

Official Journal

of the European Communities

ISSN 0378-6978

L 25

Volume 32
28 January 1989

English edition

Legislation

Contents

I Acts whose publication is obligatory

- * Council Regulation (EEC) No 194/89 of 24 January 1989 amending Regulation (EEC) No 1678/85 fixing the conversion rates to be applied in agriculture 1
- * Council Regulation (EEC) No 195/89 of 23 January 1989 amending Regulation (EEC) No 1581/86 laying down general rules for intervention on the market in cereals as regards the conditions under which products may be sold for supply as Community food aid 22
- * Council Regulation (EEC) No 196/89 of 23 January 1989 extending the period of application of Regulation (EEC) No 3310/75 on agriculture in the Grand Duchy of Luxembourg 23
- Commission Regulation (EEC) No 197/89 of 26 January 1989 adjusting the agricultural conversion rates for the pigmeat sector in Spain and the United Kingdom 24
- Commission Regulation (EEC) No 198/89 of 27 January 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 26
- Commission Regulation (EEC) No 199/89 of 27 January 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 28
- Commission Regulation (EEC) No 200/89 of 27 January 1989 fixing the import levies on rice and broken rice 30
- Commission Regulation (EEC) No 201/89 of 27 January 1989 fixing the premiums to be added to the import levies on rice and broken rice 32
- Commission Regulation (EEC) No 202/89 of 27 January 1989 altering the specific agricultural conversion rates applicable in the rice sector 34
- Commission Regulation (EEC) No 203/89 of 27 January 1989 amending Regulation (EEC) No 1787/87 introducing the buying in of beef in respect of certain Member States and qualities and fixing the buying-in prices for beef 36

Price : 14,00 ECU

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EEC) No 204/89 of 27 January 1989 fixing the export refunds on products processed from cereals and rice	38
Commission Regulation (EEC) No 205/89 of 27 January 1989 fixing the export refunds on cereal-based compound feedingstuffs	41
Commission Regulation (EEC) No 206/89 of 27 January 1989 fixing the export refunds on malt	49
Commission Regulation (EEC) No 207/89 of 27 January 1989 fixing the corrective amount applicable to the refund on malt	51
Commission Regulation (EEC) No 208/89 of 27 January 1989 fixing the export refunds on fruit and vegetables	53
Commission Regulation (EEC) No 209/89 of 27 January 1989 on transitional measures concerning the application of certain monetary compensatory amounts in respect of olive oil	58
Commission Regulation (EEC) No 210/89 of 27 January 1989 on the supply of various lots of skimmed-milk powder as food aid	60
Commission Regulation (EEC) No 211/89 of 27 January 1989 on the issue of import licences on 30 January 1989 for sheepmeat and goatmeat products originating in certain non-member countries	66
Commission Regulation (EEC) No 212/89 of 27 January 1989 on a special intervention measure for common wheat in Germany	67
* Commission Regulation (EEC) No 213/89 of 27 January 1989 amending Regulation (EEC) No 2288/83 establishing the list of biological or chemical substances provided for in Article 60 (1) (b) of Council Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty	70
* Commission Regulation (EEC) No 214/89 of 27 January 1989 on the conclusion of processing contracts for certain varieties of orange in Spain and in Portugal in respect of the 1988/89 marketing year	71
* Commission Regulation (EEC) No 215/89 of 27 January 1989 amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Council Regulation (EEC) No 804/68	72
* Commission Regulation (EEC) No 216/89 of 27 January 1989 amending Regulation (EEC) No 2006/80 determining the intervention centres for cereals	73
Commission Regulation (EEC) No 217/89 of 27 January 1989 fixing the refunds applicable for February 1989 to cereal and rice sector products supplied as Community and national food aid	74
Commission Regulation (EEC) No 218/89 of 27 January 1989 fixing the import levies on products processed from cereals and rice	76
Commission Regulation (EEC) No 219/89 of 27 January 1989 fixing the import levies on compound feedingstuffs	81
Commission Regulation (EEC) No 220/89 of 27 January 1989 amending Regulation (EEC) No 151/89 introducing a countervailing charge on fresh lemons originating in Turkey	84
Commission Regulation (EEC) No 221/89 of 27 January 1989 introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey	85

II *Acts whose publication is not obligatory*

Commission

89/56/EEC :

- * Commission Decision of 20 January 1989 terminating the anti-dumping proceeding concerning imports of certain seamless tubes of iron or non-alloy steel originating in Austria 87

89/57/EEC :

- * Commission Decision of 20 January 1989 terminating the proceedings under Article 13 (10) of Regulation (EEC) No 2423/88 concerning certain ball bearings assembled in the Community 90

89/58/EEC :

- * Commission Decision of 13 July 1988 concerning aid provided by the United Kingdom Government to the Rover Group, an undertaking producing motor vehicles 92

Corrigenda

- * Corrigendum to Council recommendation 86/666/EEC of 22 December 1986 on fire safety in existing hotels (OJ No L 384 of 31.12.1986) 101
- * Corrigendum to the Agreement between the European Economic Community and the Hungarian People's Republic on trade and commercial and economic cooperation (OJ No L 327 of 30.11.1988) 101
- * Corrigendum to Council Decision 88/596/EEC of 21 November 1988 concerning the conclusion of the Fourth Additional Protocol to the Agreement between the European Economic Community and the State of Israel (OJ No L 327 of 30.11.1988) 101

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 194/89
of 24 January 1989
amending Regulation (EEC) No 1678/85 fixing the conversion rates to be applied
in agriculture

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 2 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Monetary Committee,

Whereas the representative rates now applicable were fixed by Regulation (EEC) No 1678/85⁽³⁾, as last amended by Regulation (EEC) No 116/89⁽⁴⁾;

Whereas new agricultural conversion rates, corresponding more closely to present economic conditions, are required;

Whereas the rates must be adapted with due regard to the impact of such changes, particularly on prices, and to the present situation in the sector and the Member States concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Regulation (EEC) No 1678/85 are hereby replaced by the Annexes hereto.

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, 24 January 1989.

For the Council

The President

C. ROMERO HERRERA

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 16, 20. 1. 1989, p. 8.

ANNEX I

BELGIUM/LUXEMBOURG

Products	Agricultural conversion rates			
	ECU 1 = Bfrs/Lfrs ...	Applicable until	ECU 1 = Bfrs/Lfrs ...	Applicable from
Milk and milk products	48,0467	31. 12. 1988	48,2869	1. 1. 1989
Beef and veal	48,0467	26. 2. 1989	48,2869	25. 2. 1989
Sheepmeat and goatmeat	47,3310	31. 12. 1988	48,2869	1. 1. 1989
Sugar and isoglucose	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Cereals	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Rice	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	48,0467	31. 12. 1988	48,2869	1. 1. 1989
Pigmeat ⁽¹⁾	48,0467	31. 12. 1988	48,2869	1. 1. 1989
Wine	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Fishery products	48,0467	31. 12. 1988	48,2869	1. 1. 1989
Tobacco	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Seeds	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Olive oil	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Oil seeds :				
— colza and rapeseed	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— sunflower and linseed	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— soya beans	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Dried fodder	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Field beans and peas and sweet lupins	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Flax and hemp	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Silkworms	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Cotton	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Fruit and vegetables :				
— cherries	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— cucumbers	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— tomatoes	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— courgettes	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— aubergines	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— cauliflowers	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— plums	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— apricots	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— peaches	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— table grapes	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— pears	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— lemons	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— broad-leaved (Batavian) endives	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— cabbage lettuce	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— apples	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— mandarins	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— clementines	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— sweet oranges	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— artichokes	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— other fresh fruit and vegetables	48,0658	31. 12. 1988	48,2869	1. 1. 1989

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = Bfrs/Lfrs ...	Applicable until	ECU 1 = Bfrs/Lfrs ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— tinned pineapples	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— flakes	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— prepared or preserved	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— juices	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— peaches preserved in syrup	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— dried figs	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— Williams pears preserved in syrup	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— dried grapes	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— prunes derived from 'Prunes d'Ente'	48,0658	31. 12. 1988	48,2869	1. 1. 1989
— Other processed fruit and vegetables	48,0658	31. 12. 1988	48,2869	1. 1. 1989
Amounts unrelated to price fixing	48,0467	31. 12. 1988	48,2869	1. 1. 1989
All other products	48,0467	31. 12. 1988	48,2869	1. 1. 1989

ANNEX II

DENMARK

Products	Agricultural conversion rates			
	ECU 1 = Dkr ...	Applicable until	ECU 1 = Dkr ...	Applicable from
Milk and milk products	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Beef and veal	8,75497	26. 2. 1989	8,84165	27. 2. 1989
Sheepmeat and goatmeat	8,58163	31. 12. 1988	8,66492	1. 1. 1989
Sugar and isoglucose	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Cereals	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Rice	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Pigmeat ⁽¹⁾	8,88697	31. 12. 1988	8,93007	1. 1. 1989
Wine	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Fishery products	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Tobacco	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Seeds	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Olive oil	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Oil seeds:				
— colza and rapeseed	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— sunflower and linseed	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— soya beans	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Dried fodder	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Field beans and peas and sweet lupins	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Flax and hemp	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Silkworms	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Cotton	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Fruit and vegetables:				
— cherries	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— cucumbers	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— tomatoes	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— courgettes	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— aubergines	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— cauliflowers	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— plums	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— apricots	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— peaches	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— table grapes	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— pears	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— lemons	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— broad-leaved (Batavian) endives	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— cabbage lettuce	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— apples	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— mandarins	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— clementines	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— sweet oranges	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— artichokes	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— Other fresh fruit and vegetables	8,75497	31. 12. 1988	8,84165	1. 1. 1989

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = Dkr ...	Applicable until	ECU 1 = Dkr ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— tinned pineapples	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— flakes	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— prepared or preserved	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— juices	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— peaches preserved in syrup	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— dried figs	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— Williams pears preserved in syrup	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— dried grapes	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— prunes derived from 'Prunes d'Ente'	8,75497	31. 12. 1988	8,84165	1. 1. 1989
— Other processed fruit and vegetables	8,75497	31. 12. 1988	8,84165	1. 1. 1989
Amounts unrelated to price fixing	8,75497	31. 12. 1988	8,84165	1. 1. 1989
All other products	8,75497	31. 12. 1988	8,84165	1. 1. 1989

ANNEX III

FEDERAL REPUBLIC OF GERMANY

Products	Agricultural conversion rates			
	ECU 1 = DM ...	Applicable until	ECU 1 = DM ...	Applicable from
Milk and milk products	2,38591	24. 7. 1988	2,38591	25. 7. 1988
Beef and veal	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Sheepmeat and goatmeat	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Sugar and isoglucose	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Cereals	2,37360	24. 7. 1988	2,37360	25. 7. 1988
Rice	2,38516	31. 8. 1988	2,36110	1. 9. 1988
Eggs and poultrymeat and ovalbumin and lactalbumin	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Pigmeat ⁽¹⁾	2,38516	31. 10. 1988	2,36110	1. 11. 1988
Wine	2,38516	31. 8. 1988	2,36110	1. 9. 1988
Fishery products	2,38516	31. 12. 1988	2,36110	1. 1. 1989
Tobacco	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Seeds	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Olive oil	2,38516	31. 10. 1988	2,36110	1. 11. 1988
Oilseeds:				
— colza and rapeseed	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— sunflower and linseed	2,38516	31. 7. 1988	2,36110	1. 8. 1988
— soya beans	2,38516	31. 8. 1988	2,36110	1. 9. 1988
Dried fodder	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Field beans and peas and sweet lupins	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Flax and hemp	2,38516	31. 7. 1988	2,36110	1. 8. 1988
Silkworms	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Cotton	2,38516	31. 8. 1988	2,36110	1. 9. 1988
Fruit and vegetables:				
— cherries	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— cucumbers	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— tomatoes	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— courgettes	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— aubergines	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— cauliflowers	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— plums	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— apricots	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— peaches	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— table grapes	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— pears	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— lemons	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— broad-leaved (Batavian) endives	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— cabbage lettuce	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— apples	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— mandarins	2,38516	30. 9. 1988	2,36110	1. 10. 1988
— clementines	2,38516	30. 9. 1988	2,36110	1. 10. 1988
— sweet oranges	2,38516	30. 9. 1988	2,36110	1. 10. 1988
— artichokes	2,38516	30. 9. 1988	2,36110	1. 10. 1988
— other fresh fruit and vegetables	2,36110	24. 7. 1988	2,36110	25. 7. 1988

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = DM ...	Applicable until	ECU 1 = DM ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— tinned pineapples	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— flakes	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— prepared or preserved	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— juices	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— peaches preserved in syrup	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— dried figs	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— Williams pears preserved in syrup	2,36110	24. 7. 1988	2,36110	25. 7. 1988
— dried grapes	2,36110	31. 8. 1988	2,36110	1. 9. 1988
— prunes derived from 'Prunes d'Ente'	2,36110	31. 8. 1988	2,36110	1. 9. 1988
— Other processed fruit and vegetables	2,36110	24. 7. 1988	2,36110	25. 7. 1988
Amounts unrelated to price fixing	2,36110	24. 7. 1988	2,36110	25. 7. 1988
All other products	2,36110	24. 7. 1988	2,36110	25. 7. 1988

ANNEX IV

GREECE

Products	Agricultural conversion rates			
	ECU 1 = Dr ...	Applicable until	ECU 1 = Dr ...	Applicable from
Milk and milk products	138,759	29. 1. 1989	145,018	30. 1. 1989
Beef and veal	138,759	29. 1. 1989	145,018	30. 1. 1989
Sheepmeat and goatmeat	150,275	29. 1. 1989	180,508	30. 1. 1989 ⁽¹⁾
Sugar and isoglucose	156,699	29. 1. 1989	164,729	30. 1. 1989
Cereals	156,699	29. 1. 1989	164,729	30. 1. 1989
Rice	148,799	29. 1. 1989	156,020	30. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	143,096	29. 1. 1989	149,762	30. 1. 1989
Pigmeat ⁽¹⁾	155,617	29. 1. 1989	163,533	30. 1. 1989
Wine	156,699	29. 1. 1989	164,729	30. 1. 1989
Fishery products	124,840	29. 1. 1989	145,018	30. 1. 1989
Tobacco	156,699	29. 1. 1989	164,729	30. 1. 1989
Seeds	148,799	29. 1. 1989	156,020	30. 1. 1989
Olive oil	156,699	29. 1. 1989	164,729	30. 1. 1989 ⁽²⁾
Oil seeds :				
— colza and rapeseed	148,799	29. 1. 1989	156,020	30. 1. 1989
— sunflower and linseed	148,799	29. 1. 1989	156,020	30. 1. 1989
— soya beans	148,799	29. 1. 1989	156,020	30. 1. 1989
Dried fodder	148,799	29. 1. 1989	156,020	30. 1. 1989
Field beans and peas and sweet lupins	148,799	29. 1. 1989	156,020	30. 1. 1989
Flax and hemp	148,799	29. 1. 1989	156,020	30. 1. 1989
Silkworms	148,799	29. 1. 1989	156,020	30. 1. 1989
Cotton	148,799	29. 1. 1989	156,020	30. 1. 1989
Fruit and vegetables :				
— cherries	148,799	29. 1. 1989	156,020	30. 1. 1989
— cucumbers	148,799	29. 1. 1989	156,020	30. 1. 1989
— tomatoes	148,799	29. 1. 1989	156,020	30. 1. 1989
— courgettes	148,799	29. 1. 1989	156,020	30. 1. 1989
— aubergines	148,799	29. 1. 1989	156,020	30. 1. 1989
— cauliflowers	148,799	29. 1. 1989	156,020	30. 1. 1989
— plums	148,799	29. 1. 1989	156,020	30. 1. 1989
— apricots	148,799	29. 1. 1989	156,020	30. 1. 1989
— peaches	148,799	29. 1. 1989	156,020	30. 1. 1989
— table grapes	148,799	29. 1. 1989	156,020	30. 1. 1989
— pears	148,799	29. 1. 1989	156,020	30. 1. 1989
— lemons	148,799	29. 1. 1989	156,020	30. 1. 1989
— broad-leaved (Batavian) endives	148,799	29. 1. 1989	156,020	30. 1. 1989
— cabbage lettuce	148,799	29. 1. 1989	156,020	30. 1. 1989
— apples	148,799	29. 1. 1989	156,020	30. 1. 1989
— mandarins	148,799	29. 1. 1989	156,020	30. 1. 1989
— clementines	148,799	29. 1. 1989	156,020	30. 1. 1989
— sweet oranges	148,799	29. 1. 1989	156,020	30. 1. 1989
— artichokes	148,799	29. 1. 1989	156,020	30. 1. 1989
— other fresh fruit and vegetables	148,799	29. 1. 1989	156,020	30. 1. 1989

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

⁽²⁾ However, with regard to the premium per ewe and per goat and production aid for olive oil, the date from which the new tax is to apply shall be 1 January 1989.

Products	Agricultural conversion rates			
	ECU 1 = Dr ...	Applicable until	ECU 1 = Dr ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	148,799	29. 1. 1989	156,020	30. 1. 1989
— tinned pineapples	148,799	29. 1. 1989	156,020	30. 1. 1989
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	148,799	29. 1. 1989	156,020	30. 1. 1989
— flakes	148,799	29. 1. 1989	156,020	30. 1. 1989
— prepared or preserved	148,799	29. 1. 1989	156,020	30. 1. 1989
— juices	148,799	29. 1. 1989	156,020	30. 1. 1989
— peaches preserved in syrup	148,799	29. 1. 1989	156,020	30. 1. 1989
— dried figs	148,799	29. 1. 1989	156,020	30. 1. 1989
— Williams pears preserved in syrup	148,799	29. 1. 1989	156,020	30. 1. 1989
— dried grapes	148,799	29. 1. 1989	156,020	30. 1. 1989
— prunes derived from 'Prunes d'Ente'	148,799	29. 1. 1989	156,020	30. 1. 1989
— Other processed fruit and vegetables	148,799	29. 1. 1989	156,020	30. 1. 1989
Amounts unrelated to price fixing	190,827	29. 1. 1989	190,827	30. 1. 1989
All other products	138,759	29. 1. 1989	145,018	30. 1. 1989

ANNEX V

SPAIN

Products	Agricultural conversion rates			
	ECU 1 = Pta ...	Applicable until	ECU 1 = Pta ...	Applicable from
Milk and milk products	155,786	24. 7. 1988	155,786	25. 7. 1988
Beef and veal	155,786	24. 7. 1988	155,786	25. 7. 1988
Sheepmeat and goatmeat	151,806	31. 12. 1988	153,315	1. 1. 1989
Sugar and isoglucose	154,213	24. 7. 1988	154,213	25. 7. 1988
Cereals	154,213	24. 7. 1988	154,213	25. 7. 1988
Rice	154,213	24. 7. 1988	154,213	25. 7. 1988
Eggs and poultrymeat and ovalbumin and lactalbumin	155,786	24. 7. 1988	155,786	25. 7. 1988
Pigmeat ⁽¹⁾	149,437	22. 1. 1989	148,444	23. 1. 1989
Wine	154,213	24. 7. 1988	154,213	25. 7. 1988
Fishery products	155,786	24. 7. 1988	155,786	25. 7. 1988
Tobacco	154,213	24. 7. 1988	154,213	25. 7. 1988
Seeds	154,213	24. 7. 1988	154,213	25. 7. 1988
Olive oil	154,213	24. 7. 1988	154,213	25. 7. 1988
Oilseeds:				
— colza and rapeseed	154,213	24. 7. 1988	154,213	25. 7. 1988
— sunflower and linseed	154,213	24. 7. 1988	154,213	25. 7. 1988
— soya beans	154,213	24. 7. 1988	154,213	25. 7. 1988
Dried fodder	154,213	24. 7. 1988	154,213	25. 7. 1988
Field beans and peas and sweet lupins	154,213	24. 7. 1988	154,213	25. 7. 1988
Flax and hemp	154,213	24. 7. 1988	154,213	25. 7. 1988
Silkworms	154,213	24. 7. 1988	154,213	25. 7. 1988
Cotton	154,213	24. 7. 1988	154,213	25. 7. 1988
Processed fruit and vegetables:				
— cherries preserved in syrup	154,213	24. 7. 1988	154,213	25. 7. 1988
— tinned pineapples	154,213	24. 7. 1988	154,213	25. 7. 1988
— processed lemons	154,213	24. 7. 1988	154,213	25. 7. 1988
— processed oranges	154,213	24. 7. 1988	154,213	25. 7. 1988
— tomatoes:				
— peeled, whether or not cooked, preserved by freezing	154,213	24. 7. 1988	154,213	25. 7. 1988
— flakes	154,213	24. 7. 1988	154,213	25. 7. 1988
— prepared or preserved	154,213	24. 7. 1988	154,213	25. 7. 1988
— juices	154,213	24. 7. 1988	154,213	25. 7. 1988
— peaches preserved in syrup	154,213	24. 7. 1988	154,213	25. 7. 1988
— dried figs	154,213	24. 7. 1988	154,213	25. 7. 1988
— Williams pears preserved in syrup	154,213	24. 7. 1988	154,213	25. 7. 1988
— dried grapes	154,213	24. 7. 1988	154,213	25. 7. 1988
— prunes derived from 'Prunes d'Ente'	154,213	24. 7. 1988	154,213	25. 7. 1988
— Other processed fruit and vegetables	154,213	24. 7. 1988	154,213	25. 7. 1988
Amounts unrelated to price fixing	155,786	24. 7. 1988	155,786	25. 7. 1988
Products covered by Regulations (EEC) No 3033/80 ⁽²⁾ and (EEC) No 3035/80 ⁽³⁾	155,786	24. 7. 1988	155,786	25. 7. 1988

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.⁽²⁾ OJ No L 323, 29. 11. 1980, p. 1.⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

ANNEX VI

FRANCE

Products	Agricultural conversion rates			
	ECU 1 = FF ...	Applicable until	ECU 1 = FF ...	Applicable from
Milk and milk products	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Beef and veal	7,69553	26. 2. 1989	7,81036	27. 2. 1989
Sheepmeat and goatmeat	7,54539	31. 12. 1988	7,65577	1. 1. 1989
Sugar and isoglucose	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Cereals	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Rice	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	7,45826	31. 12. 1988	7,56606	1. 1. 1989
Pigmeat ⁽¹⁾	7,73579	31. 12. 1988	7,85183	1. 1. 1989
Wine	7,43671	31. 12. 1988	7,54389	1. 1. 1989
Fishery products	7,45826	31. 12. 1988	7,56606	1. 1. 1989
Tobacco	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Seeds	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Olive oil	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Oil seeds:				
Oilseeds: — colza and rapeseed	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— sunflower and linseed	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— soya beans	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Dried fodder	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Field beans and peas and sweet lupins	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Flax and hemp	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Silkworms	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Cotton	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Fruit and vegetables:				
— cherries	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— cucumbers	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— tomatoes	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— courgettes	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— aubergines	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— cauliflowers	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— plums	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— apricots	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— peaches	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— table grapes	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— pears	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— lemons	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— broad-leaved (Batavian) endives	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— cabbage lettuce	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— apples	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— mandarins	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— clementines	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— sweet oranges	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— artichokes	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— other fresh fruit and vegetables	7,47587	31. 12. 1988	7,58418	1. 1. 1989

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = FF ...	Applicable until	ECU 1 = FF ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— tinned pineapples	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— flakes	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— prepared or preserved	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— juices	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— peaches preserved in syrup	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— dried figs	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— Williams pears preserved in syrup	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— dried grapes	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— prunes derived from 'Prunes d'Ente'	7,47587	31. 12. 1988	7,58418	1. 1. 1989
— Other processed fruit and vegetables	7,47587	31. 12. 1988	7,58418	1. 1. 1989
Amounts unrelated to price fixing	7,47587	31. 12. 1988	7,58418	1. 1. 1989
All other products	7,47587	31. 12. 1988	7,58418	1. 1. 1989

ANNEX VII

IRELAND

Products	Agricultural conversion rates			
	ECU 1 = £ Irl ...	Applicable until	ECU 1 = £ Irl ...	Applicable from
Milk and milk products	0,832119	31. 12. 1988	0,844585	1. 1. 1989
Beef and veal	0,844177	26. 2. 1989	0,856765	27. 2. 1989
Sheepmeat and goatmeat	0,817756	31. 12. 1988	0,829788	1. 1. 1989
Sugar and isoglucose	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Cereals	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Rice	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	0,832119	31. 12. 1988	0,844585	1. 1. 1989
Pigmeat ⁽¹⁾	0,856236	29. 1. 1989	0,856765	30. 1. 1989
Wine	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Fishery products	0,832119	31. 12. 1988	0,844585	1. 1. 1989
Tobacco	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Seeds	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Olive oil	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Oilseeds:				
— colza and rapeseed	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— sunflower and linseed	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— soya beans	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Dried fodder	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Field beans and peas and sweet lupins	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Flax and hemp	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Silkworms	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Cotton	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Fruit and vegetables:				
— cherries	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— cucumbers	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— tomatoes	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— courgettes	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— aubergines	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— cauliflowers	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— plums	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— apricots	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— peaches	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— table grapes	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— pears	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— lemons	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— broad-leaved (Batavian) endives	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— cabbage lettuce	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— apples	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— mandarins	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— clementines	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— sweet oranges	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— artichokes	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— other fresh fruit and vegetables	0,831375	31. 12. 1988	0,843818	1. 1. 1989

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = £ Irl ...	Applicable until	ECU 1 = £ Irl ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— tinned pineapples	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— flakes	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— prepared or preserved	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— juices	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— peaches preserved in syrup	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— dried figs	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— Williams pears preserved in syrup	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— dried grapes	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— prunes derived from 'Prunes d'Ente'	0,831375	31. 12. 1988	0,843818	1. 1. 1989
— Other processed fruit and vegetables	0,831375	31. 12. 1988	0,843818	1. 1. 1989
Amounts unrelated to price fixing	0,844177	31. 12. 1988	0,844585	1. 1. 1989
All other products	0,844177	31. 12. 1988	0,844585	1. 1. 1989

ANNEX VIII

ITALY

Products	Agricultural conversion rates			
	ECU 1 = Lit ...	Applicable until	ECU 1 = Lit ...	Applicable from
Milk and milk products	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Beef and veal	1613,00	26. 2. 1989	1652,00	27. 2. 1989
Sheepmeat and goatmeat	1554,00	31. 12. 1988	1652,00	1. 1. 1989
Sugar and isoglucose	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Cereals	1597,00	31. 12. 1988	1635,00	1. 1. 1989
Rice	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Pigmeat (*)	1674,00	31. 12. 1988	1716,00	1. 1. 1989
Wine	1603,00	31. 12. 1988	1641,00	1. 1. 1989
Fishery products	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Tobacco	1629,00	31. 12. 1988	1668,00	1. 1. 1989
Seeds	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Olive oil	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Oilseeds :				
— colza and rapeseed	1597,00	31. 12. 1988	1635,00	1. 1. 1989
— sunflower and linseed	1597,00	31. 12. 1988	1635,00	1. 1. 1989
— soya beans	1597,00	31. 12. 1988	1635,00	1. 1. 1989
Dried fodder	1597,00	31. 12. 1988	1635,00	1. 1. 1989
Field beans and peas and sweet lupins	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Flax and hemp	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Silkworms	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Cotton	1613,00	31. 12. 1988	1652,00	1. 1. 1989
Fruit and vegetables :				
— cherries	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— cucumbers	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— tomatoes	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— courgettes	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— aubergines	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— cauliflowers	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— plums	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— apricots	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— peaches	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— table grapes	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— pears	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— lemons	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— broad-leaved (Batavian) endives	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— cabbage lettuce	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— apples	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— mandarins	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— clementines	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— sweet oranges	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— artichokes	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— other fresh fruit and vegetables	1629,00	31. 12. 1988	1668,00	1. 1. 1989

(*) Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = Lit ...	Applicable until	ECU 1 = Lit ...	Applicable from
Processed fruit and vegetables:				
— cherries preserved in syrup	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— tinned pineapples	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— tomatoes:				
— peeled, whether or not cooked, preserved by freezing	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— flakes	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— prepared or preserved	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— juices	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— peaches preserved in syrup	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— dried figs	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— Williams pears preserved in syrup	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— dried grapes	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— prunes derived from 'Prunes d'Ente'	1629,00	31. 12. 1988	1668,00	1. 1. 1989
— Other processed fruit and vegetables	1629,00	31. 12. 1988	1668,00	1. 1. 1989
Amounts unrelated to price fixing	1613,00	31. 12. 1988	1652,00	1. 1. 1989
All other products	1613,00	31. 12. 1988	1652,00	1. 1. 1989

ANNEX IX

NETHERLANDS

Products	Agricultural conversion rates			
	ECU 1 = Fl ...	Applicable until	ECU 1 = Fl ...	Applicable from
Milk and milk products	2,67490	24. 7. 1988	2,66089	25. 7. 1988
Beef and veal	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Sheepmeat and goatmeat	2,67387	1. 1. 1989	2,64704	2. 1. 1989
Sugar and isoglucose	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Cereals	2,66089	24. 7. 1988	2,66089	25. 7. 1988
Rice	2,67387	31. 8. 1988	2,64704	1. 9. 1988
Eggs and poultrymeat and ovalbumin and lactalbumin	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Pigmeat ⁽¹⁾	2,67387	31. 10. 1988	2,64704	1. 11. 1988
Wine	2,67387	31. 8. 1988	2,64704	1. 9. 1988
Fishery products	2,67387	31. 12. 1988	2,64704	1. 1. 1989
Tobacco	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Seeds	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Olive oil	2,67387	31. 10. 1988	2,64704	1. 11. 1988
Oilseeds :				
— colza and rapeseed	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— sunflower and linseed	2,67387	31. 7. 1988	2,64704	1. 8. 1988
— soya beans	2,67387	31. 8. 1988	2,64704	1. 9. 1988
Dried fodder	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Field beans and peas and sweet lupins	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Flax and hemp	2,67387	31. 7. 1988	2,64704	1. 8. 1988
Silkworms	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Cotton	2,67387	31. 8. 1988	2,64704	1. 9. 1988
Fruit and vegetables :				
— cherries	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— cucumbers	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— tomatoes	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— courgettes	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— aubergines	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— cauliflowers	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— plums	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— apricots	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— peaches	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— table grapes	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— pears	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— lemons	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— broad-leaved (Batavian) endives	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— cabbage lettuce	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— apples	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— mandarins	2,67387	30. 9. 1988	2,64704	1. 10. 1988
— clementines	2,67387	30. 9. 1988	2,64704	1. 10. 1988
— sweet oranges	2,67387	30. 9. 1988	2,64704	1. 10. 1988
— artichokes	2,67387	30. 9. 1988	2,64704	1. 10. 1988
— other fresh fruit and vegetables	2,64704	24. 7. 1988	2,64704	25. 7. 1988

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = Fl ...	Applicable until	ECU 1 = Fl ...	Applicable from
Processed fruit and vegetables :				
— cherries preserved in syrup	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— tinned pineapples	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— tomatoes :				
— peeled, whether or not cooked, preserved by freezing	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— flakes	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— prepared or preserved	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— juices	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— peaches preserved in syrup	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— dried figs	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— Williams pears preserved in syrup	2,64704	24. 7. 1988	2,64704	25. 7. 1988
— dried grapes	2,67387	31. 8. 1988	2,64704	1. 9. 1988
— prunes derived from 'Prunes d'Ente'	2,67387	31. 8. 1988	2,64704	1. 9. 1988
— Other processed fruit and vegetables	2,64704	24. 7. 1988	2,64704	25. 7. 1988
Amounts unrelated to price fixing	2,64704	24. 7. 1988	2,64704	25. 7. 1988
All other products	2,64704	24. 7. 1988	2,64704	25. 7. 1988

ANNEX X

PORTUGAL

Products	Agricultural conversion rates			
	ECU 1 = Esc ...	Applicable until	ECU 1 = Esc ...	Applicable from
Sheepmeat and goatmeat	181,888	31. 12. 1988	188,007	1. 1. 1989
Sugar and isoglucose	171,725	24. 7. 1988	188,007	25. 7. 1988
Fishery products	173,609	31. 12. 1988	188,007	1. 1. 1989
Tobacco	171,725	24. 7. 1988	188,007	25. 7. 1988
Seeds	171,725	24. 7. 1988	188,007	25. 7. 1988
Olive oil	171,725	31. 10. 1988	188,007	1. 11. 1988
Oilseeds:				
— colza and rapeseed	171,725	24. 7. 1988	188,007	25. 7. 1988
— sunflower and linseed	171,725	31. 7. 1988	188,007	1. 8. 1988
— soya beans	171,725	31. 8. 1988	188,007	1. 9. 1988
Dried fodder	171,725	24. 7. 1988	188,007	25. 7. 1988
Field beans and peas and sweet lupins	171,725	24. 7. 1988	188,007	25. 7. 1988
Processed fruit and vegetables:				
— cherries preserved in syrup	171,725	24. 7. 1988	188,007	25. 7. 1988
— tinned pineapples	171,725	24. 7. 1988	188,007	25. 7. 1988
— processed lemons	171,725	24. 7. 1988	188,007	25. 7. 1988
— processed oranges	171,725	30. 9. 1988	188,007	1. 10. 1988
— tomatoes:				
— peeled, whether or not cooked, preserved by freezing	171,725	24. 7. 1988	188,007	25. 7. 1988
— flakes	171,725	24. 7. 1988	188,007	25. 7. 1988
— prepared or preserved	171,725	24. 7. 1988	188,007	25. 7. 1988
— juices	171,725	24. 7. 1988	188,007	25. 7. 1988
— peaches preserved in syrup	171,725	24. 7. 1988	188,007	25. 7. 1988
— dried figs	171,725	24. 7. 1988	188,007	25. 7. 1988
— Williams pears preserved in syrup	171,725	24. 7. 1988	188,007	25. 7. 1988
— dried grapes	171,725	31. 8. 1988	188,007	1. 9. 1988
— prunes derived from 'Prunes d'Ente'	171,725	31. 8. 1988	188,007	1. 9. 1988
— Other processed fruit and vegetables	171,725	24. 7. 1988	188,007	25. 7. 1988
Amounts unrelated to price fixing	181,888	24. 7. 1988	188,007	25. 7. 1988
Products covered by Regulations (EEC) No 3033/80 ⁽¹⁾ and (EEC) No 3035/80 ⁽²⁾	171,725	24. 7. 1988	188,007	25. 7. 1988

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.⁽²⁾ OJ No L 323, 29. 11. 1980, p. 27.

ANNEX XI

UNITED KINGDOM

Products	Agricultural conversion rates			
	ECU 1 = £ ...	Applicable until	ECU 1 = £ ...	Applicable from
Milk and milk products	0,665557	31. 12. 1988	0,685035	1. 1. 1989
Beef and veal	0,710546	31. 12. 1988	0,710546	1. 1. 1989
Sheepmeat and goatmeat	0,625575	31. 12. 1988	0,671291	1. 1. 1989
Sugar and isoglucose	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Cereals	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Rice	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Eggs and poultrymeat and ovalbumin and lactalbumin	0,665557	31. 12. 1988	0,685035	1. 1. 1989
Pigmeat ⁽¹⁾	0,707470	31. 12. 1988	0,725849	1. 1. 1989
Wine	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Fishery products	0,665557	31. 12. 1988	0,685035	1. 1. 1989
Tobacco	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Seeds	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Olive oil	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Oil seeds:				
— colza and rapeseed	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— sunflower and linseed	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— soya beans	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Dried fodder	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Field beans and peas and sweet lupins	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Flax and hemp	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Silkworms	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Cotton	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Fruit and vegetables:				
— cherries	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— cucumbers	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— tomatoes	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— courgettes	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— aubergines	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— cauliflowers	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— plums	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— apricots	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— peaches	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— table grapes	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— pears	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— lemons	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— broad-leaved (Batavian) endives	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— cabbage lettuce	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— apples	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— mandarins	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— clementines	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— sweet oranges	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— artichokes	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— Other fresh fruit and vegetables	0,656148	31. 12. 1988	0,675071	1. 1. 1989

⁽¹⁾ Subject to Article 6a of Regulation (EEC) No 1677/85.

Products	Agricultural conversion rates			
	ECU 1 = £ ...	Applicable until	ECU 1 = £ ...	Applicable from
Processed fruit and vegetables:				
— cherries preserved in syrup	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— tinned pineapples	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— tomatoes:				
— peeled, whether or not cooked, preserved by freezing	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— flakes	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— prepared or preserved	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— juices	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— peaches preserved in syrup	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— dried figs	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— Williams pears preserved in syrup	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— dried grapes	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— prunes derived from 'Prunes d'Ente'	0,656148	31. 12. 1988	0,675071	1. 1. 1989
— Other processed fruit and vegetables	0,656148	31. 12. 1988	0,675071	1. 1. 1989
Amounts unrelated to price fixing	0,665557	31. 12. 1988	0,685035	1. 1. 1989
All other products	0,665557	31. 12. 1988	0,685035	1. 1. 1989

COUNCIL REGULATION (EEC) No 195/89

of 23 January 1989

amending Regulation (EEC) No 1581/86 laying down general rules for intervention on the market in cereals as regards the conditions under which products may be sold for supply as Community food aid

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1097/88 ⁽²⁾, and in particular Article 7 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1581/86 ⁽³⁾ provides that cereals held by intervention agencies must be sold by tender; whereas there should be a derogation from that selling procedure in the case of Community food aid supplied pursuant to international food aid conventions or other complementary programmes;

Whereas, for the purposes of Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽⁴⁾, the products to be supplied by the successful tenderer are always purchased by the latter; whereas, where products held by intervention agencies are being mobilized, the most suitable procedure for bringing about satisfactory competition between all Community traders in order to calculate the overall supply costs would be to sell the products concerned at prices and in accordance with detailed rules of application which are determined in advance and which are designed to avoid disruption on the Community market and distortion of

the conditions of competition; whereas the use of that procedure should be specified in the case of Community food aid supplied pursuant to Regulation (EEC) No 1581/86,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph shall be added to Article 4 of Regulation (EEC) No 1581/86:

'Where cereals are purchased from intervention agencies for the purposes of fulfilling obligations arising from the award of Community food-aid supply contracts in connection with international conventions on food aid or other complementary programmes, the conditions applicable with regard to price and the detailed rules of application shall be determined in advance. The Commission shall adopt the detailed rules for applying this paragraph in accordance with the procedure provided for in Article 26 of Regulation (EEC) No 2727/75.'

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, 23 January 1989.

For the Council

The President

C. ROMERO HERRERA

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 370, 30. 12. 1986, p. 1.

COUNCIL REGULATION (EEC) No 196/89**of 23 January 1989****extending the period of application of Regulation (EEC) No 3310/75 on
agriculture in the Grand Duchy of Luxembourg**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Protocol on the Grand Duchy of Luxembourg annexed thereto,

Having regard to Regulation (EEC) No 3310/75 of the Council of 16 December 1975 on agriculture in the Grand Duchy of Luxembourg ⁽¹⁾, as last amended by Regulation (EEC) No 4155/88 ⁽²⁾, and in particular Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under the second subparagraph of Article 1 (1) of the Protocol on the Grand Duchy of Luxembourg, Belgium, Luxembourg and the Netherlands are to apply the system provided for in the third paragraph of Article 6 of the Convention on the Economic Union of Belgium and Luxembourg of 25 July 1921; whereas the period of application of that system was last extended by Regulation (EEC) No 4155/88; whereas the Council has to decide to what extent those provisions should be maintained, amended or discontinued;

Whereas the application of the said system in favour of Luxembourg wines will continue to be of benefit to the agricultural income of the Grand Duchy of Luxembourg in the sector concerned;

Whereas, having regard, moreover, to the other reasons set out in Regulation (EEC) No 3310/75, the period of application of that Regulation should be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In the first subparagraph of Article 2 of Regulation (EEC) No 3310/75, '31 January 1989' shall be hereby replaced by '31 December 1989'.

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, 23 January 1989.

*For the Council**The President*

C. ROMERO HERRERA

⁽¹⁾ OJ No L 328, 20. 12. 1975, p. 12.

⁽²⁾ OJ No L 367, 31. 12. 1988, p. 13.

COMMISSION REGULATION (EEC) No 197/89

of 26 January 1989

adjusting the agricultural conversion rates for the pigmeat sector in Spain and the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts ⁽¹⁾, and in particular Article 7 (1) thereof,Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽²⁾, as last amended by Regulation (EEC) No 1889/87 ⁽³⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so as to avoid the creation of new monetary compensatory amounts ;

Whereas the movement of the market rate for the Spanish peseta and the pound sterling during the reference period 18 to 24 January 1989 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 194/89 ⁽⁵⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 3521/88 ⁽⁷⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Spain and the United Kingdom, effective from 30 January 1989 ; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts,

HAS ADOPTED THIS REGULATION :

Article 1

In Annex V to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following :

Products	Agricultural conversion rates			
	ECU 1 = Pta ...	Applicable until	ECU 1 = Pta ...	Applicable from
'Pigmeat	148,444	29 January 1989	147,821	30 January 1989'

Article 2

In Annex XI to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following :

Products	Agricultural conversion rates			
	ECU 1 = £ ...	Applicable until	ECU 1 = £ ...	Applicable from
'Pigmeat	0,725849	29 January 1989	0,725149	30 January 1989'

Article 3

This Regulation shall enter into force on 30 January 1989.

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽³⁾ OJ No L 182, 3. 7. 1987, p. 1.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.⁽⁵⁾ See page 1 of this Official Journal.⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.⁽⁷⁾ OJ No L 307, 12. 11. 1988, p. 28.

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 198/89

of 27 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 166/89⁽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 26 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 28 January 1989.

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

Done at Brussels, 27 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 20, 25. 1. 1989, 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 27 January 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	19,20	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 ⁽³⁾ ⁽²⁾
1005 90 00	19,20	126,14 ⁽³⁾ ⁽²⁾
1007 00 90	42,54	135,97 ⁽⁴⁾
1008 10 00	47,89	23,05
1008 20 00	47,89	93,47 ⁽⁵⁾
1008 30 00	47,89	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	47,89	0,00
1101 00 00	33,11	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 199/89

of 27 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 166/89⁽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 26 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 28 January 1989.

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

Done at Brussels, 27 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 20, 25. 1. 1989, 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 27 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 200/89
of 27 January 1989
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice⁽¹⁾, as last amended by Regulation (EEC)
No 2229/88⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No
883/87 of 23 March 1987 laying down detailed rules for
the application of Council Regulation (EEC) No 3877/86
on imports rice of the long-grain aromatic Basmati variety
falling within CN code 1006 10, 1006 20 and 1006 30⁽³⁾,
as amended by Regulation (EEC) No 1546/87⁽⁴⁾, and in
particular Article 8 thereof,

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 2699/88⁽⁵⁾, as
last amended by Regulation (EEC) No 133/89⁽⁶⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2699/88 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 the products listed in
Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1989.

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

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.

⁽⁶⁾ OJ No L 17, 21. 1. 1989, p. 5.

ANNEX

to the Commission Regulation of 27 January 1989 fixing the import levies on rice and broken rice

(ECU / tonne)

CN code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²) (³)	Arrangement in Regulation (EEC) No 3877/86
1006 10 21	—	299,46	146,13	—
1006 10 92	—	299,46	146,13	—
1006 10 23	—	300,78	146,79	225,59
1006 10 94	—	300,78	146,79	225,59
1006 10 25	—	300,78	146,79	225,59
1006 10 96	—	300,78	146,79	225,59
1006 10 27	—	300,78	146,79	225,59
1006 10 98	—	300,78	146,79	225,59
1006 20 11	—	374,33	183,56	—
1006 20 92	—	374,33	183,56	—
1006 20 13	—	375,97	184,38	281,98
1006 20 94	—	375,97	184,38	281,98
1006 20 15	—	375,97	184,38	281,98
1006 20 96	—	375,97	184,38	281,98
1006 20 17	—	375,97	184,38	281,98
1006 20 98	—	375,97	184,38	281,98
1006 30 21	13,05	498,15	237,15	—
1006 30 42	13,05	498,15	237,15	—
1006 30 23	12,97	585,66	280,94	439,25
1006 30 44	12,97	585,66	280,94	439,25
1006 30 25	12,97	585,66	280,94	439,25
1006 30 46	12,97	585,66	280,94	439,25
1006 30 27	12,97	585,66	280,94	439,25
1006 30 48	12,97	585,66	280,94	439,25
1006 30 61	13,90	530,53	252,91	—
1006 30 92	13,90	530,53	252,91	—
1006 30 63	13,90	627,83	301,56	470,87
1006 30 94	13,90	627,83	301,56	470,87
1006 30 65	13,90	627,83	301,56	470,87
1006 30 96	13,90	627,83	301,56	470,87
1006 30 67	13,90	627,83	301,56	470,87
1006 30 98	13,90	627,83	301,56	470,87
1006 40 00	0	107,27	50,63	—

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

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

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

N.B. The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Commission Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986, p. 25).

COMMISSION REGULATION (EEC) No 201/89

of 27 January 1989

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88 ⁽³⁾, as last amended by Regulation (EEC) No 134/89 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

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

Article 2

This Regulation shall enter into force on 1 February 1989.

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

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.
⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.
⁽⁴⁾ OJ No L 17, 21. 1. 1989, p. 7.

ANNEX

to the Commission Regulation of 27 January 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU / tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 10 21	0	0	0	—
1006 10 92	0	0	0	—
1006 10 23	0	0	0	—
1006 10 94	0	0	0	—
1006 10 25	0	0	0	—
1006 10 96	0	0	0	—
1006 10 27	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 92	0	0	0	—
1006 20 13	0	0	0	—
1006 20 94	0	0	0	—
1006 20 15	0	0	0	—
1006 20 96	0	0	0	—
1006 20 17	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 42	0	0	0	—
1006 30 23	0	0	0	—
1006 30 44	0	0	0	—
1006 30 25	0	0	0	—
1006 30 46	0	0	0	—
1006 30 27	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 92	0	0	0	—
1006 30 63	0	0	0	—
1006 30 94	0	0	0	—
1006 30 65	0	0	0	—
1006 30 96	0	0	0	—
1006 30 67	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 202/89

of 27 January 1989

altering the specific agricultural conversion rates applicable in the rice sector

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

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86⁽⁵⁾, as last amended by Regulation (EEC) No 135/89⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3521/88⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Greek drachma and Spanish peseta, recorded in accordance with Regulation (EEC) No 3153/85 during the period 18 to 24 January 1989 requires the specific agricultural conversion rates applicable for Greece and Spain to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 January 1989.

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

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁶⁾ OJ No L 17, 21. 1. 1989, p. 9.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 307, 12. 11. 1988, p. 28.

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

(Regulation (EEC) No 3294/86)

1 ECU	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	192,685
	= Pta	144,806
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 711,47
	= Fl	2,63785
	= £	0,712200

COMMISSION REGULATION (EEC) No 203/89**of 27 January 1989****amending Regulation (EEC) No 1787/87 introducing the buying in of beef in respect of certain Member States and qualities and fixing the buying-in prices for beef**

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 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 6a (4) thereof,

Whereas Commission Regulation (EEC) No 1787/87 ⁽³⁾, as last amended by Regulation (EEC) No 136/89 ⁽⁴⁾, introduced the buying in of beef in respect of certain Member States or regions thereof and quality groups, and fixed the buying-in prices in the beef sector;

Whereas, pursuant to the abovementioned Article 6a (4) and to Article 3 (2) of Commission Regulation (EEC) No

2226/78 ⁽⁵⁾, as last amended by Regulation (EEC) No 3492/88 ⁽⁶⁾, the table of Member States or regions of Member States and of quality groups eligible for intervention, as well as the buying-in prices, should be replaced, on the basis of the data and prices available to the Commission, by the table and the prices annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EEC) No 1787/87 are hereby replaced by the Annexes 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, 27 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 168, 27. 6. 1987, p. 22.

⁽⁴⁾ OJ No L 17, 21. 1. 1989, p. 11.

⁽⁵⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁶⁾ OJ No L 306, 11. 11. 1988, p. 20.

ANNEX I

Member States or regions within a Member State and groups of qualities

Member State/Region	Groups of qualities (category and class)
Belgium	AR, AO
Denmark	CR, CO
Germany	AU, AR
Spain	—
France	—
Ireland	CU
Italy	—
Luxembourg	AR, AO, CO
Netherlands	—
Great Britain	—
Northern Ireland	CU

ANNEX II

Buying-in price in ECU per 100 kg carcase weight

Quality (category and class)	Equivalent carcase price	Forequarter price	
		straight cut ⁽¹⁾	pistola cut ⁽²⁾
AU2	303,137	242,510	227,353
AU3	298,973	239,178	224,230
AR2	291,497	233,198	218,623
AR3	287,321	229,857	215,491
AO2	283,782	227,026	212,837
AO3	279,469	223,575	209,602
CU2	312,926	250,341	234,695
CU3	308,628	246,902	231,471
CU4	300,031	240,025	225,023
CR3	296,434	237,147	222,326
CR4	287,817	230,254	215,863
CO3	273,942	219,154	205,457

⁽¹⁾ Conversion coefficient 0,80.⁽²⁾ Conversion coefficient 0,75.

COMMISSION REGULATION (EEC) No 204/89

of 27 January 1989

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 166/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 2229/88 ⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 ⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76 ⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide 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 cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68 ⁽⁹⁾, as amended by Regulation (EEC) No 2764/71 ⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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 Commission Regulation (EEC) No 2806/71⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in rela-

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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 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 export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 27 January 1989 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	107,60	1104 22 10 900	—
1102 20 10 300	92,23	1104 22 30 100	59,82
1102 20 10 900	—	1104 22 30 900	—
1102 20 90 100	92,23	1104 22 50 000	—
1102 20 90 900	—	1104 23 10 100	115,29
1102 30 00 000	—	1104 23 10 300	88,39
1102 90 10 100	98,69	1104 23 10 900	—
1102 90 10 900	67,11	1104 29 10 100	—
1102 90 30 100	63,34	1104 29 10 900	—
1102 90 30 900	—	1104 29 91 000	58,21
1103 12 00 100	63,34	1104 29 95 000	58,21
1103 12 00 900	—	1104 30 10 000	15,41
1103 13 11 100	138,35	1104 30 90 000	19,22
1103 13 11 300	107,60	1107 10 11 000	109,74
1103 13 11 500	92,23	1107 10 91 000	117,11
1103 13 11 900	—	1108 11 00 100	109,30
1103 13 19 100	138,35	1108 11 00 900	—
1103 13 19 300	107,60	1108 12 00 100	114,98
1103 13 19 500	92,23	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	114,98
1103 13 90 100	92,23	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	58,21	1108 19 10 100	162,17
1103 19 30 100	101,97	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	62,88	1108 19 90 900	—
1103 29 20 000	67,11	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	78,40	1702 30 51 000	150,19
1104 11 90 100	98,69	1702 30 59 000	114,98
1104 11 90 900	—	1702 30 91 000	150,19
1104 12 90 100	70,38	1702 30 99 000	114,98
1104 12 90 300	56,30	1702 40 90 000	114,98
1104 12 90 900	—	1702 90 50 100	150,19
1104 19 10 000	62,88	1702 90 50 900	114,98
1104 19 50 110	122,98	1702 90 75 000	157,37
1104 19 50 130	99,92	1702 90 79 000	109,23
1104 19 50 150	—	2106 90 55 000	114,98
1104 19 50 190	—	2302 10 10 000	16,34
1104 19 50 900	—	2302 10 90 100	16,34
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	98,69	2302 20 10 000	16,34
1104 21 10 900	—	2302 20 90 100	16,34
1104 21 30 100	98,69	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	16,34
1104 21 50 100	131,58	2302 30 90 000	16,34
1104 21 50 300	105,26	2302 40 10 000	16,34
1104 21 50 900	—	2302 40 90 000	16,34
1104 22 10 100	56,30	2303 10 11 100	57,49
		2303 10 11 900	—

NB: The products codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 205/89**of 27 January 1989****fixing the export refunds on cereal-based compound feedingstuffs**

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 166/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 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 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals 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 cereals on the Community market on the one hand and prices for cereals and cereal products 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 cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 944/87 ⁽⁵⁾, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87 ⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁸⁾, as amended by Regulation (EEC) No 296/88 ⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 30, 2. 2. 1988, p. 9.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- 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 the refund must be fixed once a month ;
whereas it may be altered in the intervening period ;

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 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 export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 27 January 1989 fixing the export refunds on
cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Destination (°)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	4,23
	09	—
2309 10 11 190	01	3,33
	09	—
2309 10 11 210	01	8,45
	09	—
2309 10 11 290	01	6,66
	09	—
2309 10 11 310	01	16,91
	09	—
2309 10 11 390	01	13,33
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	4,23
	09	—
2309 10 13 190	01	3,33
	09	—
2309 10 13 210	01	8,45
	09	—
2309 10 13 290	01	6,66
	09	—
2309 10 13 310	01	16,91
	09	—
2309 10 13 390	01	13,33
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	4,23
	09	—
2309 10 31 190	01	3,33
	09	—
2309 10 31 210	01	8,45
	09	—
2309 10 31 290	01	6,66
	09	—
2309 10 31 310	01	16,91
	09	—
2309 10 31 390	01	13,33
	09	—
2309 10 31 410	01	25,36
	09	—
2309 10 31 490	01	19,99
	09	—
2309 10 31 510	01	33,82
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	26,65
	09	—
2309 10 31 610	01	42,27
	09	—
2309 10 31 690	01	33,32
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	4,23
	09	—
2309 10 33 190	01	3,33
	09	—
2309 10 33 210	01	8,45
	09	—
2309 10 33 290	01	6,66
	09	—
2309 10 33 310	01	16,91
	09	—
2309 10 33 390	01	13,33
	09	—
2309 10 33 410	01	25,36
	09	—
2309 10 33 490	01	19,99
	09	—
2309 10 33 510	01	33,82
	09	—
2309 10 33 590	01	26,65
	09	—
2309 10 33 610	01	42,27
	09	—
2309 10 33 690	01	33,32
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	4,23
	09	—
2309 10 51 190	01	3,33
	09	—
2309 10 51 210	01	8,45
	09	—
2309 10 51 290	01	6,66
	09	—
2309 10 51 310	01	16,91
	09	—
2309 10 51 390	01	13,33
	09	—
2309 10 51 410	01	25,36
	09	—
2309 10 51 490	01	19,99
	09	—
2309 10 51 510	01	33,82
	09	—
2309 10 51 590	01	26,65
	09	—
2309 10 51 610	01	42,27
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 10 51 690	01	33,32
	09	—
2309 10 51 710	01	50,73
	09	—
2309 10 51 790	01	39,98
	09	—
2309 10 51 810	01	55,34
	09	—
2309 10 51 890	01	43,61
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	4,23
	09	—
2309 10 53 190	01	3,33
	09	—
2309 10 53 210	01	8,45
	09	—
2309 10 53 290	01	6,66
	09	—
2309 10 53 310	01	16,91
	09	—
2309 10 53 390	01	13,33
	09	—
2309 10 53 410	01	25,36
	09	—
2309 10 53 490	01	19,99
	09	—
2309 10 53 510	01	33,82
	09	—
2309 10 53 590	01	26,65
	09	—
2309 10 53 610	01	42,27
	09	—
2309 10 53 690	01	33,32
	09	—
2309 10 53 710	01	50,73
	09	—
2309 10 53 790	01	39,98
	09	—
2309 10 53 810	01	55,34
	09	—
2309 10 53 890	01	43,61
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	4,23
	09	—

(ECU/tonne)

Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,33
	09	—
2309 90 31 210	01	8,45
	09	—
2309 90 31 290	01	6,66
	09	—
2309 90 31 310	01	16,91
	09	—
2309 90 31 390	01	13,33
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	4,23
	09	—
2309 90 33 190	01	3,33
	09	—
2309 90 33 210	01	8,45
	09	—
2309 90 33 290	01	6,66
	09	—
2309 90 33 310	01	16,91
	09	—
2309 90 33 390	01	13,33
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	4,23
	09	—
2309 90 41 190	01	3,33
	09	—
2309 90 41 210	01	8,45
	09	—
2309 90 41 290	01	6,66
	09	—
2309 90 41 310	01	16,91
	09	—
2309 90 41 390	01	13,33
	09	—
2309 90 41 410	01	25,36
	09	—
2309 90 41 490	01	19,99
	09	—
2309 90 41 510	01	33,82
	09	—
2309 90 41 590	01	26,65
	09	—
2309 90 41 610	01	42,27
	09	—
2309 90 41 690	01	33,32
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	4,23
	09	—
2309 90 43 190	01	3,33
	09	—

(ECU / tonne)		
Product code	Destination (°)	Amount of refund
2309 90 43 210	01	8,45
	09	—
2309 90 43 290	01	6,66
	09	—
2309 90 43 310	01	16,91
	09	—
2309 90 43 390	01	13,33
	09	—
2309 90 43 410	01	25,36
	09	—
2309 90 43 490	01	19,99
	09	—
2309 90 43 510	01	33,82
	09	—
2309 90 43 590	01	26,65
	09	—
2309 90 43 610	01	42,27
	09	—
2309 90 43 690	01	33,32
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	4,23
	09	—
2309 90 51 190	01	3,33
	09	—
2309 90 51 210	01	8,45
	09	—
2309 90 51 290	01	6,66
	09	—
2309 90 51 310	01	16,91
	09	—
2309 90 51 390	01	13,33
	09	—
2309 90 51 410	01	25,36
	09	—
2309 90 51 490	01	19,99
	09	—
2309 90 51 510	01	33,82
	09	—
2309 90 51 590	01	26,65
	09	—
2309 90 51 610	01	42,27
	09	—
2309 90 51 690	01	33,32
	09	—
2309 90 51 710	01	50,73
	09	—
2309 90 51 790	01	39,98
	09	—
2309 90 51 810	01	55,34
	09	—

(ECU/tonne)

Product code	Destination (1)	Amount of refund
2309 90 51 890	01	43,61
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	4,23
	09	—
2309 90 53 190	01	3,33
	09	—
2309 90 53 210	01	8,45
	09	—
2309 90 53 290	01	6,66
	09	—
2309 90 53 310	01	16,91
	09	—
2309 90 53 390	01	13,33
	09	—
2309 90 53 410	01	25,36
	09	—
2309 90 53 490	01	19,99
	09	—
2309 90 53 510	01	33,82
	09	—
2309 90 53 590	01	26,65
	09	—
2309 90 53 610	01	42,27
	09	—
2309 90 53 690	01	33,32
	09	—
2309 90 53 710	01	50,73
	09	—
2309 90 53 790	01	39,98
	09	—
2309 90 53 810	01	55,34
	09	—
2309 90 53 890	01	43,61
	09	—
2309 90 53 900	—	—

(1) The destinations are as follows:

01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,

09 Other destinations.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 206/89

of 27 January 1989

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽³⁾, laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds, 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 cereals on the Community market on the one hand and prices for cereals and cereal products 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 cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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 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 export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 February 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽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, 27 January 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 27 January 1989 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	65,00
1107 10 99 000	85,00
1107 20 00 000	99,00

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 207/89

of 27 January 1989

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Council Regulation (EEC) No 166/89⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation Commission (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- 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 preceding 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 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt 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 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ 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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 January 1989 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period 8	7th period 9	8th period 10	9th period 11	10th period 12	11th period 1
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 208/89
of 27 January 1989
fixing the export refunds on fruit and vegetables

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 Article 30 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it

necessary to vary the refund for a given product according to the destination of that product;

Whereas the refund applicable to exports of tomatoes to Sweden should be reduced during the period 1 July to 30 September pursuant to the undertakings entered into with that country under the 1980 agreement⁽⁵⁾;

Whereas tomatoes, sweet fresh oranges, fresh mandarins, fresh lemons and apples of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I table grapes, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

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 coefficient provided for in the last indent 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;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas the obligations under Article 5 (1) (b) of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁸⁾ may be relaxed in the case of exports to non-member countries outside Europe; whereas, in such a case, Article 19 (1) (c) of Regulation (EEC) No 3665/87 may be applied;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 194, 28. 7. 1980, p. 12.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 351, 14. 12. 1987, p. 1.

Whereas, for Spain and Portugal, the Act of Accession introduce transitional measures by phases and stages respectively; whereas, in particular as regards the arrangements applicable to exports to Spain from the Community as constituted at 31 December 1985, Article 141 provides that, during the first phase, the Community is not in principle to grant export refunds; whereas, pursuant to Article 146, the Kingdom of Spain is to be authorized to maintain, during the first phase, for exports to third countries, the arrangements in force before its accession for such trade, including any export aid or subsidies; whereas Article 275 provides for a special procedure for the grant of refunds on exports to Portugal from the Community as constituted at 31 December 1985; whereas, pursuant to Article 283, the Portuguese Republic is to be authorized to maintain, during the first stage, for exports to third countries, the arrangements in force before its accession for such trade, including any export aid or subsidies; whereas, under those circumstances, refunds for such exports should not be provided for in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.
2. The provisions of Articles 5 (1)(b) and 19 (1)(c) of Regulation (EEC) No 3665/87 shall apply to exports of sweet oranges, mandarins, lemons, table grapes, walnuts in shell, shelled hazelnuts and apples as set out in the Annex hereto.

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 January 1989 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)

Product code	Destination of refund (1)	Amount of refund (2)
0702 00 10 100		4,50
0702 00 10 900	—	—
0702 00 90 100		4,50
0702 00 90 900	—	—
0802 12 90 000		9,67
0802 21 00 000		11,30
0802 22 00 000		21,80
0802 31 00 000		14,00
0805 10 11 100	01	8,00
	09	5,32
0805 10 11 300	01	14,50
	09	9,67
0805 10 11 900	—	—
0805 10 15 100	01	17,00
	09	12,00
0805 10 15 300	01	14,50
	09	9,67
0805 10 15 900	—	—
0805 10 19 100	01	8,00
	09	5,32
0805 10 19 300	01	14,50
	09	9,67
0805 10 19 900	—	—
0805 10 21 100	01	8,00
	09	5,32
0805 10 21 300	01	14,50
	09	9,67
0805 10 21 900	—	—
0805 10 25 100	01	17,00
	09	12,00
0805 10 25 300	01	14,50
	09	9,67
0805 10 25 900	—	—
0805 10 29 100	01	8,00
	09	5,32
0805 10 29 300	01	14,50
	09	9,67
0805 10 29 900	—	—
0805 10 31 100	01	8,00
	09	5,32
0805 10 31 300	01	14,50
	09	9,67
0805 10 31 900	—	—
0805 10 35 100	01	17,00
	09	12,00
0805 10 35 300	01	14,50
	09	9,67
0805 10 35 900	—	—

(ECU/100 kg net)		
Product code	Destination of refund (1)	Amount of refund (2)
0805 10 39 100	01	8,00
	09	5,32
0805 10 39 300	01	14,50
	09	9,67
0805 10 39 900	—	—
0805 10 41 100	01	8,00
	09	5,32
0805 10 41 300	01	14,50
	09	9,67
0805 10 41 900	—	—
0805 10 45 100	01	17,00
	09	12,00
0805 10 45 300	01	14,50
	09	9,67
0805 10 45 900	—	—
0805 10 49 100	01	8,00
	09	5,32
0805 10 49 300	01	14,50
	09	9,67
0805 10 49 900	—	—
0805 20 50 100		7,25
0805 20 50 900	—	—
0805 30 10 100	01	15,00
	09	10,00
0805 30 10 900	—	—
0806 10 11 100		10,50
0806 10 11 300		10,50
0806 10 11 900	—	—
0806 10 15 100		10,50
0806 10 15 300		10,50
0806 10 15 900	—	—
0806 10 19 100		10,50
0806 10 19 300		10,50
0806 10 19 900	—	—
0808 10 91 100	—	—
0808 10 91 910	02	14,00
	03	4,50
	04	—
0808 10 91 990	—	—
0808 10 93 100	—	—
0808 10 93 910	02	14,00
	03	4,50
	04	—
0808 10 93 990	—	—
0808 10 99 100	—	—
0808 10 99 910	02	14,00
	03	4,50
	04	—
0808 10 99 990	—	—
0809 30 00 110	—	—
0809 30 00 190	—	—
0809 30 00 900	—	—

Notes:

(¹) The destinations are as follows:

- 01 Countries or States with a planned economy in central or eastern Europe and Yugoslavia,
- 02 Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Djibouti, the countries of the Arabian peninsula including the territories attached thereto (Saudi Arabia, Bahrain, Qatar, Kuwait, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Fujairah and Ras al Khaimah), Yemen Arab Republic and People's Democratic Republic of Yemen), Iran, Iraq and Jordan,
- 03 Countries and territories of Africa other than those mentioned above and South Africa, Syria, countries with a planned economy in central or eastern Europe, Yugoslavia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, Iceland, Norway, Sweden, Austria, the Faroe Islands, Finland and Greenland,
- 04 Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,
- 05 All destinations excluding Switzerland and Austria,
- 09 Other destinations.

(²) The refunds fixed in this Regulation shall not apply to exports:

- to Spain and Portugal from the Community as constituted at 31 December 1985,
 - to third countries from Spain and Portugal.
-

COMMISSION REGULATION (EEC) No 209/89

of 27 January 1989

on transitional measures concerning the application of certain monetary compensatory amounts in respect of olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3156/85 of 11 November 1985 on transitional measures concerning the application of certain monetary compensatory amounts in the trade of certain Member States ⁽¹⁾, as amended by Regulation (EEC) No 3521/88 ⁽²⁾, and in particular Article 11 thereof,

Whereas Regulation (EEC) No 3156/85 laid down a framework for measures, intended to prevent artificial traffic at the time of changes in the monetary compensatory amounts;

Whereas new agricultural conversion rates have been fixed for the olive oil sector by Council Regulation (EEC) No 194/89 ⁽³⁾;

Whereas these new rates result in a considerable change in the size of monetary compensatory amounts applicable, in particular, in Greece;

Whereas it is likely that on this occasion speculative traffic will occur, and possibly deflect trade;

Whereas in order to prevent such deflections it should be specified, that the monetary compensatory amounts for these products applicable before the fixing of these new rates shall remain applicable for a limited period beyond that date; whereas the exact products and the length of

the period applicable to each must be determined in the light of the specific conditions governing the marketing of these products;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3156/85 shall apply from 30 January 1989 as follows:

- (a) the date of the change shall be 30 January 1989;
- (b) the initial date shall be 15 December 1988;
- (c) the products and the periods indicated in Annex I to Regulation (EEC) No 3156/85 shall be those indicated in Annex I to this Regulation;
- (d) application of Annex II to Regulation (EEC) No 3156/85 shall be extended to Part A thereof; the movements and products affected shall be those indicated in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 30 January 1989.

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

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 310, 21. 11. 1985, p. 27.

⁽²⁾ OJ No L 307, 12. 11. 1988, p. 28.

⁽³⁾ See page 1 of this Official Journal.

ANNEX I

Products concerned	Applicable until
Olive oil sector	15 April 1989

*ANNEX II**A*

1	2	3
<i>Exports from</i>	<i>Products concerned</i>	<i>Destination</i>
Greece	The products referred to in Annex I	Other Member States and non-member countries

COMMISSION REGULATION (EEC) No 210/89

of 27 January 1989

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

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

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

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

Whereas, following the taking of a number of decisions on allocation of food aid, the Commission has allocated to certain countries 8 510 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of these measures 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 Annex I 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, 27 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⁾**: 1243 to 1247/88 — Protocol of 1. 3. 1988
2. **Programme**: 1988
3. **Recipient**: People's Republic of China
4. **Consignee⁽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**: skimmed-milk powder
7. **Characteristics and quality of the goods⁽²⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.1 and I.1.A.2)
8. **Total quantity**: 7 760 tonnes
9. **Number of lots**: five
10. **Packaging and marking⁽²⁾**: 25 kilograms — in 20-foot containers. See list published in OJ No L 84, 31. 3. 1978, p. 24 (under Annex II (a))
Supplementary markings on packaging: See Annex II
and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: see Annex III
16. **Address of the warehouse and, if appropriate, port of landing**: see Annex III
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⁽⁴⁾**: 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: 30. 5. 1989
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Bruxelles, telex 22037 AGREC B
25. **Refund payable on request by the successful tenderer⁽⁵⁾**: refund applicable on 13. 1. 1989, fixed in Commission Regulation (EEC) No 59/89 (OJ No L 10, 13. 1. 1989, p. 10)

LOT F

1. **Operation No⁽¹⁾**: 1108/88 — 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**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽³⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 750 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms
see list published in OJ No C 216, 14. 8. 1987, pp. 4 and 5 (under I.1.B.4 en I.1.B.4.2)
Supplementary markings on packaging:
'ACTION N° 1108/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE A L'ALGÉRIE'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at destination — Algeria
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 Croissant Rouge Algérien, 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**: 25. 2 to 12. 3. 1989
18. **Deadline for the supply**: 24. 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⁽⁴⁾**: 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: 11 to 26. 3. 1989
 - (c) deadline for the supply: 8. 5. 1989
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Bruxelles, telex 22037 AGREC B
25. **Refund payable on request by the successful tenderer⁽⁵⁾**: 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 NO L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary 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) 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.
- (⁷) The free holding period for containers must be at least 15 days.
- (⁸) Commission delegate to be contacted by the successful tenderer :

EEC Delegation, Ta Yuan Diplomatic offices Building Z-6-1, Lian Ma He Nan Lu 14, Beijing, People's Republic of China ; tel. 532 44 43, telefax 532 4342, telex 222690 ECDEL CN.

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	Pais destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	1 687		People's Republic of China	People's Republic of China	Action No 1243/88 / Skimmed-milk powder / Gift of the European Economic Community
B	1 012		People's Republic of China	People's Republic of China	Action No 1244/88 / Skimmed-milk powder / Gift of the European Economic Community
C	2 475		People's Republic of China	People's Republic of China	Action No 1245/88 / Skimmed-milk powder / Gift of the European Economic Community
D	1 462		People's Republic of China	People's Republic of China	Action No 1246/88 / Skimmed-milk powder / Gift of the European Economic Community
E	1 124		People's Republic of China	People's Republic of China	Action No 1247/88 / Skimmed-milk powder / Gift of the European Economic Community

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	Puerto de desembarque Losschavn Löschhafen Λιμάνι εκφόρτωσης Port of landing Port de débarquement Porto di sbarco Loshaven Porto de desembarque	Dirección del almacén Adresse på lageret Anschrift des Lagers Διεύθυνση της αποθήκης Address of the warehouse Adresse du magasin Indirizzo del magazzino Adres van de opslagplaats Endereço do armazém
A	1 687		People's Republic of China	Guangzhou	No 2 Dairy Plant, Panlonggang, Shahe, Guangzhou
B	1 012		People's Republic of China	Fuzhou	Kangle Dairy Plant, Wuliting Fuma Road, Fuzhou
C	2 475		People's Republic of China	Shanghai	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing, Shanghai
D	1 462		People's Republic of China	Tianjin	Refrigeration Plant, Dairy Company, Xingfúdao Jiaokou, Hongxing Road, Hebei District, Tianjin
E	1 124		People's Republic of China	Dalian	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang, Dalian

COMMISSION REGULATION (EEC) No 211/89

of 27 January 1989

on the issue of import licences on 30 January 1989 for sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁾,Having regard to Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import arrangements applicable to certain non-member countries in the sheepmeat and goatmeat sector as from 1986 ⁽³⁾, as last amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in particular Article 3 thereof,Whereas Commission Regulation (EEC) No 3653/85 ⁽⁵⁾, as amended by Regulation (EEC) No 948/88 ⁽⁶⁾, laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3643/85; whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3653/85, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the first quarter of 1989;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3653/85, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence applications have been lodged do not exceed the quantities provided for in Regulation (EEC) No 3653/85,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, on 30 January 1989, issue the import licences provided for in Regulation (EEC) No 3653/85 and applied for from 1 to 10 January 1989 subject to the following conditions:

- (a) for products falling within CN codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39 in Annex I to Regulation (EEC) No 1837/80, the quantities applied for, originating in other non-member countries, shall be granted in full;
- (b) for products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 in Annex I to Regulation (EEC) No 1837/80, the quantities applied for originating:
 - in Chile, shall be granted in full,
 - in other non-member countries, shall be granted in full;
- (c) for products falling within CN code 0104 10 90 and 0104 20 90 in Annex I to Regulation (EEC) No 1837/80, the quantities applied for, originating in other non-member countries, shall be reduced by 96,907 %.

Article 2

This Regulation shall enter into force on 28 January 1989.

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

Done at Brussels, 27 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 348, 24. 12. 1985, p. 2.⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.⁽⁵⁾ OJ No L 348, 24. 12. 1985, p. 21.⁽⁶⁾ OJ No L 92, 9. 4. 1988, p. 41.

COMMISSION REGULATION (EEC) No 212/89

of 27 January 1989

on a special intervention measure for common wheat in Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 166/89⁽²⁾, and in particular Article 8 (3) thereof,

Whereas production of common wheat in Germany exceeds that country's requirements;

Whereas the possibility of that surplus being absorbed by the Community market is slight;

Whereas the German market can be relieved by the export of part of this surplus quantity of common wheat to third countries; whereas, in view of world market prices for common wheat, export is possible only with the aid of a refund;

Whereas, however, the refund arrangements laid down in Article 16 of Regulation (EEC) No 2727/75 apply to export from any Member State; whereas such arrangements, therefore, are not only unsuitable for solving the problem in question but may also encourage the export of common wheat from Member States where the market situation is different from that in Germany;

Whereas, in the absence of adequate measures, massive quantities of common wheat may be expected to enter intervention storage in Germany in accordance with Article 7 of Regulation (EEC) No 2727/75, the only possibility of disposal being in any case export to third countries; whereas, to avoid the abovementioned intervention, a special intervention measure intended to relieve the German market should be taken under Article 8 of the said Regulation; whereas, furthermore, such a measure should take the form of a direct export incentive, which would avoid the high cost to the Community budget of buying in and storing products which would in any case then have to be exported; whereas the granting of a refund, the amount of which would be determined by tendering and which would apply only to products exported from Germany would be an appropriate measure for this purpose;

Whereas the purpose of the measure is such that refunds should be granted only on wheat of the quality required

for acceptance for intervention, as defined in Commission Regulation (EEC) No 1569/77⁽³⁾, as last amended by Regulation (EEC) No 3495/88⁽⁴⁾; whereas the competent agency must make certain that wheat exported is of this standard;

Whereas the nature and objectives of the said measures make it appropriate to apply in respect of it *mutatis mutandis* Article 16 of Regulation (EEC) No 2727/75 and the Regulations adopted for the application thereof, in particular Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽⁵⁾ and Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application of the system of tendering for export refunds on cereals⁽⁶⁾, as last amended by Regulation (EEC) No 2788/86⁽⁷⁾;

Whereas, since the concerned parties are already aware of the terms of the invitation, a derogation may be made from the provisions of Regulation (EEC) No 279/75 on the period that must elapse between the date of publication and the first closing date for the submission of tenders;

Whereas, under the abovementioned Regulation (EEC) No 279/75, the commitments on the part of the tenderer include the obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment of all concerned, it is necessary to make provision for the licences issued to have an identical period of validity;

Whereas, in order to ensure the smooth operation of the export tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

⁽¹⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 26.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁵⁾ OJ No L 257, 10. 9. 1986, p. 32.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

1. A special intervention measure in the form of an export refund shall be applied in respect of 300 000 tonnes of common wheat exported from Germany.

Article 16 of Regulation (EEC) No 2727/75 and the provisions adopted for the application of that Article shall apply *mutatis mutandis* to the said refund.

2. The German intervention agency shall be responsible for implementing the measure provided for in paragraph 1.

Article 2

1. Tenders shall be invited in order to determine the amount of the refund referred to in Article 1.

2. The invitation to tender shall relate to the quantity of common wheat referred to in Article 1 (1) for export to the countries of zones I, II, III, IV, V, VI, VII and VIII, and the Canary Islands as defined in Annex I to Commission Regulation (EEC) No 1124/77⁽¹⁾.

3. The invitation shall remain open until 25 May 1989. During the period of its validity weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

By way of derogation from Article 1 (2) of Regulation (EEC) No 279/75, the time limit for submission of tenders under the first partial invitation to tender shall expire on 2 February 1989.

4. Tenders must be submitted to the German intervention agency named in the notice of invitation.

5. The tendering procedure shall take place in accordance with this Regulation and Regulation (EEC) No 279/75.

Article 3

A tender shall be valid only if:

- it relates to not less than 1 000 tonnes,
- it is accompanied by:
 - advance fixing of the German monetary compensatory amount valid on each closing date for the submission of tenders,
 - the undertaking provided for in Article 2 (3) (b) of Regulation (EEC) No 279/75 that the export licence will be applied for in Germany.

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 53.

Article 4

The security referred to in Article 3 of Regulation (EEC) No 279/75 shall be ECU 12 per tonne.

Article 5

1. By way of derogation from Article 21 (1) of Commission Regulation (EEC) No 3183/80⁽²⁾, export licences issued in accordance with Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 6

1. The Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, either:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

3. A refund awarded shall not be paid unless the common wheat exported is of at least intervention quality as defined in Article 2 (2) of Regulation (EEC) No 1569/77. As regards the level of humidity, Regulation (EEC) No 2469/88⁽³⁾ is applicable.

To that end, the competent agency shall have an analysis made, by an approved body or company, of the loaded goods and shall hold at the Commission's disposal an additional sample from each consignment taken and sealed in the presence of the successful tenderer or his representative.

Sampling and analysis costs shall be met by the tenderer.

Article 7

Tenders submitted must reach the Commission through the intermediary of the German intervention agency at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

⁽²⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽³⁾ OJ No L 213, 6. 8. 1988, p. 5.

If no tenders are received, the German intervention agency shall inform the Commission of this by the time limit indicated in the first paragraph.

The times fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Weekly tender for the refund for the export of common wheat to the countries of zones I, II, III, IV, V, VI, VII and VIII and the Canary Islands

(Regulation (EEC) No 212/89)

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in ECU per tonne
1		
2		
3		
etc.		

COMMISSION REGULATION (EEC) No 213/89

of 27 January 1989

amending Regulation (EEC) No 2288/83 establishing the list of biological or chemical substances provided for in Article 60 (1) (b) of Council Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty

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

Having regard to Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty ⁽¹⁾, as amended by Regulation (EEC) No 4235/88 ⁽²⁾, and in particular Article 143 (1) thereof,

Whereas Commission Regulation (EEC) No 2288/83 ⁽³⁾, as last amended by Regulation (EEC) No 3692/87 ⁽⁴⁾, sets out the list of biological or chemical substances provided for in Article 60 (1) (b) of Regulation (EEC) No 918/83; whereas it has emerged from additional information received from Member States that the Regulation should again be amended in such a way as to include in the list a substance not contained therein for which there is at present no equivalent production within the customs territory of the Community;

Whereas it is necessary to provide for the retrospective application of these provisions so that they cover imports of that substance as from 1 September 1988;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Duty Free Arrangements,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2288/83 is hereby completed by insertion of the substance named 'Orcoacid Sulphorhodamine G' (CN code 3204).

Article 2

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

It shall apply with effect from 1 September 1988.

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

Done at Brussels, 27 January 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 105, 23. 4. 1983, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1988, p. 1.

⁽³⁾ OJ No L 220, 11. 8. 1983, p. 13.

⁽⁴⁾ OJ No L 347, 11. 12. 1987, p. 16.

COMMISSION REGULATION (EEC) No 214/89

of 27 January 1989

on the conclusion of processing contracts for certain varieties of orange in Spain
and in Portugal in respect of the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of certain varieties of oranges ⁽¹⁾, as last amended by Regulation (EEC) No 2241/88 ⁽²⁾, and in particular Article 3 (2) thereof,

Whereas Article 7 (1) of Commission Regulation (EEC) No 1562/85 of 7 June 1985 laying down detailed rules for the application of measures to encourage the processing of oranges and the marketing of products processed from lemons ⁽³⁾, as last amended by Regulation (EEC) No 1715/86 ⁽⁴⁾, stipulates that industrial processing contracts for oranges are to be concluded before 20 January;

Whereas producers and processors in Spain and in Portugal have been able to conclude contracts for small quantities of oranges only; whereas the Spanish and Portuguese authorities should, as they have requested and taking account of the characteristics of the markets concerned, be authorized to set a later date for the conclusion of processing contracts for those varieties of orange for which financial compensation is granted under

Regulation (EEC) No 2601/69 or Council Regulation (EEC) No 3391/87 of 9 November 1987 concerning special measures for the processing of certain varieties of oranges and amending Regulation (EEC) No 2601/69 ⁽⁵⁾, as amended by Regulation (EEC) No 2241/88;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988/89 marketing year Spain and Portugal are hereby authorized to set 31 March 1989 as the final date for the conclusion of processing contracts for varieties of orange for which financial compensation is granted.

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 152, 11. 6. 1985, p. 5.

⁽⁴⁾ OJ No L 149, 3. 6. 1986, p. 19.

⁽⁵⁾ OJ No L 323, 13. 11. 1987, p. 2.

COMMISSION REGULATION (EEC) No 215/89

of 27 January 1989

amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Council Regulation (EEC) No 804/68

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 5c (7) thereof,

Whereas Commission Regulation (EEC) No 1546/88 ⁽³⁾, as last amended by Regulation (EEC) No 3367/88 ⁽⁴⁾, laid down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 ;

Whereas the Community reserve referred to in Article 5c (4) of Regulation (EEC) No 804/68 was fixed by Council Regulation (EEC) No 2237/88 ⁽⁵⁾ at 443 000 tonnes for the period 1 April 1988 to 31 March 1989 ; whereas this reserve should be distributed for the period concerned ; whereas given the situation in the Member States the quantities allocated when the Community reserve for the previous period was distributed should be kept unchanged for the fifth period ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 of Regulation (EEC) No 1546/88 the opening words of the second paragraph are hereby replaced by the following :

'For each of the periods 1 April 1987 to 31 March 1988 and 1 April 1988 to 31 March 1989 the Community reserve referred to in Article 5c (4) of Regulation (EEC) No 804/68 shall be distributed as follows :'

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 139, 4. 6. 1988, p. 12.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 49.

⁽⁵⁾ OJ No L 197, 26. 7. 1988, p. 39.

COMMISSION REGULATION (EEC) No 216/89
of 27 January 1989
amending Regulation (EEC) No 2006/80 determining the intervention centres for
cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 3 (7) thereof,

Whereas Council Regulation (EEC) No 1145/76⁽³⁾ lays down the rules applicable for determining centres for cereals;

Whereas the intervention centres were determined by Commission Regulation (EEC) No 2006/80⁽⁴⁾, as last amended by Regulation (EEC) No 3136/88⁽⁵⁾; whereas following the consultations provided for in Article 3 (7) of Regulation (EEC) No 2727/75, the list of the said centres should be amended;

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 section headed 'Bundesrepublik Deutschland' in the Annex to Regulation (EEC) No 2006/80 is hereby amended as follows:

In 'Land Bayern':

- 'Geiselhöring' is deleted as an intervention centre for rye,
- 'Regensburg' is added as an intervention centre for maize.

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, 27 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 130, 19. 5. 1976, p. 8.

⁽⁴⁾ OJ No L 197, 30. 7. 1980, p. 1.

⁽⁵⁾ OJ No L 280, 13. 10. 1988, p. 10.

COMMISSION REGULATION (EEC) No 217/89

of 27 January 1989

fixing the refunds applicable for February 1989 to cereal and rice sector products
supplied as Community and national 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 2727/73 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular the fourth subparagraph of Article 16(2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 11(2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for February 1989 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

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, 27 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 20, 25. 1. 1989, p. 16.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 27 January 1989 fixing the refunds applicable for February 1989
to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	130,00
1001 90 99 000	59,00
1002 00 00 000	—
1003 00 90 000	67,00
1004 00 90 000	—
1005 90 00 000	67,00
1006 20 92 000	209,08
1006 20 94 000	209,08
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	261,35
1006 90 94 100	261,35
1006 30 94 900	261,35
1006 40 00 000	—
1007 00 90 000	67,00
1101 00 00 110	75,00
1101 00 00 120	75,00
1101 00 00 130	75,00
1102 20 10 000	107,60
1102 30 00 000	—
1102 90 10 100	98,69
1103 11 10 500	160,00
1103 11 90 100	83,00
1103 13 19 100	138,35
1103 14 00 000	—
1104 12 90 100	70,38
1104 21 50 100	131,58

NB: The product codes and the footnotes are defined in
Commission Regulation (EEC) No 3846/87 as amended
(OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 218/89

of 27 January 1989

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 166/89 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 2229/88 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export system for products processed from cereals and rice ⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Regulation (EEC) No 1579/74 of the Commission of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured

from cereals ⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75 of the Council ⁽⁹⁾, as last amended by Regulation (EEC) No 1009/86 ⁽¹⁰⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹¹⁾, as amended by Regulation (EEC) No 1821/87 ⁽¹²⁾;

Whereas, Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 10, 0714 10 90 and 0714 90 10 originating in certain third countries ⁽¹³⁾, as amended by Regulation (EEC) No 3837/88 ⁽¹⁴⁾, lays down the terms on which the import levy is limited to 6 % *ad valorem*;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹⁰⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽¹²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽¹³⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽¹⁴⁾ OJ No L 340, 10. 12. 1988, p. 1.

Whereas Regulation (EEC) No 2730/75 of the Council of 29 October 1975 on glucose and lactose⁽¹⁾, as amended by Regulation (EEC) No 222/88⁽²⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75, shall be as set out in the Annex hereto.

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 27 January 1989 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 (1)	45,22	124,45	119,62
0714 10 91	42,20	121,43	119,62
0714 10 99	45,22	124,45	119,62
0714 90 11	42,20	121,43	119,62 (2)
0714 90 19	45,22	124,45	119,62 (2)
1102 20 10	30,14	229,37	223,33
1102 20 90	16,68	129,57	126,55
1102 30 00	3,02	122,47	119,45
1102 90 10	88,05	224,61	218,57
1102 90 30	112,56	142,64	136,60
1102 90 90	40,62	140,30	137,28
1103 12 00	112,56	142,64	136,60
1103 13 11	30,14	220,37	214,33
1103 13 19	30,14	229,37	223,33
1103 13 90	16,68	129,57	126,55
1103 14 00	3,02	122,47	119,45
1103 19 10	97,03	210,97	204,93
1103 19 30	82,00	224,61	218,57
1103 19 90	40,62	140,30	137,28
1103 21 00	23,46	220,92	214,88
1103 29 10	97,03	210,97	204,93
1103 29 20	82,00	224,61	218,57
1103 29 30	112,56	142,64	136,60
1103 29 40	30,14	229,37	223,33
1103 29 50	3,02	122,47	119,45
1103 29 90	40,62	140,30	137,28
1104 11 10	46,06	126,88	123,86
1104 11 90	90,44	248,90	242,86
1104 12 10	63,38	80,43	77,41
1104 12 90	124,40	157,82	151,78
1104 19 10	23,46	220,92	214,88
1104 19 30	97,03	210,97	204,93
1104 19 50	30,14	229,37	223,33
1104 19 91	6,04	208,88	202,84
1104 19 99	72,39	248,30	242,26
1104 21 10	70,54	197,31	194,29
1104 21 30	70,54	197,31	194,29
1104 21 50	111,54	309,62	303,58
1104 21 90	46,06	126,88	123,86
1104 22 10	109,54	139,62	136,60
1104 22 30	109,54	139,62	136,60
1104 22 50	97,71	124,44	121,42
1104 22 90	63,38	80,43	77,41
1104 23 10	24,44	201,53	198,51
1104 23 30	24,44	201,53	198,51
1104 23 90	16,68	129,57	126,55

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*10 (*)	15,89	161,80	158,78
1104 29 10*20 (*)	70,25	154,44	151,42
1104 29 10*30 (*)	62,00	218,36	215,34
1104 29 10*40 (*)	62,00	218,36	215,34
1104 29 10*90 (*)	62,00	218,36	215,34
1104 29 30*10 (*)	18,51	194,03	191,01
1104 29 30*20 (*)	83,90	185,18	182,16
1104 29 30*30 (*)	62,00	218,36	215,34
1104 29 30*40 (*)	62,00	218,36	215,34
1104 29 30*90 (*)	62,00	218,36	215,34
1104 29 91	12,89	124,79	121,77
1104 29 95	54,58	119,15	116,13
1104 29 99	40,62	140,30	137,28
1104 30 10	13,30	95,58	89,54
1104 30 90	16,08	99,09	93,05
1106 20 10	45,22	124,45	117,80 (*)
1106 20 91	42,11	212,25	188,07 (*)
1106 20 99	42,11	220,30	196,12 (*)
1107 10 11	28,11	223,38	212,50
1107 10 19	23,75	169,66	158,78
1107 10 91	86,00	227,03 (*)	216,15
1107 10 99	67,01	172,38	161,50
1107 20 00	76,29	199,10 (*)	188,22
1108 11 00	41,85	267,79	247,24
1108 12 00	42,11	212,25	191,70
1108 13 00	42,11	212,25	191,70
1108 14 00	42,11	212,25	95,85
1108 19 10	30,83	193,00	162,17
1108 19 90	42,11	212,25	95,85 (*)
1109 00 00	220,06	630,86	449,52
1702 30 51	124,84	346,77	250,05
1702 30 59	88,05	258,19	191,70
1702 30 91	124,84	346,77	250,05
1702 30 99	88,05	258,19	191,70
1702 40 90	88,05	258,19	191,70
1702 90 50	88,05	258,19	191,70
1702 90 75	126,18	358,67	261,95
1702 90 79	86,98	248,67	182,18
2106 90 55	88,05	258,19	191,70
2302 10 10	15,14	57,08	51,08
2302 10 90	25,58	115,46	109,46
2302 20 10	15,14	57,08	51,08
2302 20 90	25,58	115,46	109,46
2302 30 10	15,14	57,08	51,08
2302 30 90	25,58	115,46	109,46
2302 40 10	15,14	57,08	51,08
2302 40 90	25,58	115,46	109,46
2303 10 11	208,12	419,48	238,14

(¹) 6 % *ad valorem*, subject to certain conditions.

(²) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

(³) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within CN codes 0714 90 11 and 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(⁴) TARIC code: wheat.

(⁵) TARIC code: rye.

(⁶) TARIC code: millet.

(⁷) TARIC code: sorghum.

(⁸) TARIC code: others.

COMMISSION REGULATION (EEC) No 219/89
of 27 January 1989
fixing the import levies on compound feedingstuffs

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 166/89⁽²⁾, and in particular Article 14. (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Regulation (EEC) No 2743/75 of the Council of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regula-

tion (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87⁽⁶⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁷⁾, as last amended by Regulation (EEC) No 2229/88⁽⁸⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁹⁾, as amended by Regulation (EEC) No 3296/88⁽¹⁰⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹¹⁾, as last amended by Regulation (EEC) No 31/76⁽¹²⁾, and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85⁽¹³⁾, as last amended by Regulation (EEC) No 1636/87⁽¹⁴⁾,

⁽¹⁾ OJ No L 61, 26. 2. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁶⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽⁷⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽⁸⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁰⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

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, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 January 1989 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	Third countries (other than ACP and OCT)	ACP and OCT
2309 10 11	10,88	30,73	19,85
2309 10 13	10,88	530,88	520,00
2309 10 31	10,88	72,92	62,04
2309 10 33	10,88	573,07	562,19
2309 10 51	10,88	134,95	124,07
2309 10 53	10,88	635,10	624,22
2309 90 31	10,88	30,73	19,85
2309 90 33	10,88	530,88	520,00
2309 90 41	10,88	72,92	62,04
2309 90 43	10,88	573,07	562,19
2309 90 51	10,88	134,95	124,07
2309 90 53	10,88	635,10	624,22

COMMISSION REGULATION (EEC) No 220/89

of 27 January 1989

amending Regulation (EEC) No 151/89 introducing a countervailing charge on fresh lemons originating in Turkey

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

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

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

Whereas Commission Regulation (EEC) No 151/89⁽³⁾ introduced a countervailing charge on fresh lemons originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration, the countervailing charge on the import of fresh lemons originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 151/89 '3,73' ECU is hereby replaced by '10,49' ECU.

Article 2

This Regulation shall enter into force on 28 January 1989.

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

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 17, 21. 1. 1989, p. 45.

COMMISSION REGULATION (EEC) No 221/89

of 27 January 1989

introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey

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 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least Ecu 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1789/88 of 24 June 1988 fixing the reference price for apples for the 1988/89 marketing year⁽³⁾ fixed the reference price for products of class I for the month of January 1989 at Ecu 48,62 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative price or the arithmetic mean of the lowest 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 Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consid-

eration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for Turkish apples the entry price calculated in this way has remained at least Ecu 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these apples;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, when the Commission introduces a countervailing charge on imports of apples in Turkey, at the same time it reintroduces for the product in question the conventional rate of customs duty; whereas, therefore, a rate of customs duty of 8 % should be reintroduced for these apples, with a minimum charge of Ecu 2,30 per 100 kilograms net;

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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of Ecu 7,50 per 100 kilograms net is applied on imports of apples (CN code 0808 10 91) originating in Turkey.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 158, 25. 6. 1988, p. 18.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

2. The rate of customs duty on imports of these products shall be 8 % with a minimum charge of Ecu 2,30 per 100 kilograms net.

Article 2

This Regulation shall enter into force on 31 January 1989.

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

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 January 1989

terminating the anti-dumping proceeding concerning imports of certain seamless tubes of iron or non-alloy steel originating in Austria

(89/56/EEC)

THE COMMISSION 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 9 thereof,

After consultation within the Advisory Committee, as provided for under the above Regulation,

Whereas :

A. Procedure

- (1) In July 1987 the Commission received a complaint lodged by the Liaison Committee of the European Community Steel Tube Industry on behalf of manufacturers representing the majority of the Community production of the products in question.
- (2) The complaint contained evidence of dumping and of injury caused thereby which was considered sufficient to justify the initiation of the abovementioned proceeding.

The Commission accordingly announced, by notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of certain seamless tubes of iron or

non-alloy steel falling within CN codes 7304 39 10, 7304 39 51, 7304 39 59, 7304 39 91 and 7304 31 99.

- (3) The Commission officially advised the producers/exporters and importers known to be concerned and the complainant and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (4) The Austrian producer/exporter made its views known in writing and requested a hearing which was granted.
- (5) No submissions were made on behalf of Community buyers of the product in question.
- (6) The Commission sought and verified all information it deemed to be necessary for the purposes of establishing the facts and carried out inspections at the premises of the following :
 - (a) *EEC producers* :
 - Mannesmannröhren-Werke AG, Düsseldorf, Germany,
 - Société Vallourec, Paris, France,
 - British Steel Corporation, Wolverhampton, United Kingdom ;
 - (b) *Non-EEC producer/exporter* :
 - Voest-Alpine Stahlrohr Kindberg GmbH, Kindberg, Austria ;
 - (c) *EEC importer (related)* :
 - Voest-Alpine GmbH, Munich, Germany.
- (7) The investigation of dumping and price undercutting covered the period from 1 January to 31 December 1987.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 24, 29. 1. 1988, p. 3.

B. Dumping**(a) Normal value**

- (8) Sales of the like product on the Austrian market by Voest-Alpine had been at a loss throughout the investigation period and did not permit recovery of all costs reasonably allocated. The Commission therefore decided in accordance with Article 2B (4) of Council Regulation (EEC) No 2423/88 to adjust the sub-production-cost prices in order to eliminate the loss and provide for a reasonable profit. On this basis normal values have been established for the most representative categories and dimensions of commercial seamless tubes sold on the Austrian market and exported to the Community.

(b) Export prices

- (9) Exports to Germany were made through Voest-Alpine, GmbH, Munich, a 100 % subsidiary of Voest-Alpine AG, Linz, acting as sole importer for Germany. The Commission therefore reconstructed the export price for the German market on the basis of the resale prices of Voest-Alpine, GmbH to independent buyers in Germany allowing for all costs incurred between importation and resale including a reasonable amount for overheads and profit.

All other export prices to the Community were determined on the basis of the price actually paid or payable for the products sold for export to the Community.

(c) Comparison

- (10) In comparing normal value with export prices, the Commission took account, where appropriate, of differences affecting price comparability, such as discounts and quantity rebates, commissions, credit terms, transport and insurance, handling, packing and related costs. Due allowance for such differences was made where claims in these areas could be satisfactorily substantiated.
- (11) All comparisons were made at an ex works level.

(d) Dumping margins

- (12) The examination of the facts showed the existence of dumping, the margins of dumping being equal to the amount by which the normal values as established exceeded the price for export to the Community.
- (13) These margins vary according to the type and dimension of the products concerned and the

Member State to which the product was exported, the weighted average being 11,2 %.

C. Material injury

- (14) With regard to injury caused by the dumped imports the Commission had to consider that only plain commercial seamless tubes excluding higher quality types and precision tubes were subject to the proceeding and to evaluate the impact of the imports from Austria on this market segment and the related production in the Community. For this purpose the Commission excluded from the investigation those export sales to the Community for which the Austrian producer/exporter could show that they had been accompanied by special works certificates guaranteeing particular chemical and mechanical properties of these products which is normally not the case in trade with standard seamless tubes of commercial quality. On this basis the investigation revealed that imports into the Community of the products concerned originating in Austria only started in 1986 with 86 tonnes and increased to 5 960 tonnes in 1987. Their share of the Community market of commercial seamless tubes increased from practically zero in 1986 to slightly less than 1 % in 1987. The impact of these imports concentrated mainly in Germany, where their share increased from 0,5 % in 1986 to 1,9 % in 1987, in France and in Italy where their part starting from zero in 1986 reached 1,7 % and 0,4 % respectively.

- (15) The evidence also available to the Commission indicated that the Austrian producer/exporter being a newcomer to the Community market had based its resale prices in the Community on the list prices of Community producers, granting, however, rebates in excess of those generally available for the Community product. On this basis the Commission found that the effective resale prices of the Austrian product undercut those of Community producers during the investigation period between 4 and 11 %, according to the type and dimension of the product and the Member State involved.

- (16) In assessing the impact the exports in question had on the production in the Community the Commission considered in particular the evolution of demand and the volume of imports from other sources.

It was established according to the evidence made available to the Commission that consumption of commercial seamless tubes in the Community had

fallen continuously from 720 000 tonnes in 1985 to 684 000 tonnes in 1986 and 612 000 tonnes in 1987, a decline of 108 000 tonnes in the two-year period representing a contraction of the Community market of 15 %.

Despite the depressed market situation in the Community imports from other third countries increased from 80 200 tonnes in 1986 to 91 800 tonnes during the investigation period, extending their market share from 11,7 to 15,0 %.

- (17) The continuing decline of demand and increased imports from third countries led to heavy cuts of production and increasing excess capacity in the Community. Production was run down from 1 178 000 tonnes in 1985 to 1 097 000 tonnes in 1986 and reached only 927 000 tonnes in 1987. Over the whole period the loss of output amounted to 251 000 tonnes, a decrease of 21,3 %. The heavy downturn of the markets led to several plant closures in Germany, France and the United Kingdom combined with substantial shedding of capacities and loss of employment.
- (18) Following the rapid decline in demand, prices of commercial seamless tubes have fallen considerably since 1985. None of the Community producers investigated was able to cover full costs and all of them suffered severe financial losses.
- (19) The Commission considered all these factors. However, in the light of the relatively small quantities of dumped imports from Austria, representing a market share in the Community of less than 1 %, compared to the overriding impact of the other factors, in particular the heavy decline in demand, the Commission came to the conclusion that the injurious effects of the imports under consideration taken in isolation cannot be qualified as constituting material injury.

D. Threat of injury

- (20) The Commission has also considered whether it would be likely, if no anti-dumping measures were applied, that the dumped imports would increase further to an extent that material injury would be

caused to the Community industry. In this connection it was established that the plant of the sole Austrian producer is laid out for the production of seamless oil-field tubing not subject to the proceeding and which is mainly exported to non-EEC countries. The production of commercial seamless tubes is only taken up occasionally with a limited capacity attributed depending on the order volume for oil-field tubes. In view of the total disposable capacities and the positive outlook for oil-field tube exports by the Austrian producer to non-EEC countries which are likely to absorb the full production capacity, the Commission concludes that there is no particular threat of injury likely to develop into material injury.

E. Termination of the anti-dumping proceeding

- (21) In these circumstances, therefore, the anti-dumping proceeding should be terminated without the imposition of protective measures.
- (22) No objections to this course were raised in the Advisory Committee.
- (23) The complainant was informed of the essential facts and considerations on the basis of which the Commission intended to terminate the proceeding.

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of certain seamless tubes of iron or non-alloy steel corresponding to CN codes 7304 39 10, 7304 39 51, 7304 39 59, 7304 39 91 and 7304 31 99 originating in Austria is hereby terminated.

Done at Brussels, 20 January 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 20 January 1989

terminating the proceedings under Article 13 (10) of Regulation (EEC) No 2423/88 concerning certain ball bearings assembled in the Community

(89/57/EEC)

THE COMMISSION 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 13 (10) thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

- (1) In April 1988, the Commission received a complaint lodged by FEBMA, the Federation of European Bearing Manufacturers Associations, on behalf of producers of ball bearings whose collective output constitutes a major proportion of Community production of the product in question. The complaint contained sufficient evidence of the fact that, following the opening of the investigations concerning ball bearings originating in Japan⁽²⁾⁽³⁾, which led to the adoption of Council Regulations (EEC) No 2089/84⁽⁴⁾ and (EEC) No 1739/85⁽⁵⁾ imposing definitive anti-dumping duties on imports of those products, two companies were assembling ball bearings in the Community under the conditions referred to in Article 13 (10) of Council Regulation (EEC) No 2176/84⁽⁶⁾, since replaced by Regulation (EEC) No 2423/88. Accordingly, after consultation, the Commission announced, by notice published in the *Official Journal of the European Communities*⁽⁷⁾, the initiation of an investigation, under the said Article 13 (10), concerning ball bearings assembled in the Community by companies related to, or associated with, the following Japanese manufacturers whose exports of ball bearings are subject to a definitive anti-dumping duty :

— Nippon Seiko KK,
— NTN Toyo Bearing Co. Ltd.

- (2) The Commission so advised the companies, the representatives of Japan and the complainants, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) The two companies concerned and the complainants made their views known in writing and requested and were granted hearings by the Commission.
- (4) No submissions were made by purchasers of ball bearings assembled in the Community. The Commission sought and verified all information it deemed necessary for the purpose of the assessment of the character of the alleged assembly operations and carried out investigations at the premises of the following companies :
- NSK Bearings (Europe) Ltd, UK,
— NTN Kugellagerfabrik, Germany.
- (5) The period of investigation was from 1 December 1987 to 31 May 1988.

B. Relationship or association with exporter

- (6) The two companies referred to in recital 4 were found to be wholly owned subsidiaries of Japanese exporters of ball bearings which were subject to the definitive anti-dumping duties imposed by Regulations (EEC) No 2089/84 and (EEC) No 1739/85.

C. Production

- (7) Both companies concerned were found to have established assembly or production plants for ball bearings in the Community prior to the opening of the relevant anti-dumping investigation and, for both these plants, it was claimed that no substantial increase in quantities assembled had occurred since the date of the initiation. It was, however, established that, at both plants, volumes of ball bearings assembled increased by more than 24 % in the year following the opening of the original investigation, and that, if the subsequent year is used as the basis, the increases in both cases were found to be more than 40 % for the two year period. In addition, in both cases, these increases followed a period of relative stability in production

(¹) OJ No L 209, 2. 8. 1988, p. 1.

(²) OJ No C 188, 14. 7. 1983, p. 8.

(³) OJ No C 101, 13. 4. 1984, p. 11.

(⁴) OJ No L 193, 21. 7. 1984, p. 1.

(⁵) OJ No L 167, 27. 6. 1985, p. 3.

(⁶) OJ No L 201, 30. 7. 1984, p. 1.

(⁷) OJ No C 150, 8. 6. 1988, p. 4.

during which, from 1980 to 1983 inclusive, the number of ball bearings produced over the four year period increased by only 2,3 % in one case and not at all in the other. Thus, it was concluded that, on balance, it would not be reasonable to consider the respective increases at NSK and NTN plants in the Community as constituting less than substantial increases in terms of Article 13 (10) (a) of Regulation (EEC) No 2423/88.

D. Parts

- (8) It was requested by both companies that the costs of production of certain items incurred by them in the Community be included in the value of Community parts. Where such items constituted parts or materials within the meaning of Article 13 (10) (a) of Regulation (EEC) No 2423/88 and where such parts had acquired Community origin in conformity with Council Regulation (EEC) No 802/68 ⁽¹⁾ the inclusion of such costs in the value of non-Japanese parts was considered appropriate.
- (9) The value of the remaining parts in question was generally determined on the basis of the companies purchase prices of these parts when delivered to the factories in the Community. The relevant value is that of the parts and materials as they are used in the assembly operations, that is on an into-factory basis.
- (10) On this basis, the weighted average value during the investigation period of parts of Japanese origin for all ball bearings assembled or produced in the Community by both NSK and NTN was less than 60 % of the total parts value.

E. Termination of the investigation

- (11) In these circumstances, therefore, the proceedings should be terminated without the extension of the anti-dumping duty, imposed on ball bearings originating in Japan by Regulations (EEC) No 2089/84 and (EEC) No 1739/85, to the ball bearings assembled in the Community.
- (12) No objections to this course were raised in the Advisory Committee.
- (13) The complainant was informed of the facts on the basis of which the Commission intended to terminate the proceedings and did not comment,

HAS DECIDED AS FOLLOWS :

Sole Article

The proceedings under Article 13 (10) of Regulation (EEC) No 2423/88 concerning single row deep groove radial ball bearings with a greatest external diameter not exceeding 30 mm, ball bearings with a greatest external diameter of more than 30 mm and tapered roller bearings corresponding to CN codes 8482 10 10, 8482 10 90 and 8482 20 00 is hereby terminated.

Done at Brussels, 20 January 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

COMMISSION DECISION

of 13 July 1988

concerning aid provided by the United Kingdom Government to the Rover Group, an undertaking producing motor vehicles

(Only the English text is authentic)

(89/58/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having given notice in accordance with the above Article to interested parties to submit their comments,

Whereas :

I

By letter of 14 March 1988 from its Permanent Representative the United Kingdom Government notified the Commission of its intention to provide new capital to the Rover Group in the context of the sale of the remaining car and jeep businesses of the group to British Aerospace. This notification followed a statement to the United Kingdom Parliament on 1 March 1988 that British Aerospace had declared its interest in acquiring the Government's shareholding in the company and it expected that negotiations on an exclusive basis would be concluded by 30 April.

On 29 March 1988 the Commission decided to initiate the procedure laid down in Article 93 (2) of the EEC Treaty in respect of the notified aid plan of the United Kingdom Government. Given that the new capital injection would be used to reduce the financial burden and the debt repayment obligations of Rover Group, the Commission considered that it conferred a competitive advantage on Rover Group *vis-à-vis* other Community car manufacturers. Thus, the proposed measure contained aid elements falling under Article 92 (1) of the EEC Treaty. Moreover, the aid element of the assistance measure was not contested by the United Kingdom Government.

The main reasons for opening the procedure were the danger of distortion of competition given the sensitivity of the motor vehicle industry, the absence of any figure for the proposed debt write-off and the lack of information concerning additional restructuring efforts.

By letter dated 30 March 1988 the Commission gave the United Kingdom Government notice to submit its comments. In accordance with Article 93 (2) of the EEC

Treaty, the other Member States and third parties were also given notice to submit their comments.

II

The United Kingdom authorities presented their comments under the procedure by letters dated 29 April, 18 May, 26 May, 6 June, 14 June, 7 July and 12 July 1988 providing detailed information on the precise terms of the agreement, on the restructuring efforts to be undertaken by Rover Group in the future, on the group's activities, its financial and fiscal situation and its future prospects.

In particular, the United Kingdom authorities communicated the following principal terms of the sales agreement which was reached on 29 March 1988 :

- the United Kingdom Government intends to make a capital injection of £ 800 million into Rover Group to eliminate the company's indebtedness,
- British Aerospace would immediately thereafter pay £ 150 million to the United Kingdom authorities for their 99,8 % shareholding in Rover Group,
- British Aerospace would meet all costs of future restructuring in Rover Group,
- Rover Group would not use more than £ 500 million of its current level of £ 1 600 million trading tax losses and these trading tax losses will remain within Rover Group,
- the parliamentary assurances given by successive United Kingdom Governments in relation to Rover Group's obligations have been substantially modified, and would not cover new obligations incurred by Rover Group after completion of the sale,
- the United Kingdom authorities indicated that they would not give any of the warranties that might be expected in such a sale, save for formal warranties to the title to the Government shareholding,
- British Aerospace would undertake not to on-sell the Austin Rover and/or Land Rover businesses, nor their trademarks, for the next five years. Should one of these events occur, British Aerospace would have to pay a penalty of up to £ 650 million to the United Kingdom Government.

It was furthermore agreed that the sale would come into effect after its approval by the Commission of the European Communities and by British Aerospace's shareholders.

In the light of experience gathered during a similar exercise in 1986 the United Kingdom authorities concluded that it was not appropriate to hold a public auction for Austin Rover open to all parties. They stated that in reaching this conclusion they took full account of the commercial advice submitted by the Rover Group board that the business might not survive such an auction and they considered an unsolicited expression of interest made by British Aerospace in acquiring the whole of the Government's shareholding in the Rover Group.

Although British Aerospace was given a period of exclusive negotiation, the United Kingdom authorities made clear that if any other party made an offer it would be considered before final decisions were taken on the British Aerospace offer. According to the United Kingdom authorities, before entering into contract with British Aerospace, a number of confidential expressions of interest by third parties were received but none amounted to a specific offer.

The corporate plan 1988 to 1992 foresees investments and restructuring costs totalling £ 1 553 million. In addition, a considerable reduction is planned in assembly and component capacities for Austin Rover in order to increase productivity and capacity utilization. The plan envisages a global capacity reduction in vehicle assembly and components of some 30 % which will almost entirely resolve the present overcapacity of some 35 %. As concerns Land Rover, no additional capacity cuts are foreseen other than the ones already undertaken during 1985 and 1986.

The arguments put forward by the United Kingdom authorities in support of their aid proposal concerning the Rover Group can be summarized as follows:

- the proposed aid is consistent with the objective of creating a more competitive structure for the vehicle industry in the Community and in its view is in line with Community objectives and policy in this sector,
- the aid is directly linked to the United Kingdom authorities' objective of returning all the Rover Group's operation to the disciplines of the market,
- without the capital injection the sale of the Group would be prevented given that without the elimination of its heavy accumulated debt, the Group could not be sold. The sale would contribute to the wider restructuring of the industry in Europe, not only as presently foreseen but also in the future, in accordance with the discipline of the open market,
- the fact that the buyer is not a competitor preserves competition between European and other vehicle manufacturers by not reducing their number,

- the proposed sale of the Group to British Aerospace would complete the United Kingdom Government's withdrawal from direct involvement in vehicle manufacture and would eliminate any need for future State participation in the financing of the Rover Group,

- according to the United Kingdom authorities, the price paid by British Aerospace was the result of a normal process of negotiation and represents a reasonable acquisition price. In determining the price the following issues were considered. The risk inherent in acquiring the business is considerable given that the company has a long history of loss-making and has only just reached profitability at operating level. Cash-flow is expected by British Aerospace to remain negative for several years. At the same time, the company operates in a mature industry with underlying global overcapacity on world level and is subject to intense competition. Rover Group has yet to complete its reorientation towards specialized manufacture of quality cars, and will not have a suitable model range for some years. Furthermore, the sale excludes any warranties which in a conventional sale of a business the seller would be expected to assume and British Aerospace has in addition agreed to retain the core businesses for five years. Finally, account had to be taken of the substantial potential benefits which British Aerospace has foregone as a result of the agreed capping of tax losses and reliefs accumulated by Rover Group. The capital injection of £ 800 million is designed in a way that if British Aerospace did not meet the above conditions, Rover Group would become liable to pay to the United Kingdom Government up to a maximum of £ 650 million.

Two other Member States and several third parties concerned submitted observations under the abovementioned procedure.

III

The proposed sale of Rover Group to British Aerospace constitutes the final withdrawal of the United Kingdom Government from the motor vehicle industry. Since 1975 when the British authorities acquired a majority shareholding in British Leyland Motor Corporation, £ 2 910 million has been injected in the form of equity capital in British Leyland Public Limited Company, which changed its name to The Rover Group plc in 1986. The present decision has to be seen in the context of previous Commission Decisions on State aid proposals for the Rover Group (ex British Leyland).

By its Decision of 5 June 1975 the Commission did not raise any objections to the proposal of the United Kingdom Government to grant £ 900 million to British Leyland between 1975 and 1978 in the form of £ 200 million share capital, £ 200 million financial guarantees

and £ 500 million in the form of long-term loans. The aid measures supported a restructuring plan which would reduce BL's installed car capacity to its current production level as laid down in the Ryder Report. The notification of the aid plan also mentioned that a further £ 500 million of loans would be needed for the period 1978 to 1981. Through biannual reports the restructuring efforts and the aid provisions were monitored by the Commission.

By its Decision of 22 June 1978 the Commission did not raise any objections to the modifications of the original restructuring plan adopted in 1975 by which the timing of the payments and the type of assistance changed. Of the total figure of £ 1 billion of long-term loans, £ 450 million would be provided in the form of new capital in 1978. The change in the aid measures was made by the United Kingdom authorities in view of the decline of British Leyland's share of the United Kingdom market. The general objectives of the 1978 corporate plan were not different from the original 1975 programme.

By its Decision of 24 March 1980, the Commission did not raise any objection to the additional modifications of the original restructuring plan adopted in 1975 by which the type of assistance changed and the amount was slightly increased. The United Kingdom Government injected £ 300 million new equity capital of which £ 225 million corresponds to the remaining balance of the £ 1 billion budget fixed in 1975 and an additional aid of £ 75 million.

By its Decision of 28 July 1981 the Commission authorized the provision of £ 990 million equity capital in support of the corporate plan 1981 to 1985. Of the amount £ 610 million was earmarked for the loss-making activities of the company and £ 130 million for social measures. In the new plan a considerable reduction of vehicle capacity was foreseen including several closures. Through biannual reports the restructuring measures, the aid provisions and the volume of investment notified was monitored by the Commission.

By its Decision of 10 January 1985 the Commission announced that the United Kingdom Government would not contribute to British Leyland the remaining £ 10 million capital foreseen in 1981 and, at the same time, an additional proposal of £ 100 million to cover new capital reductions in the truck business was withdrawn.

By its Decision of 18 March 1987 the Commission approved a capital injection of £ 680 million to Rover Group in order to facilitate the privatization of the truck and bus subsidiaries. The aids covered past and future

restructuring costs of both businesses which included a substantial capacity reduction for buses and trucks. Through quarterly reports this restructuring is being monitored by the Commission.

IV

The former British Leyland Group, which last made profits in the financial year 1975/76, owned at that time 68 manufacturing facilities in the United Kingdom, 37 in the car business, 12 in the commercial vehicle business and 19 in special products. British Leyland also wholly or partly owned 26 manufacturing plants overseas, making a total of 94 manufacturing plants throughout the world.

Since then, in accordance with the subsequent corporate plans many plants have been closed during the late 1970s and early 1980s. From its original employment of 170 000 only some 45 000 jobs could be maintained. The reduction of employment is not only due to closures and rationalization of remaining plants. In fact the United Kingdom Government has decided to return the whole of the Group to the private sector. After the disposal of overseas participations and non-car businesses in the United Kingdom, the luxury car division Jaguar Cars was sold in 1984 to the private sector. In 1987 the commercial vehicles business and the parts service and component business were privatized. In total, since 1978, some 46 of the Group's businesses have been sold. This restructuring was taken into account by the Commission in its approval of the various aid measures.

The Group's position in the European car market has decreased accordingly. In 1974 the Group sold 468 000 cars in the United Kingdom market which corresponds to a market share of 32,7 %, and exported 361 000 cars. In 1987 Rover Group sold 297 000 cars in the United Kingdom market which corresponds to a market share of 14,7 % and exported 143 000 cars.

At present, Rover Group consists of two main businesses, i.e. the car business, Austin Rover, and the jeep business, Land Rover, which together in 1987 realized a total turnover of some £ 3 billion. The Group still holds minority participations in six former subsidiaries, the most important of which is a 40 % participation in DAF BV. The manufacturing structure of the businesses is as follows: car assembly takes place at Cowley and Longbridge, car bodywork at Swindon, car engines are produced at Drewh Lane and Longbridge and car gearboxes at Llanelli and Longbridge. Jeeps and jeep components are manufactured at Solihull. In 1987, during which Rover Group obtained its best production and sales result of the 1980s, the overall capacity utilization in the abovementioned plants did not exceed 60 %.

The Rover Group produces currently in its car division nine different car models of which five are jointly developed with Honda. The Honda-Austin Rover cooperation has developed steadily since the first agreement was concluded in late 1979. Production of jointly developed models accounts for 29 % of Austin Rover production. Of this proportion 1,4 % or 6 700 cars were Honda label cars. The proportion of jointly developed models in total car production will rapidly increase with the next year's introduction of the R8/Honda Concerto. As a result, the proportion of Honda label cars will increase from 1,4 to 8 % in the early 1990s.

Rover Group is increasingly dependent on Honda for its components' supply. Honda currently supplies Austin Rover with two types of engine. From 1989 onwards, the new Honda engine plant at Swindon will supply some 70 000 additional engines for the R8/Honda Concerto.

As concerns the state of technology, considerable amounts have been invested by Rover Group to modernize its car assembly lines, especially in Longbridge. The automation of the jeep assembly lines is much less pronounced and can be called semi-manual manufacturing. As regards Austin Rover's components, at least part of the production is outdated, e.g. certain engines and transmission series are respectively 36 and 29 years old.

V

In its examination of the compatibility with the common market of the proposed public intervention in support of Rover Group, the Commission has verified to what extent these measures contain aid elements under Articles 92 and 94 of the EEC Treaty.

The proposed debt write-off of £ 800 million which Rover Group would obtain once the take-over from British Aerospace takes place would discharge the Group of its financial charges and debt repayments which it normally would have to pay over the coming years. Given that the acquisition price of £ 150 million which the buyer is prepared to pay is inferior to the proposed capital injection, British Aerospace would acquire Rover Group for a negative price. Under normal market conditions it is excluded that a private shareholder would provide a sum for debt write-off of his company which would exceed the acquisition price. Under the circumstances of the present case, the debt write-off proposed by the United Kingdom Government would give Rover Group a competitive advantage in relation to other Community car manufacturers. Assuming that the proposed acquisition price reflects fairly the real net worth of the company in the market, it is concluded that the capital injection in the form of a debt write-off as proposed constitutes aid under Article 92 (1) of the EEC Treaty. It should be noted that already in

the notification of the proposed measure the United Kingdom Government did not dispute the aid element of the debt repayment.

The United Kingdom Government has committed itself not to grant any further discretionary aid to Rover Group in the future apart, as communicated by the United Kingdom Government in the course of the procedure, from its intention to support a part of Rover Group's investments (some £ 843 million) to be realized in assisted areas with regional grants in the framework of the Regional Selective Assistance Scheme. Despite the fact that the regions in which these investments will take place are eligible for regional aid up to the ceiling of 20 % net grant equivalent, as approved by the Commission in 1984, the United Kingdom authorities have nevertheless committed themselves to limit the regional assistance to £ 78 million.

The aids to be provided to Rover Group affect trade between Member States because there is intensive intra-Community trade for all products manufactured by the Rover Group. In fact, for passenger cars in 1987 trade between Member States amounted to 5,33 million units, of which 152 000 units were exported from the United Kingdom to the other Member States. In 1987, Rover Group exported 116 000 vehicles to other Member States, i.e. 22 % of its total vehicle production in the United Kingdom.

According to the United Kingdom Government the proposed capital injection of £ 800 million corresponds to 99,9 % of the net financial debt of Rover Group at the moment of its acquisition. The 1987 consolidated balance sheet of Rover Group shows a net indebtedness of £ 585,8 million at 31 December 1987. According to the United Kingdom Government, this sum does not represent the true indebtedness of Rover Group's continuing businesses. The sum of £ 585,8 million has to be augmented by £ 139,3 million in order to take account of the restructuring costs which will arise in Rover Group's former commercial vehicle activities over the next years. The Commission accepted in its Decision of 18 March 1987 that before these restructuring costs arise it would be appropriate for the Rover Group to use the money temporarily to reduce the debt of the remaining businesses. As shown in the quarterly monitoring reports prepared for the Commission, at 31 December 1987, Rover Group remained committed to apply £ 139,3 million towards this restructuring and this sum was thus depressing the true level of Rover Group's overall indebtedness. In this connection it should be noted that the closure of three commercial vehicle plants is scheduled to take place later in 1988.

The inclusion of this item takes the Rover Group's overall indebtedness at 31 December 1987 to £ 725,1 million. In order to arrive at the real level of indebtedness at the

moment of sale, the United Kingdom authorities claimed that the costs of the strike at Solihull, Land Rover amounting to £ 25 million and the increase in debt in the first half of 1988 mostly due to interest charges estimated at £ 51 million should be taken into account for the debt calculation. The indebtedness of the Group at the moment of its acquisition would therefore be £ 801,1 million.

However, the Commission concluded after close scrutiny that the above debt calculation is incorrect in that the following items included in the calculation of the United Kingdom authorities cannot be considered as true financial debt but as working capital:

- (i) Advances from associated finance company: £ 155,8 million
- (ii) Accruals falling due after more than one year: £ 25,1 million
- (iii) Land Rover strike: £ 25 million
- (iv) Increase in debt first half 1988: £ 26 million.

The above items add up to a total of £ 231,9 million so that the Commission considers the total net financial debt of Rover Group to be £ 569,2 million. In arriving at this conclusion, the Commission has taken into account the following considerations:

- (i) This facility is designed to finance stocks of finished vehicles during the period between dispatching a vehicle on consignment to a distributor and the moment of its sale. This finance is provided by an associate company called Wholesale Vehicle Finance Ltd (WVF), 20 % owned by Rover Group and 80 % by Lombard North Central.

Up to the financial year 1986, this item was listed in the statutory accounts of Rover Group as a credit item in the valuation of stocks. With effect from the 1987 accounts Rover Group's auditors, Coopers & Lybrand, agreed that it would be appropriate to show the finance provided through WVF as a separate item in the listing of creditors falling due within one year. It has to be noted that Rover Group is not obliged to list this item as a borrowing. Practice in this respect varies among United Kingdom companies.

In this respect the Commission considers that this item represents a clear-cut financing of working capital because it constitutes financing of stocks.

- (ii) The main element in the provision for long-term accruals are the liabilities linked to guarantees offered on cars sold in the United States, given the longer guarantee periods required on the United States

market. Similar guarantees covering less than one year for sales of cars elsewhere are not considered by Rover Group's auditors as financial debt. Therefore, the Commission has concluded that these accruals constitute a normal operating cost.

- (iii) Direct and indirect costs arising from the strike at the beginning of 1988 should not be considered as financial debt but as an ordinary operating cost. Moreover, the United Kingdom authorities have provided evidence on Land Rover sales during the first four months of 1988, which show that the sales were not affected, given that they were higher than the corresponding sales in 1987. The immediate effect of the strike was mitigated by selling out of stocks which produced a financial benefit to the company through the reduction of stocks and their cost.
- (iv) The increase in debt during the first half of 1988 due to interest charges on £ 800 million debt for £ 41 million and £ 10 million actual liabilities in creditors and accruals form only part of the half-year result. According to the United Kingdom authorities Rover Group will have an operating profit of £ 30 million in 1988. In addition, exceptional profits are expected from sales of assets as well as profits from subsidiaries during this period. Furthermore the negative impact of interest payments on profits seems overestimated as in the first half of 1987, when debt was considerably higher, interest payable less interest receivable corresponded to £ 32,2 million.

The Commission has received evidence that the debt situation has significantly deteriorated during the first half of 1988. However, in the light of the above, the Commission is willing to accept an additional £ 25 million as part of the real debt level at the end of 1987 which corresponds to the interest payments on financial debt of £ 404 million paid during the first half of 1988 (excluding the restructuring provisions of £ 139,3 million).

This brings the estimated net indebtedness at 30 June 1988 to £ 569,2 million, which includes £ 139,3 million future restructuring costs in the former commercial vehicle business of Rover Group.

In conclusion, the Commission considers that the proposed £ 800 million debt write-off contains £ 231,9 million working capital which cannot be considered as financial debt. This is in contrast to the letter of 29 April 1988 in which the United Kingdom authorities claimed that the capital injection relates entirely to Rover Group's indebtedness and does not provide any working capital. Provisions of working capital through aid correspond clearly to operating aid. In this context it is an established

policy by the Commission not to accept any operating aid because a company's normal and day-to-day business must entirely be financed from resources other than through aid. This is especially so since any State assistance benefiting from such operation has particularly negative effects on competition because it confers a direct and immediate cost advantage *vis-à-vis* its competition while at the same time it does not meet any criteria set out in Article 92 (3) (c) of the Treaty. This is particularly the case for operating aid in sectors such as automobiles which are sensitive at Community level.

Having established the real net financial debt at £ 569,2 million, the Commission considered that under normal market economic conditions, there is no conclusive reason why the write-off, of the totality of these debts is indispensable in order to sell the company to a private investor. In this respect it should be noted that the audited net worth of the Group at the end of 1987 which corresponds to the net book value of the assets minus the net borrowings was established at £ 333,7 million. However, according to estimates established by the Commission and several outside experts, the real net worth of the company is by far inferior to this amount taking into account that negative cash flows will occur during the next years and that the company's operation in the future bears significant business risks.

It is also important to note that the company is currently not excessively indebted. The debt-turnover ratio of Rover Group being approximately 18 % is comparable to several other Community car manufacturers.

VI

Article 92 (3) of the EEC Treaty lists those forms of aid which may be compatible with the common market. Compatibility with the Treaty must be determined in the context of the Community as a whole and not of a single Member State.

In order to safeguard the proper functioning of the common market and taking into account the principles of Article 3 (f), the exceptions from the principle of Article 92 (1) as set out in Article 92 (3) must be construed narrowly when an aid scheme or any individual aid award is scrutinized.

In particular, they may be applied only when the Commission is satisfied that the free play of market forces alone, without the aid, would not induce the prospective aid recipient to adopt a course of action contributing to the attainment of one of the said objectives.

With regard to the exceptions provided for in Article 92 (3) (a) and (c) for aid that promotes or facilitates the development of certain areas, the application of the aid measure cannot benefit from the exception provided for in Article 92 (3) (a) since the standard of living is not abnormally low, nor is there serious underemployment in the regions concerned in this case. Nor does the aid measure incorporate the requisite features of aid to facilitate the development of certain economic areas within the meaning of Article 92 (3) (c). Although some of Rover Group's production plants are located in assisted areas, the proposed aid to write off £ 800 million debt will not be awarded under the United Kingdom regional aid system and the United Kingdom Government has in fact not attempted to justify the aid in question on regional grounds.

As regards the exemptions provided for in Article 92 (3) (b), it results from the foregoing that the aid in question was not intended nor suited to promote the execution of an important project of common European interest or to remedy a serious disturbance of the United Kingdom economy. Furthermore, the United Kingdom Government has not invoked this.

With regard to the exception provided for in paragraph 3 (c) of Article 92 of the EEC Treaty in favour of 'aid to facilitate the development of certain economic activities', the Commission may consider certain restructuring aid to be compatible with the common market if a number of criteria are fulfilled⁽¹⁾.

The criteria must be viewed in the light of the two principles of Article 92 (3) (c), i.e. the aid must be necessary for the development of the sector from a Community standpoint, and must not alter trading conditions to an extent contrary to the common interest⁽²⁾.

These criteria were systematically verified in order to assess the compatibility of the elimination of total debt established by the Commission at £ 569,2 million.

- (i) Sectoral aid should be limited to cases where it is justified by circumstances in the industry concerned. Aid should lead to a restoration of long-term viability by resolving problems rather than preserve the status quo and put off decisions and changes which are inevitable.

⁽¹⁾ Eight Competition Report, point 176.

⁽²⁾ See Court of Justice, Judgment of 17. 9. 1980, Case 730/79, *Phillip Morris* [1980] ECR, 2671.

The European automobile industry is currently operating at very high levels of capacity utilization and virtually all car manufacturers are back in profit. This is the result of two consecutive years, i.e. 1986 and 1987, with record car sales in Europe and of the restructuring efforts undertaken by several manufacturers. However, the risk of a re-emergence of overcapacity in the Community cannot be ruled out in the medium term, given the expansion plans announced by several producers, increasing Japanese penetration both in terms of direct imports and inward investment and increasing opportunities for imports from third countries with undervalued currencies. Moreover, at world market level there is currently an overcapacity of several million cars per year.

Therefore, a restructuring plan by a Community car manufacturer which aims at a considerable reduction of capacities contributes to reducing the danger of future surplus capacity problems in the sector.

The corporate plan presented by Rover Group and approved by British Aerospace covers the period 1988 to 1992 and foreshadows a substantial reduction in car assembly and component capacities in the order of 30 %. The central objective of the plan is to transform Rover Group in the medium term from a volume producer to a specialist producer offering a limited range of upper-market models containing higher value added and profit margins. Should Rover Group succeed in establishing itself in this promising new market niche and assuming the continuation of its joint venture with Honda in product development, it should be able to restore its long term viability. As the restructuring involves a number of measures in a variety of activities, the time required is considerable and is comparable to the efforts already undertaken by other groups in the sector.

- (ii) Unless granted over relatively short periods, aids should be progressively reduced and clearly linked to the restructuring of the sector concerned.

The proposed measure of debt write-off is presented as the last discretionary aid which the United Kingdom Government is to award to Rover Group. Indeed, the United Kingdom Government has undertaken not to award any further discretionary aid to Rover Group in the future apart from the abovementioned amount of regional assistance. From the acquisition by British Aerospace onwards, the restructuring efforts and any other operating costs of the enterprise will be entirely covered from the company's cash-flow, external sources and British Aerospace.

It also has to be taken into account, that part of Rover Group's current debt is due to unaided restructuring efforts undertaken outside the commercial vehicle businesses during the year 1986/87 which amounted to £ 40 million and included capacity reductions.

The proposed aid is clearly linked to the restructuring of Rover Group over the years to come given the written commitment of British Aerospace towards the United Kingdom authorities to execute the corporate plan 1988 to 1992.

- (iii) The intensity of aid should be proportionate to the problem it is designed to resolve so that distortions of competition are kept to a minimum.

A provision of £ 569,2 million for debt write-off can be regarded as excessive when seen in relation to the restructuring and investment costs of £ 1,553 million between 1988 and 1992. The aid would correspond to 36,7 % of the total restructuring cost⁽¹⁾. However, the intensity of aid to be awarded in relation to the total cost of the restructuring plan should be in proportion to the problems the plan will resolve, e.g. the degree of overcapacity in the company which is to be eliminated through reduction of capacity. Therefore, the Commission cannot accept that the total indebtedness of Rover Group amounting to £ 569,2 million be written off. Moreover, this would place the company in a far more favourable financial position than most of its Community competitors who have to carry a considerable level of debt. Without aid, the buyer would therefore have to take over the complete financial debt of £ 569,2 million. However, the Commission acknowledges to some extent the commercial risks advanced by the United Kingdom authorities that British Aerospace assumes with the takeover, and takes into account the considerable investment and restructuring costs which Rover Group has to undertake and to which British Aerospace has publicly engaged to contribute. Therefore, the Commission considers that a minimum amount of £ 100 million should be taken over by British Aerospace which represents 17 % of the £ 569,2 million financial debt as established by the Commission and is commensurate with the commercial risks to be borne by the new owner. This would reduce the original proposal of £ 800 million debt write-off to £ 469 million.

⁽¹⁾ Given that the aid is in form of debt write-off, the calculation of a net grant equivalent in relation to future investments is not applicable.

The debt write-off of £ 469 million corresponds to 30 % of the total restructuring cost and is therefore more in line with the reduction of capacity pursued by Rover Group.

In the Commission's view such a reduction of the debt written off is necessary to ensure that intra-Community trade is not affected in a way contrary to the common interest and that consequently any distortions of intra-Community competition remain limited. The future distortion of competition will also be limited by the fact that Rover Group will try to become a specialist producer and retire gradually from the volume car market. Forecasts foresee a significantly stronger demand for upper market models than for volume cars.

However, the Commission considers that trade would not be distorted by the use by British Aerospace of the capital tax advantages of Rover Group. Therefore the Commission does not object to a transfer of capital tax benefit from Rover Group to British Aerospace within the limits of the United Kingdom tax legislation.

- (iv) Industrial problems and unemployment should not be transferred from one Member State to another.

The implementation of the Rover Group corporate plan will not give Rover Group the possibility of increasing its market share and will not have adverse effect on the utilization of capacity by other Community car manufacturers. The aid to Rover Group should therefore not lead to job losses in other Member States.

In conclusion, the aid in the form of a debt write-off of £ 469 million to be awarded to Rover Group in the case of its sale to British Aerospace at a price of £ 150 million should lead to the restoration of the company's viability and, through the proposed restructuring, will contribute to the avoidance of structural problems which the Community motor vehicle industry may face in the near future. For these reasons the Commission considers that the aid facilitates the development of the sector concerned at Community level without adversely affecting trading conditions to an extent contrary to the common interest.

The limitation of the trade-distorting effect of the aid depends, however, largely on the future restructuring being carried out within the anticipated period. Moreover, in the framework of the 1987 Decision of the Commission regarding the restructuring of Rover Group's former commercial vehicle businesses, three production plants should be closed this year. Thus, it is necessary to ensure

that the aid to the Rover Group does not distort competition in one or more of the markets in which it is present and does not adversely affect trading conditions within the Community to an extent contrary to the common interest. Consequently, if the Commission considers that the exception under Article 92 (3) (c) is applicable to the aid to be granted to Rover Group, its authorization is only valid if certain conditions are respected in order to assure that trading conditions are not altered to an extent contrary to the common interest,

HAS ADOPTED THIS DECISION:

Article 1

The aid to Rover Group amounting to £ 800 million is notified to the Commission in the form of a capital contribution aiming at a debt write-off to be awarded in 1988 in the framework of its acquisition by British Aerospace is compatible with the common market pursuant to Article 92 (3) (c) up to a maximum amount of £ 469 million, provided that the United Kingdom Government:

1. does not alter the proposed terms of sale as communicated to the Commission and in particular:
 - the acquisition price paid by British Aerospace will be £ 150 million,
 - British Aerospace will bear all future restructuring costs,
 - Rover Group will not use more than £ 500 million of its current £ 1 600 million trading tax losses and these trading tax losses will remain within Rover Group,
 - British Aerospace cannot on-sell the core businesses of Rover Group within the next five years without incurring a penalty of up to £ 650 million,

with the exception of the amount of debt write-off which must be limited to £ 469 million;

2. ensures that the aid will be used exclusively for the repayment of financial debts of Rover Group;
3. refrains from granting any further aid in the form of capital contributions and any other form of discretionary aid to the Rover Group with the exception of a regional grant not exceeding £ 78 million in support of the future investment plan of Rover Group up to 1992. This may only be awarded in so far as the investment plan as communicated to the Commission is fully realized;

4. ensures that British Aerospace completes the Rover Group corporate plan by the end of 1992 in accordance with the details communicated to the Commission ;
5. ensures that any underspending or overevaluation on any of the debt items communicated to the Commission is repaid to the United Kingdom Government no later than on the completion of the corporate plan ;
6. ensures that Rover Group shall, once it has passed into private ownership, no longer benefit from the parliamentary assurances given in relation to its obligations taken over by the purchaser and, moreover, refrains from guaranteeing new obligations incurred by Rover Group after completion of the sale.

Throughout the implementation of the corporate plan the United Kingdom Government shall provide the Commission with a half-yearly report on Rover Group's trading performance, capacity changes, production, pricing policy and intra-Community exports by product as well as a detailed survey of all restructuring measures undertaken in the previous six months.

Article 2

The remaining part of the notified aid to Rover Group in the form of a capital contribution amounting to £ 331

million constitutes State aid which is incompatible with the common market within the meaning of Article 92 of the EEC Treaty and shall therefore not be awarded.

Article 3

The United Kingdom shall inform the Commission of the measures taken to comply with this Decision within two months from its notification.

Article 4

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 13 July 1988.

For the Commission

Peter SUTHERLAND

Member of the Commission

CORRIGENDA**Corrigendum to Council recommendation 86/666/EEC of 22 December 1986 on fire safety in existing hotels**

(Official Journal of the European Communities No L 384 of 31 December 1986)

On page 61, point 3, first line

for: 'to inform the Commission of all national measures ...',

read: 'to inform the Commission, within a period of two years, of all national measures ...'.

Corrigendum to the Agreement between the European Economic Community and the Hungarian People's Republic on trade and commercial and economic cooperation

(Official Journal of the European Communities No L 327 of 30 November 1988)

On page 23, NIMEXE 73.20-30, in column DE:
the symbol '+' is inserted.

On page 28, NIMEXE 94.01-45, in column DE:
the symbol '+' is deleted.

Corrigendum to Council Decision 88/596/EEC of 21 November 1988 concerning the conclusion of the Fourth Additional Protocol to the Agreement between the European Economic Community and the State of Israel

(Official Journal of the European Communities No L 327 of 30 November 1988)

On page 35, in the third citation:

for: 'Having regard to the opinion of the European Parliament (?)',

read: 'Having regard to the assent of the European Parliament (?)'.
