In certain exceptional and duly justified cases, the Community contribution may exceed the three-year limit.

However, additional expenditure by universities incurred in the preparation and implementation of joint training projects may, if necessary, be financed by the Community up to 100 %.
- (c) The activities to be undertaken under strand A will not exceed 12 % of the overall annual budget allocated to the Comett II programme subject — with regard to this strand and to the other strands — to any changes which might arise as the implementation of the programme proceeds.

B. Transnational exchanges

- (a) Specific financial assistance to promote, for the benefit of all Member States, transnational exchange through the allocation of grants for :
- (i) students undergoing periods of from three to twelve months' training in industry in another Member State. One of the important assessment criteria in the selection of projects submitted will be the commitment of the sending university (within the meaning of Article 2), to the possibility of this training period in industry being recognized as an integral part of the student's course, taking account of the specific nature of national education systems and possibilities for such recognition under them ;
 - (ii) persons who have completed their initial training, either enrolled at a university or after graduation and as a transition between study and a first employment, taking up placements of six months to two years in a business undertaking in another Member State for the purpose of taking part in an industrial development project within that undertaking ;
 - (iii) personnel seconded from universities and industry to industry or a university respectively in another Member State to bring their skills to the industry or university in question for the improvement of the training activities and the professional practices of the host organization.
- (b) The Community's financial contribution will be limited to direct and indirect mobility costs of recipients of grants, costs of organizing and monitoring the activities implemented and, where necessary, the costs of foreign language preparation for recipients. This contribution will not exceed a ceiling of ECU 6 000 for 12 months per beneficiary under subparagraph (i), ECU 25 000 for 24 months under subparagraph (ii), and ECU 15 000 for three months under subparagraph (iii) above.
- (c) The activities to be undertaken under strand B will not exceed 40 % of the overall budget allocated to the Comett II programme.

C. Joint projects for continuing training in, in particular, advanced technology and for multimedia distance training

- (a) Support for crash training courses with a European dimension in, in particular, advanced technology designed for the rapid dissemination — by and in universities and by and in industry — of the results of research and development in the field of new technologies and their applications, as well as for the promotion, particularly for small and medium-sized businesses of the transfer of technological innovation to sectors in which it was not previously applied.
- (b) Support for work on devising, developing and testing at European level joint training projects in, in particular, advanced technology, initiated jointly by different industries in association with the universities concerned in at least two different Member States of the Communities in fields relating to the new technologies and their applications.
- (c) Support for multilateral arrangements for training in, in particular, advanced technology initiated jointly by different industries in association with the universities concerned aimed at establishing systems for distance learning utilizing new training technologies and/or resulting in transferable training products.
- (d) Support for the operations referred to in the foregoing subparagraphs initiated by employers' and workers' organizations.
- (e) In the selection of projects under points (a) to (d) above, the Community will pay special attention to projects :
- (i) concerning technologies and their applications liable to have a significant impact on industrial development throughout the Community ;
 - (ii) facilitating the participation of small and medium-sized businesses and meeting their needs ;
 - (iii) directed towards the training of staff responsible for innovation development in industry, including training officers ;
 - (iv) associating in their execution university and industry partners from the less-developed regions of the Community ;
 - (v) demonstrating active involvement of and financial support from industry in the project ;
 - (vi) proposing effective means for ensuring the utilization and dissemination of the results throughout the Community.

- (f) The Community's financial contribution will be 50 % of the total expenditure on the initiatives described in points (a) to (d) above. As a general rule, the Community contribution will not exceed ECU 30 000 per course under (a) and ECU 500 000 per project for the total duration of the project for measures under (b) and (c).

However, additional expenses incurred by universities in the preparation and implementing of joint projects for continuous training in advanced technology and multi-media distance learning may, where appropriate, be covered by the Community by up to 100 %.

- (g) Activities to be under strand C will not exceed 40 % of the overall budget allocated to the Comett II programme.

D. Complementary promotion and back-up measures

- (a) These measures have as their aim :

- (i) support for preparatory activities particularly for the less-developed regions, notably in the form of visits or meetings, having as their potential objective the formulation of transnational projects or the extension of existing projects to other partners ;
 - (ii) a structured exchange of information and experience, notably through financial support for the Comett information centres created in each Member State with a view to promoting Community exchange activities and dissemination and promotion activities within the programme ;
 - (ii) (a) the setting-up of a data bank on Comett projects and similar initiatives in the Member States ;
 - (ii) (b) the establishment of electronic mail facilities between projects and the partners in the programme ;
 - (ii) (c) a programme of events (conferences, seminars, exhibitions, etc.) relating to Comett II ;
 - (iii) analysis and monitoring of the skills needed by industry at Community level, and its consequent training needs in view of the new technologies and their applications, especially in exploiting within Comett II the results of work conducted elsewhere ;
 - (iv) better mutual comprehension of the obstacles hindering the development of transnational cooperation between universities and higher education establishments and industry in training with a view to strengthening this cooperation ;
 - (v) continuing evaluation of Comett II as it is implemented as well as technical and logistical support for the execution of the programme.
- (b) The Community's financial contribution for these back-up measures may be up to 100 % of the actual expenditure committed for these initiatives.
- (c) The activities to be undertaken under strand D will not exceed 8 % of the overall budget allocated to the Comett II programme.
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CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3957/88 of 16 December 1988 on the supply of various lots of skimmed-milk powder as food aid

(Official Journal of the European Communities No L 350 of 20 December 1988)

On page 31, in Annex II, under Lot A, (partial quantity A 12, in the column headed 'Markings on the packaging':

for: '80 351',

read: '82 351'.
