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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 176/89**

of 23 January 1989

imposing a definitive anti-dumping duty on imports of copper sulphate originating in Bulgaria or the Soviet Union

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission, submitted after consultations within the Advisory Committee set up by that Regulation,

Whereas :

A. Procedure

- (1) In March 1984, the Commission opened an anti-dumping proceeding concerning imports of copper sulphate originating in Bulgaria⁽²⁾. In October 1984, the Commission accepted the undertaking offered by the Bulgarian firm Chimimport⁽³⁾ and terminated the investigation in February 1985⁽⁴⁾.

In August 1986 the Commission initiated a review of the anti-dumping measures which had been in force since 1983⁽⁵⁾, concerning imports of copper sulphate originating in the Soviet Union⁽⁶⁾. In August 1987, the Commission accepted the price undertaking offered by the Soviet firm Sojuzchimexport, under the anti-dumping proceeding mentioned above⁽⁷⁾ and terminated the investigation⁽⁸⁾.

In May 1988, the European Council of Chemical Manufacturers' Federations (Cefic) submitted allegations to the Commission that these two undertakings were being breached. The

Commission examined the information submitted to it and offered both exporters the opportunity to comment. No satisfactory explanation was given by either party. The Commission noted that the allegations against both exporters were supported by the official import statistics, and that neither of the exporters concerned contested these figures.

- (2) By Regulation (EEC) No 2386/88⁽⁹⁾, the Commission withdrew the acceptance of the undertakings offered by the Bulgarian firm Chimimport in October 1984 and by the Soviet firm Sojuzchimexport in August 1987 and, in the Community's interest, immediately imposed a provisional anti-dumping duty on imports into the Community of copper sulphate originating in Bulgaria or the USSR.
- (3) At the same time, the Commission reopened the investigations concerning imports into the Community of copper sulphate originating in Bulgaria or the Soviet Union⁽¹⁰⁾.

B. Further procedure

- (4) The Commission officially informed the exporters and importers known to be concerned and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (5) The Bulgarian firm Chimimport, the Soviet firm Sojuzchimexport and all the complainant Community manufacturers made known their views in writing.
- (6) The Commission collected and verified all the information it deemed necessary and carried out checks at the premises of the following firms :
- La Cornubia SA, Bordeaux, France,
 - Manica SpA, Rovereto, Italy,
 - Quimigal, Lisbon, Portugal,
 - Industrias Químicas del Valles, Barcelona, Spain,
 - Incomet, Madrid, Spain.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.⁽²⁾ OJ No C 90, 31. 3. 1984, p. 2.⁽³⁾ OJ No L 275, 18. 10. 1984, p. 12.⁽⁴⁾ OJ No L 41, 12. 2. 1985, p. 13.⁽⁵⁾ OJ No L 274, 7. 10. 1983, p. 1.⁽⁶⁾ OJ No C 200, 9. 8. 1986, p. 4.⁽⁷⁾ OJ No L 235, 20. 8. 1987, p. 18.⁽⁸⁾ OJ No L 235, 20. 8. 1987, p. 22.⁽⁹⁾ OJ No L 205, 30. 7. 1988, p. 68.⁽¹⁰⁾ OJ No C 200, 30. 7. 1988, p. 9.

- (7) The investigation into dumping covered the period from 1 July 1987 to 30 June 1988.

C. Normal value

- (8) In seeking to establish once more whether imports of copper sulphate from Bulgaria and the Soviet Union were being dumped, the Commission had to take account of the fact that Bulgaria and the Soviet Union were not market economy countries, and it had therefore to base its calculations on the normal value of the product in a market economy country.
- (9) The Commission had initially decided to take Yugoslavia as the reference country in establishing normal value. However, the non-cooperation of the Yugoslav firm which was consulted made this solution impossible. In these circumstances, Cefic proposed Mexico as being an analogous country.
- (10) The Commission accepted Mexico as an analogous country since :
- according to the facts available, there were no major differences in the technology and production processes for copper sulphate,
 - there was genuine competition in the manufacturing of copper sulphate, because there were at least five producers on the Mexican domestic market.
- (11) Normal value was calculated on the basis of prices charged on the Mexican domestic market. There was sufficient evidence to allow the Commission to establish that representative quantities of copper sulphate had been sold on the Mexican market during the reference period.

D. Export prices

- (12) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

E. Comparison

- (13) For a valid comparison between normal value and export prices, the Commission took account where necessary of differences affecting price comparability where the existence of a direct link between the prices and sales in question was duly established. In particular, the Commission took account of differences in purity and copper content, in respect of which sufficient information was supplied by the Bulgarian and Soviet exporters. The Commission also took into account differences in credit, transport and insurance terms.
- (14) Normal value and export prices were compared at ex works level.

F. Margins

- (15) This examination of the facts shows that imports of copper sulphate originating in Bulgaria or the Soviet Union were being dumped. The dumping margins were calculated according to the difference between the normal value established and the price on export to the Community as a percentage of the total cif free-at-Community-frontier value, for each of the exporters. The resulting dumping margins are as follows :

- Bulgaria : 81 %,
- Soviet Union : 79 %.

G. Injury

(a) Volume and price of imports

- (16) As regards the injury caused by the dumped imports, the evidence available to the Commission shows that imports into the Community of copper sulphate from Bulgaria and the Soviet Union rose between 1 July 1987 and 30 June 1988 by 229 % compared with the previous year. This increase brings their market share to 14,3 % over the reference period. This rise occurred despite the effect of the undertakings offered by the Bulgarian and Soviet exporters, acceptance of which was withdrawn by the Commission in Regulation (EEC) No 2386/88.
- (17) The prices of imports from both Bulgaria and the Soviet Union were lower than those charged by Community producers. Over the reference period, the prices charged by the two exporters concerned were on occasion below the price of copper on the London Metal Exchange (LME), yet the price of copper, the principal raw material, accounts for only about 70 % of the production cost of copper sulphate.

(b) Impact on the Community industry

- (18) Over the period from 1 January to 30 June 1988 the Community industry's sales fell by approximately 10 % compared with the same period of the previous year, and its market share fell by about 15,5 %, leading to continued stagnation of capacity utilization at the low level of 64 %. In addition, the Community industry was unable to pass on in the price of copper sulphate the increase in the price of copper and in all the other production costs for the product, which have increased considerably, rising over the period from 1 January to 30 June 1988 by an average of 52 % compared with the same period in 1987. Prices have fallen to a level which does not allow the Community industry to cover its production costs. Its financial situation has therefore deteriorated and investment has suffered. During the reference period two Community

manufacturers ceased production, partly as a result of the effects of the dumped imports. These closures led to a reduction in the workforce employed in copper sulphate production.

(c) *Causal link*

(19) The Community industry's difficulties coincided with the increase in imports from the countries concerned and the low price level of these imports on the Community market.

(20) The Commission investigated whether the injury had been caused by other factors such as a fall in the complainants' sales in third countries, a fall in Community demand or an increase in imports from countries other than those concerned by this proceeding. A detailed analysis shows that these factors have had no effect on the injury caused to Community copper sulphate production, since Community exports and demand have remained at the same level and there has been no increase in imports from countries other than those concerned by this proceeding.

(21) The Bulgarian exporter contended that its exports had not caused any injury to the Community industry, arguing that the ultimate destination of its exports to the Community was Africa and North America. This argument, which the Bulgarian exporter backed with statements from the Belgian and United Kingdom importers, was not accepted. According to official Community statistics and the information obtained by the Commission, 77 % of Bulgaria's total exports of copper sulphate during the period under investigation went to other Member States, namely Germany, France, Ireland, Italy, the Netherlands and Portugal, for which no evidence of re-export was produced.

(d) *Conclusion*

(22) It is clear from the above that despite the measures in force, the volume of dumped imports from the two countries concerned and the prices of these imports, taken in isolation, have caused material injury to the Community industry concerned.

H. Community interest

(23) In view of the serious difficulties facing the Community industry and the increase in imports from the countries concerned, and in particular the cessation of production by two Community producers during the reference period, there is a danger that failure to adopt effective protective measures against the dumping in question would lead to continued undermining of the Community

industry's position and would threaten its long-term viability. In these circumstances, the Commission has concluded that the Community interest requires the imposition of definitive anti-dumping measures concerning imports of copper sulphate originating in Bulgaria or the Soviet Union.

I. Definitive duty

(a) *Rate of duty*

(24) In determining the rate of the duty, the Commission has taken account of the dumping margins and the amount of duty necessary to eliminate the injury. To this end, the Commission has determined the weighted average production costs of the Community manufacturers, and has added a reasonable margin for profit.

The profit margin taken into account was 5 % of the production costs. It emerged from the investigation, and from previous investigations, that this margin was necessary to allow a copper sulphate producer to operate a plant under reasonable, modern technical conditions.

Production costs, plus this profit margin, were compared with free-at-Community-frontier export prices, plus customs duties and a profit margin for the importer. The difference between the two was taken as the level of injury to be removed.

As in the case of both the exporters concerned the level of injury was lower than the dumping margins established, the amount of definitive duties to be imposed should be the amount required to remove the injury.

(b) *Form*

(25) The Commission considered that, to ensure the effectiveness of the protective measures and to facilitate customs clearance, the definitive duty should take the form of an *ad valorem* duty.

J. Definitive collection of the provisional duty

(26) Because of the size of the dumping margins established and the serious nature of the injury caused to the Community industry, the Council considers it necessary to collect definitively the amounts secured by way of provisional anti-dumping duty, either in full or up to the amount of the definitive duty imposed where the latter is lower than the provisional duty,

HAS ADOPTED THIS REGULATION:

- Bulgaria : 58 %,
- Soviet Union : 56 %.

3. The provisions in force concerning customs duties shall apply.

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of copper sulphate originating in Bulgaria or the Soviet Union, falling within CN code 2833 25 00.

2. The rate of the duty shall be equal to the percentages indicated below of the free-at-Community-frontier price for each country:

Article 2

The amounts secured by way of provisional anti-dumping duties under Regulation (EEC) No 2386/88 shall be definitively collected up to the rate of the definitive duty, where the latter is less than the rate of the provisional anti-dumping duty, or at the rate of the provisional duty in other cases.

Article 3

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, 23 January 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

COUNCIL REGULATION (EEC) No 177/89

of 23 January 1989

extending the provisional anti-dumping duty on imports of paint, distemper,
varnish and similar brushes originating in the People's Republic of China

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 (5) thereof,

Having regard to the proposal from the Commission,

Whereas by Regulation (EEC) No 3052/88⁽²⁾, as amended by Regulation (EEC) No 3453/88⁽³⁾, the Commission imposed a provisional anti-dumping duty on imports of paint, distemper, varnish and similar brushes originating in the People's Republic of China;

Whereas it has not been possible to complete the full examination of the facts and hear the parties involved within the stipulated period and the period of validity of the provisional duty should therefore be extended for a further period;

Whereas the exporter has been consulted and has not objected to an extension,

Article 1

The provisional anti-dumping duty on imports of paint, distemper, varnish and similar brushes originating in the People's Republic of China imposed by Regulation (EEC) No 3052/88, is hereby extended for a period not exceeding two months.

Article 2

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

Without prejudice to Article 11 of Regulation (EEC) No 2423/88 or any other decision taken by the Council, it shall apply until the entry into force of an act of the Council adopting definitive measures or until the end of a period of two months beginning on 4 February 1989, whichever is the earlier.

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

Done at Brussels, 23 January 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 272, 4. 10. 1988, p. 16.

⁽³⁾ OJ No L 303, 8. 11. 1988, p. 11.

COMMISSION REGULATION (EEC) No 178/89

of 26 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 25 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 27 January 1989.

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

Done at Brussels, 26 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. 96.

ANNEX

to the Commission Regulation of 26 January 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	19,20	126,14
0712 90 19	19,20	126,14
1001 10 10	51,30	167,80 ⁽¹⁾ ⁽²⁾
1001 10 90	51,30	167,80 ⁽¹⁾ ⁽²⁾
1001 90 91	13,64	119,11
1001 90 99	13,64	119,11
1002 00 00	57,33	110,93 ⁽³⁾
1003 00 10	47,89	118,07
1003 00 90	47,89	118,07
1004 00 10	38,94	72,62
1004 00 90	38,94	72,62
1005 10 90	19,20	126,14 ⁽²⁾ ⁽³⁾
1005 90 00	19,20	126,14 ⁽²⁾ ⁽³⁾
1007 00 90	42,54	135,97 ⁽⁴⁾
1008 10 00	47,89	23,05
1008 20 00	47,89	93,47 ⁽⁴⁾
1008 30 00	47,89	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	47,89	0,00
1101 00 00	33,11	180,77
1102 10 00	94,28	169,32
1103 11 10	92,90	273,47
1103 11 90	34,68	194,15

⁽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 179/89

of 26 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 Regulation (EEC) No 2727/75 of the Council 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 25 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 27 January 1989.

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

Done at Brussels, 26 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 26 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	0	0	0
1001 90 99	0	0	0	0
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	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 180/89
of 26 January 1989
fixing the specific levies on beef and veal from Portugal

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

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

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

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 4034/88 ⁽⁴⁾, lays

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 February 1989.

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

Done at Brussels, 26 January 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 355, 23. 12. 1988, p. 38.

ANNEX

to the Commission Regulation of 26 January 1989 fixing the specific levies on imports of beef and veal from Portugal

(ECU/100 kg)	
CN code	Amount of the special levies
0102 90 10	37,03
0102 90 31	37,03
0102 90 33	37,03
0102 90 35	37,03
0102 90 37	37,03
0201 10 10	69,86
0201 10 90	69,86
0201 20 21	69,86
0201 20 29	69,86
0201 20 31	55,89
0201 20 39	55,89
0201 20 51	83,83
0201 20 59	83,83
0201 20 90	104,79
0201 30	120,16
0202 10 00	62,87
0202 20 10	62,87
0202 20 30	50,30
0202 20 50	78,24
0202 20 90	94,31
0202 30 10	78,24
0202 30 50	78,24
0202 30 90	108,28
0206 10 95	120,16
0206 29 91	108,28
0210 20 10	104,79
0210 20 90	120,16
0210 90 41	120,16
0210 90 90	120,16
1602 50 10	120,16
1602 90 61	120,16

COMMISSION REGULATION (EEC) No 181/89

of 26 January 1989

fixing the import levies on live cattle and on beef and veal other than frozen

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 2312/88 ⁽³⁾, as last amended by Regulation (EEC) No 4036/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2312/88 to the quota-

tions and other information 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 on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 February 1989.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 83.

⁽⁴⁾ OJ No L 355, 23. 12. 1988, p. 42.

ANNEX

to the Commission Regulation of 26 January 1989 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	17,896	120,988
0102 90 31	21,226	17,896	120,988
0102 90 33	—	17,896	120,988
0102 90 35	21,226	17,896	120,988
0102 90 37	21,226	17,896	120,988
— Net weight —			
0201 10 10	—	34,002	229,878
0201 10 90	40,329	34,002	229,878
0201 20 21	—	34,002	229,878
0201 20 29	40,329	34,002	229,878
0201 20 31	—	27,202	183,903
0201 20 39	32,264	27,202	183,903
0201 20 51	48,395	40,802	275,853
0201 20 59	48,395	40,802	275,853
0201 20 90	—	51,002	344,817
0201 30	—	58,340	394,422
0206 10 95	—	58,340	394,422
0210 20 10	—	51,002	344,817
0210 20 90	—	58,340	394,422
0210 90 41	—	58,340	394,422
0210 90 90	—	58,340	394,422
1602 50 10	—	58,340	394,422
1602 90 61	—	58,340	394,422

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

⁽²⁾ This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 182/89
of 26 January 1989
fixing the import levies on frozen beef and veal

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 2311/88 ⁽³⁾, as last amended by Regulation (EEC) No 4037/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2311/88 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 February 1989.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 79.

⁽⁴⁾ OJ No L 355, 23. 12. 1988, p. 44.

ANNEX

to the Commission Regulation of 26 January 1989 fixing the import levies on frozen beef and veal ⁽¹⁾

<i>(ECU/100 kg)</i>	
CN code	Levy
	— Net weight —
0202 10 00	223,251
0202 20 10	223,251
0202 20 30	178,600
0202 20 50	279,064
0202 20 90	334,876
0202 30 10	279,064
0202 30 50	279,064
0202 30 90	383,991
0206 29 91	383,991

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

COMMISSION REGULATION (EEC) No 183/89

of 26 January 1989

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules

for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 23 and 24 January 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 27 January 1989.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,00

COMMISSION REGULATION (EEC) No 184/89

of 25 January 1989

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 20/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified within the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 25 January 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 4, 6. 1. 1989, p. 19.

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
A liquid preparation containing sodium and calcium caseinates, soya protein, soya lecithin, maize oil, soya oil, medium-chain triglycerides, maltodextrins, minerals, vitamins and water capable also of being administered by enteral tube	2202 90 10	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 1 (a) to Chapter 30, and the texts of CN codes 2202, 2202 90 and 2202 90 10

COMMISSION REGULATION (EEC) No 185/89**of 26 January 1989****repealing Regulation (EEC) No 2415/88 on the sale by tender, for export, of beef
held by certain intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas certain quantities of bone-in meat fixed by Commission Regulation (EEC) No 2415/88 ⁽³⁾, as amended by Regulation (EEC) No 2602/88 ⁽⁴⁾, were put up for sale by tender; whereas in view of the large quantities of meat sold under that Regulation, that sale should be terminated;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2415/88 is hereby repealed. However, its provisions remain applicable to contracts concluded before the entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 208, 2. 8. 1988, p. 11.

⁽⁴⁾ OJ No L 231, 20. 8. 1988, p. 25.

COMMISSION REGULATION (EEC) No 186/89
of 26 January 1989
on the supply of various lots of butteroil 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 3 087 tonnes of butteroil;

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 Annexes. 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, 26 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 I

LOTS A, B, C, D and E

1. **Operation Nos** ⁽¹⁾: 1238 to 1242/88 — Commission Decision of 1. 3. 1988
2. **Programme**: 1988
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** ⁽²⁾ ⁽³⁾: Dairy Development Project Office, Ministry of Agriculture, No 11 Nong Zhan Guan, Nanli, Beijing, People's Republic of China (Telex 22233 MAGR CN)
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** ⁽⁴⁾: to be manufactured from intervention butter (OJ No C 216, 14. 8. 1987, p. 7, (under I.3.1 and I.3.2))
8. **Total quantity**: 2 587 tonnes
9. **Number of lots**: five (A: 562 tonnes; B: 338 tonnes; C: 826 tonnes; D: 487 tonnes; E: 374 tonnes)
10. **Packaging and marking**: 200 kilograms ⁽⁵⁾ and OJ No C 216, 14. 8. 1987, pp. 7 and 8 (under I.3.3 and I.3.4)
Supplementary markings on packaging:
'ACTION Nos 1238 to 1242/88 / BUTTEROIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY'
and OJ No C 216, 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization**: purchase of butter from:
Agriculture House,
Kildare Street,
Dublin 2;
Tel. 78 90 11,
Telex 24280+ or 25118+
The addresses of the places of storage are given in Annex II
Selling price determined in accordance with Article 2 of Commission Regulation (EEC) No 2315/76 (OJ No L 261, 25. 9. 1976, p. 12)
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**: A: Guangzhou; B: Fuzhou; C: Shanghai; D: Tianjin; E: Dalian
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**: 15 to 22. 3. 1989
18. **Deadline for the supply**: 15. 5. 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** ⁽⁶⁾: 12 noon on 13. 2. 1989
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 27. 2. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 3 to 5. 4. 1989
 - (c) deadline for the supply: 31. 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 ecu
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 22037 AGREC B
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: refund applicable on 13. 1. 1989 fixed by Commission Regulation (EEC) No 59/89 (OJ No L 10, 13. 1. 1989, p. 10)

LOT F

1. **Operation No⁽¹⁾**: 1110/88 — Commission Decision of 20. 10. 1988
2. **Programme**: 1988
3. **Recipient**: Algeria
4. **Representative of the recipient⁽²⁾**: Croissant Rouge Algérien, Comité National, 15 bis, Bld Mohamed V, Alger, Dr. Mouloud Belaouane, Telex 52914 HILAL — ALGER, tel. 61 07 41
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods⁽²⁾**: to be manufactured from intervention butter (OJ No C 216, 14. 8. 1987, p. 7, (under I.3.1 and I.3.2))
8. **Total quantity**: 500 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: five kilograms and OJ No C 216, 14. 8. 1987, pp. 7 and 8 (under I.3.3 and I.3.4)
Supplementary markings on packaging:
'ACTION No 1110/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
and OJ No C 216, 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization**: purchase of butter from:
Agriculture House,
Kildare Street,
Dublin 2,
tel. 78 90 11, telex 24280+ or 25118+
The addresses of the places of storage are given in Annex II
Selling price determined in accordance with Article 2 of Commission Regulation (EEC) No 2315/76 (OJ No L 261, 25. 9. 1976, p. 12)
12. **Stage of supply**: free at storage CRA, Alger
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**: Dépôt Central du CRA, Diar es Saada, Alger
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 13. 3. 1989
18. **Deadline for the supply**: 13. 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⁽³⁾**: 13. 2. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 27. 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: 10 to 27. 3. 1989
 - (c) deadline for the supply: 27. 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 ecu
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 22037 AGREC B
25. **Refund payable on request by the successful tenderer⁽³⁾**: refund applicable on 13. 1. 1989 fixed by Commission Regulation (EEC) No 59/89 (OJ No L 10, 13. 1. 1989, p. 10)

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: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (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) Commission Regulation (EEC) No 2330/87 (OJ L 210, 1. 8. 1987, p. 56) 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) Commission delegate to be contacted by the successful tenderer: EEC delegation, Ta Yuan Diplomatic Offices Building 2-6-1, Lian Ma He Nan Lu 14, Beijing, People's Republic of China, tel. 532 44 43, telefax 532 43 42, telex 222690 ECDEL CN.
- (⁷) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.
- (⁸) The successful tenderer must nominate a representative in the port of unloading and advise accordingly the undertaking responsible for control, indicated in Article 10 of Regulation (EEC) No 2200/87, and the China National Import and Export Inspection Corporation (CCIC) cable CHINSPECT, telex 210076 SACI CN.

He may nominate the CCIC as representative.

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

Número de la partida Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij Número do lote	Cantidad Mængde Menge Τόνοι Quantity Quantité Quantità Hoeveelheid Quantidade	Nombre y dirección del almacenista Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder Nome e direcção do armazenista
A 1238/88	702 500 kg	— 400 000 kg : Eirfreeze (Cork) Ltd. Little Island IRL-County Cork — 146 750 kg : Ballyclough Coldstore Mallow IRL-County Cork — 100 000 kg : Colso Enterprise Ltd Togher IRL-County Cork — 31 750 kg : Imokilly Coldstore Mogeely IRL-County Cork — 12 750 kg : QK (Grannagh) Coldstore Ltd Grannagh IRL-County Waterford — 11 250 kg : Nordic Coldstore Middleton IRL-County Cork
B 1239/88	422 500 kg	Jenkinsons Coldstore Crossagalla Industrial Estate Ballysimon IRL-County Limerick
C 1240/88	1 032 500 kg	Colso Enterprises Ltd Togher IRL-County Cork
D 1241/88	608 750 kg	— 280 350 kg : QK (Naas) Coldstore Maudlins Naas IRL-County Kildare — 174 750 kg : Autozero Ltd Bannow Road Cabra West IRL-Dublin 7 — 77 500 kg : Jenkinsons Coldstore Crossagalla Industrial Estate Ballysimon IRL-County Limerick — 76 150 kg : QK (Grannagh) Coldstore Ltd Grannagh IRL-County Waterford
E 1242/88	467 500 kg	Colso Enterprises Ltd Togher IRL-County Cork
F 1110/88	625 000 kg	Autozero Ltd Bannow Road Cabra West IRL-Dublin 7

COMMISSION REGULATION (EEC) No 187/89**of 26 January 1989****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat**

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

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the
first paragraph of Article 11 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 4026/88 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 4026/88 to the quota-

tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 February 1989.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 355, 23. 12. 1988, p. 19.

ANNEX

to the Commission Regulation of 26 January 1989 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 6 from 6 to 12 February 1989	Week No 7 from 13 to 19 February 1989	Week No 8 from 20 to 26 February 1989	Week No 9 from 27 February 1989 to 5 March 1989
0104 10 90 ⁽¹⁾	139,247	141,000	142,260	143,627
0104 20 90 ⁽¹⁾	139,247	141,000	142,260	143,627
0204 10 00 ⁽²⁾	296,270	300,000	302,680	305,590
0204 21 00 ⁽²⁾	296,270	300,000	302,680	305,590
0204 22 10 ⁽²⁾	207,389	210,000	211,876	213,913
0204 22 30 ⁽²⁾	325,897	330,000	332,948	336,149
0204 22 50 ⁽²⁾	385,151	390,000	393,484	397,267
0204 22 90 ⁽²⁾	385,151	390,000	393,484	397,267
0204 23 00 ⁽²⁾	539,211	546,000	550,878	556,174
0204 50 11 ⁽²⁾	296,270	300,000	302,680	305,590
0204 50 13 ⁽²⁾	207,389	210,000	211,876	213,913
0204 50 15 ⁽²⁾	325,897	330,000	332,948	336,149
0204 50 19 ⁽²⁾	385,151	390,000	393,484	397,267
0204 50 31 ⁽²⁾	385,151	390,000	393,484	397,267
0204 50 39 ⁽²⁾	539,211	546,000	550,878	556,174
0210 90 11 ⁽²⁾	385,151	390,000	393,484	397,267
0210 90 19 ⁽²⁾	539,211	546,000	550,878	556,174

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 188/89**of 26 January 1989****fixing the import levies on frozen sheepmeat and goatmeat**

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

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the
first paragraph of Article 11 thereof,

Whereas the import levies on frozen sheepmeat and goat-
meat were fixed by Commission Regulation (EEC)
No 4025/88 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 4025/88 to the quota-

tions and other information known to the Commission
that the levies should be altered to the amounts set out in
the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 February 1989.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 355, 23. 12. 1988, p. 16.

ANNEX

to the Commission Regulation of 26 January 1989 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 6 from 6 to 12 February 1989	Week No 7 from 13 to 19 February 1989	Week No 8 from 20 to 26 February 1989	Week No 9 from 27 February 1989 to 5 March 1989
0204 30 00	221,703	224,500	226,510	228,693
0204 41 00	221,703	224,500	226,510	228,693
0204 42 10	155,192	157,150	158,557	160,085
0204 42 30	243,873	246,950	249,161	251,562
0204 42 50	288,214	291,850	294,463	297,301
0204 42 90	288,214	291,850	294,463	297,301
0204 43 00	403,499	408,590	412,248	416,221
0204 50 51	221,703	224,500	226,510	228,693
0204 50 53	155,192	157,150	158,557	160,085
0204 50 55	243,873	246,950	249,161	251,562
0204 50 59	288,214	291,850	294,463	297,301
0204 50 71	288,214	291,850	294,463	297,301
0204 50 79	403,499	408,590	412,248	416,221

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

COMMISSION REGULATION (EEC) No 189/89

of 26 January 1989

introducing a countervailing charge on mandarines 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 Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least 0,6 ECU below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least 0,6 ECU below the reference price;

Whereas Commission Regulation (EEC) No 3270/88 of 24 October 1988 fixing for the 1988/89 marketing year the reference prices for mandarines⁽³⁾ fixed the reference price for products of class I at ECU 59,57 per 100 kilograms net for the period 1 December 1988 to 28 February 1989;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for mandarines originating in Morocco the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas two of these entry prices are at least 0,6 ECU below the reference prices; whereas a countervailing charge should therefore be introduced for these mandarines;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 2,42 per 100 kilograms net is applied to mandarines (CN code ex 0805 20 10) originating in Morocco.

Article 2

This Regulation shall enter into force on 28 January 1989.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 2 February 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 291, 25. 10. 1988, p. 45.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 190/89

of 26 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 122/89⁽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 27 January 1989.

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

Done at Brussels, 26 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 16, 20. 1. 1989, p. 27.

⁽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	19,769	19,849	20,009	20,168	20,407	20,249
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	47,07	47,26	47,64	48,02	48,58	48,44
— Netherlands (Fl)	52,51	52,72	53,15	53,57	54,20	53,98
— BLEU (Bfrs/Lfrs)	954,58	958,45	966,17	973,85	985,39	977,76
— France (FF)	144,69	145,24	146,42	147,59	149,39	148,15
— Denmark (Dkr)	173,06	173,75	175,15	176,54	178,65	177,24
— Ireland (£ Irl)	16,093	16,154	16,285	16,415	16,615	16,477
— United Kingdom (£)	12,649	12,695	12,799	12,892	13,051	12,855
— Italy (Lit)	30 818	30 933	31 120	31 261	31 647	31 062
— Greece (Dr)	2 083,66	2 082,24	2 080,78	2 078,50	2 111,52	2 006,07
(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)	3 121,08	3 135,41	3 152,97	3 167,17	3 204,49	3 144,91
(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)	4 292,12	4 306,37	4 329,88	4 347,68	4 392,36	4 314,34

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	22,269	22,349	22,509	22,668	22,907	22,749
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	52,97	53,16	53,54	53,92	54,49	54,34
— Netherlands (Fl)	59,13	59,34	59,77	60,19	60,82	60,60
— BLEU (Bfrs/Lfrs)	1 075,30	1 079,16	1 086,89	1 094,57	1 106,11	1 098,48
— France (FF)	163,65	164,20	165,38	166,55	168,35	167,11
— Denmark (Dkr)	195,16	195,85	197,26	198,65	200,76	199,35
— Ireland (£ Irl)	18,202	18,263	18,394	18,524	18,724	18,586
— United Kingdom (£)	14,337	14,383	14,486	14,580	14,739	14,543
— Italy (Lit)	34 906	35 020	35 207	35 349	35 735	35 150
— Greece (Dr)	2 455,65	2 454,23	2 452,78	2 450,50	2 483,52	2 378,07
(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)	3 506,61	3 520,95	3 538,50	3 552,70	3 590,02	3 530,44
(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)	4 762,13	4 776,38	4 799,90	4 817,70	4 862,38	4 784,36

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	23,994	24,456	25,017	25,395	25,737
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	57,06	58,15	59,47	60,36	61,17
— Netherlands (Fl)	63,70	64,92	66,40	67,41	68,31
— BLEU (Bfrs/Lfrs)	1 158,60	1 180,90	1 207,99	1 226,25	1 242,76
— France (FF)	176,53	180,06	184,37	187,25	189,84
— Denmark (Dkr)	210,35	214,44	219,42	222,77	225,79
— Ireland (£ Irl)	19,635	20,028	20,508	20,827	21,116
— United Kingdom (£)	15,474	15,790	16,176	16,423	16,654
— Italy (Lit)	37 667	38 431	39 300	39 813	40 371
— Greece (Dr)	2 678,58	2 748,23	2 821,56	2 859,28	2 909,82
(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)	3 810,52	3 880,72	3 956,85	4 003,41	4 056,22
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 782,96	6 872,51	6 975,47	7 037,06	7 102,99
— in another Member State (Esc)	6 610,59	6 697,86	6 798,20	6 858,22	6 922,48
3. Compensatory aids:					
— in Spain (Pta)	3 758,47	3 829,63	3 907,89	3 954,44	4 009,95
4. Special aid:					
— in Portugal (Esc)	6 610,59	6 697,86	6 798,20	6 858,22	6 922,48

(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	2,084330	2,080410	2,077250	2,073960	2,073960	2,064060
Fl	2,358450	2,354800	2,351640	2,348470	2,348470	2,338230
Bfrs/Lfrs	43,684900	43,677499	43,669200	43,661400	43,661400	43,632600
FF	7,100670	7,106620	7,110920	7,115240	7,115240	7,128410
Dkr	8,105100	8,108680	8,110180	8,112120	8,112120	8,120760
£Irl	0,779907	0,779689	0,779633	0,779865	0,779865	0,780406
£	0,638697	0,640065	0,641150	0,642326	0,642326	0,646233
Lit	1 528,63	1 534,24	1 539,27	1 544,30	1 544,30	1 558,75
Dr	173,24900	174,34700	175,47800	176,63100	176,63100	180,92000
Esc	171,16100	171,71300	172,29800	172,82900	172,82900	174,99400
Pta	129,97200	130,47200	130,97500	131,45800	131,45800	132,97300

COMMISSION REGULATION (EEC) No 191/89
of 26 January 1989
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas to Commission Regulation (EEC) No 1361/76⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾;
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the

Article 2

This Regulation shall enter into force on 27 January 1989.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 January 1989 fixing the export refunds on rice and broken rice

Product code	Destination (1)	Amount of refunds (ECU/tonne)
1006 20 11 000	—	—
1006 20 13 000	01	171,20
1006 20 15 000	01	171,20
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	171,20
1006 20 96 000	01	171,20
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	171,20
1006 30 25 000	01	171,20
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	171,20
1006 30 46 000	01	171,20
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	214,00
	03	230,00
	05	230,00
	06	235,00
	07	235,00
	08	230,00
	09	230,00
	10	235,00
	11	235,00
	12	235,00
	13	214,00
	14	235,00
	01	214,00
	13	214,00
1006 30 65 100	01	214,00
	03	230,00
	05	230,00
	06	235,00
	07	235,00
	08	230,00
	09	230,00
	10	235,00
	11	235,00
	12	235,00
	13	214,00
	14	235,00
	01	214,00
	13	214,00
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	214,00
	03	230,00
	05	230,00
	06	235,00
	07	235,00
	08	230,00
	09	230,00
	10	235,00
	11	235,00
	12	235,00
	13	214,00
	14	235,00
1006 30 94 900	01	214,00
	13	214,00
1006 30 96 100	01	214,00
	03	230,00
	05	230,00
	06	235,00
	07	235,00
	08	230,00
	09	230,00
	10	235,00
	11	235,00
	12	235,00
	13	214,00
	14	235,00
1006 30 96 900	01	214,00
	13	214,00
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie
- 03 Zone I
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of Zone I
- 05 Zone II b)
- 06 Zone IV a)
- 07 Zone IV b)
- 08 Zone VI
- 09 Canary Islands, Ceuta and Melilla
- 10 Zone V a)
- 11 Zone VII c)
- 12 Canada
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1)
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988).

The export refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in amended Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986).

COMMISSION REGULATION (EEC) No 192/89

of 26 January 1989

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Commission Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0,30 ECU per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0,30 ECU per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- 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 it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1989.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 26 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 January 1989 fixing the corrective amount applicable to the refund on rice and broken rice

Product code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 20 11 000	—	—	—	—
1006 20 13 000	0	0	0	0
1006 20 15 000	0	0	0	0
1006 20 17 000	—	—	—	—
1006 20 92 000	—	—	—	—
1006 20 94 000	0	0	0	0
1006 20 96 000	0	0	0	0
1006 20 98 000	—	—	—	—
1006 30 21 000	—	—	—	—
1006 30 23 000	0	0	0	0
1006 30 25 000	0	0	0	0
1006 30 27 000	—	—	—	—
1006 30 42 000	—	—	—	—
1006 30 44 000	0	0	0	0
1006 30 46 000	0	0	0	0
1006 30 48 000	—	—	—	—
1006 30 61 000	—	—	—	—
1006 30 63 100	0	0	0	0
1006 30 63 900	0	0	0	0
1006 30 65 100	0	0	0	0
1006 30 65 900	0	0	0	0
1006 30 67 100	—	—	—	—
1006 30 67 900	—	—	—	—
1006 30 92 000	—	—	—	—
1006 30 94 100	0	0	0	0
1006 30 94 900	0	0	0	0
1006 30 96 100	0	0	0	0
1006 30 96 900	0	0	0	0
1006 30 98 100	—	—	—	—
1006 30 98 900	—	—	—	—
1006 40 00 000	—	—	—	—

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 23 January 1989

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(89/54/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 88/71/EEC ⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with third countries concerned based on Agreement, requested authorization to extend or renew the abovementioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by

Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either extended or tacitly renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas, at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or tacitly renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 34, 6. 2. 1988, p. 37.

HAS ADOPTED THIS DECISION:

Article 2

This Decision is addressed to the Member States.

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

Done at Brussels, 23 January 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

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

Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηρής ανανεώσεως
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until
Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo	Prorrogado ou tacitamente renovado até
BENELUX	Tunisie/ Tunisië	Accord commercial/ Handelsakkoord 1. 8. 1958	31. 3. 1990
DANMARK	Schweiz	Vareudvekslingsaftale 15. 9. 1951	31. 12. 1989
DEUTSCHLAND	Indonesien Südkorea	Handelsabkommen vom Handelsabkommen vom 22. 4. 1953 8. 4. 1965	31. 3. 1990 7. 4. 1990
ΕΛΛΑΔΑ	Αίγυπτος Μαρόκο Τουρκία Ινδία Ισραήλ Πακιστάν	Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία Εμπορική συμφωνία 1. 1. 1979 1. 11. 1961 7. 11. 1953 31. 1. 1973 30. 1. 1969 17. 1. 1963	1. 1. 1990 1. 11. 1989 7. 11. 1989 31. 1. 1990 30. 1. 1990 17. 1. 1990
ESPAÑA	Camerún Chile Gabón Jordania Túnez	Acuerdo comercial Convenio comercial y de cooperación económica Acuerdo de cooperación económica y comercial Acuerdo comercial Acuerdo comercial 4. 2. 1964 9. 3. 1977 6. 2. 1976 16. 12. 1980 20. 4. 1961	4. 2. 1990 2. 3. 1990 6. 2. 1990 16. 12. 1989 20. 4. 1990

FRANCE	Afrique du Sud ⁽¹⁾	Échanges de lettres	18. 4. 1964	31. 12. 1989
	Corée du Sud	Échange de lettres	12. 3. 1963	31. 3. 1990
	Inde ⁽¹⁾	Accord commercial et échange de lettres	19. 10. 1959	31. 12. 1989
	Irak	Accord commercial	25. 9. 1967	25. 3. 1990
	Liban	Accord commercial	25. 3. 1955	10. 4. 1990
ITALIA	Corea del Sud	Accordo commerciale	9. 3. 1965	8. 3. 1990
	El Salvador	Accordo commerciale	30. 3. 1953	31. 3. 1990
		Protocollo addizionale	21. 12. 1955	
	Indonesia	Accordo commerciale	23. 3. 1951	31. 3. 1990
	Iran	Scambio di note	29. 1. 1958	9. 2. 1990
	Israele	Accordo commerciale	23. 3. 1961	
		Scambio di lettere	5. 3. 1954	
			5. 1. 1956	
		Processi verbali	21. 10. 1956	31. 3. 1990
			11. 2. 1964	
	Iugoslavia	Accordo commerciale	1. 7. 1967	
PORTUGAL		Protocollo e scambio di note successivo	30. 4. 1969	31. 12. 1989
	Repubblica dominicana	Accordo commerciale	18. 2. 1954	11. 3. 1990
	Cabo Verde	Acordo comercial	20. 4. 1980	20. 4. 1990
	Egipto	Acordo comercial	20. 3. 1983	20. 3. 1990
	Moçambique	Acordo comercial	25. 5. 1981	25. 5. 1990
	São Tomé e Príncipe	Acordo comercial	17. 7. 1978	17. 7. 1990
	Tanzânia	Acordo comercial	30. 7. 1975	30. 7. 1990

⁽¹⁾ Prorogation par échange de notes.

COUNCIL DECISION**of 23 January 1989****fixing the number of officials whose service may be terminated in 1989****(89/55/EEC)****THE COUNCIL OF THE EUROPEAN COMMUNITIES,**

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to Council Regulation (ECSC, EEC, Euratom) No 3518/85 of 12 December 1985 introducing special measures to terminate the service of officials of the European Communities as a result of the accession of Spain and Portugal⁽¹⁾, and in particular the first subparagraph of Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, for each institution, the number of officials eligible for termination of service measures during 1989 should be fixed in accordance with the conditions laid down in Regulation (ECSC, EEC, Euratom) No 3518/85;

Whereas it is appropriate to guarantee that use can be made, in 1989 or, should the occasion arise, in 1990 and within the limits set out in Article 2 (1) of the said Regulation, of the possibilities for termination of service of which use was not made from 1986 to 1988,

HAS DECIDED AS FOLLOWS:*Sole Article*

The number of officials eligible for termination of service measures in 1989 shall be:

- 45 for the European Parliament,
- 30 for the Council,
- 45 for the Commission, under the 'operating' budget,
- 5 for the Commission, under the 'research' budget,
- 5 for the Court of Justice,
- 3 for the Economic and Social Committee,
- 2 for the Court of Auditors.

Done at Brussels, 23 January 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 335, 13. 12. 1985, p. 56.