

Official Journal

of the European Communities

ISSN 0378-6978

L 31

Volume 32

2 February 1989

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EEC) No 259/89 of 1 February 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 260/89 of 1 February 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
* Commission Regulation (EEC) No 261/89 of 31 January 1989 establishing unit values for the determination of the customs value of certain perishable goods	5
Commission Regulation (EEC) No 262/89 of 1 February 1989 fixing the export refunds on white sugar and raw sugar exported in its unaltered state	8
Commission Regulation (EEC) No 263/89 of 1 February 1989 fixing the maximum export refund for white sugar for the 39th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88	10
Commission Regulation (EEC) No 264/89 of 1 February 1989 introducing a new countervailing charge on fresh clementines originating in Morocco, and repealing Regulation (EEC) No 189/89	11
Commission Regulation (EEC) No 265/89 of 1 February 1989 amending for the second time Regulation (EEC) No 151/89 introducing a countervailing charge on fresh lemons originating in Turkey	13
Commission Regulation (EEC) No 266/89 of 1 February 1989 introducing a countervailing charge on fresh clementines originating in Spain (except the Canary Islands)	14
Commission Regulation (EEC) No 267/89 of 1 February 1989 fixing the import levies on white sugar and raw sugar	16

Contents (continued)

Commission Regulation (EEC) No 268/89 of 1 February 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector	18
Commission Regulation (EEC) No 269/89 of 1 February 1989 fixing the import levy on molasses	20
Commission Regulation (EEC) No 270/89 of 1 February 1989 fixing the amount of aid for peas, field beans and sweet lupins	21

II *Acts whose publication is not obligatory*

Conference of the Representatives of the Governments of the Member States

89/81/EEC, Euratom, ECSC :

* Decision of the representatives of the Governments of the Member States of the European Communities of 23 January 1989 appointing Vice-Presidents of the Commission of the European Communities	28
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 259/89**of 1 February 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 31 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 2 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 1 February 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	20,50	125,00
0712 90 19	20,50	125,00
1001 10 10	53,13	167,78 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	167,78 ⁽¹⁾ ⁽²⁾
1001 90 91	14,94	115,24
1001 90 99	14,94	115,24
1002 00 00	58,63	110,93 ⁽³⁾
1003 00 10	49,19	118,07
1003 00 90	49,19	118,07
1004 00 10	40,25	71,75
1004 00 90	40,25	71,75
1005 10 90	20,50	125,00 ⁽²⁾ ⁽³⁾
1005 90 00	20,50	125,00 ⁽²⁾ ⁽³⁾
1007 00 90	43,84	135,97 ⁽⁴⁾
1008 10 00	49,19	21,91
1008 20 00	49,19	72,71 ⁽⁴⁾
1008 30 00	49,19	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	49,19	0,00
1101 00 00	35,10	175,52
1102 10 00	96,27	169,18
1103 11 10	95,80	272,90
1103 11 90	36,65	188,29

⁽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 260/89

of 1 February 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 31 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 2 February 1989.

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

Done at Brussels, 1 February 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 1 February 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 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	7,96
1001 10 90	0	0	0	7,96
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 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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 261/89**of 31 January 1989****establishing unit values for the determination of the customs value of certain perishable goods**

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

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

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3773/87 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 February 1989.

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

Done at Brussels, 31 January 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	24,27	1 060	196,70	50,66	172,30	4 209	18,92	37 053	57,19	15,47
1.20	0702 00 10 0702 00 90	Tomatoes	57,76	2 524	468,09	120,56	410,01	10 016	45,03	88 174	136,10	36,83
1.30	0703 10 19	Onions (other than sets)	12,28	536	99,57	25,64	87,22	2 130	9,57	18 757	28,95	7,83
1.40	0703 20 00	Garlic	148,20	6 476	1 201,01	309,33	1 052,00	25 698	115,54	226 236	349,21	94,51
1.50	ex 0703 90 00	Leeks	33,50	1 464	271,50	69,93	237,82	5 809	26,12	51 144	78,94	21,36
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	24,64	1 063	194,92	50,89	171,59	4 055	19,14	37 482	57,16	17,15
1.70	0704 20 00	Brussels sprouts	44,76	1 931	355,63	92,23	312,60	7 362	34,82	68 116	103,74	31,19
1.80	0704 90 10	White cabbages and red cabbages	37,91	1 656	307,22	79,13	269,11	6 573	29,55	57 872	89,33	24,17
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea var. italica</i>)	72,84	3 183	590,34	152,04	517,09	12 631	56,79	111 203	171,65	46,45
1.100	ex 0704 90 90	Chinese cabbage	27,76	1 213	224,97	57,94	197,05	4 813	21,64	42 377	65,41	17,70
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	114,57	5 006	928,44	239,13	813,25	19 866	89,31	174 892	269,96	73,06
1.120	ex 0705 29 00	Endives	55,01	2 404	445,85	114,83	390,53	9 540	42,89	83 986	129,64	35,08
1.130	ex 0706 10 00	Carrots	21,56	937	170,68	44,80	151,01	3 583	16,69	33 191	50,50	14,33
1.140	ex 0706 90 90	Radishes	95,64	4 179	775,05	199,62	678,89	16 584	74,56	145 998	225,36	60,99
1.150	0707 00 11 0707 00 19	Cucumbers	167,72	7 329	1 359,22	350,08	1 190,58	29 084	130,76	256 037	395,21	106,96
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	157,56	6 885	1 276,85	328,86	1 118,43	27 321	122,83	240 523	371,26	100,48
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp., Phaseolus spp.</i>)	181,13	7 915	1 467,90	378,07	1 285,78	31 409	141,21	276 511	426,81	115,51
1.180	ex 0708 90 00	Broad beans	82,67	3 612	669,96	172,55	586,83	14 335	64,45	126 201	194,80	52,72
1.190	0709 10 00	Globe artichokes	115,48	5 046	935,87	241,04	819,75	20 025	90,03	176 291	272,12	73,64
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	711,72	31 100	5 767,66	1 485,52	5 052,06	123 414	554,86	1 086 460	1 677,04	453,88
1.200.2	ex 0709 20 00	— other	211,06	9 223	1 710,44	440,54	1 498,23	36 599	164,55	322 199	497,34	134,60
1.210	0709 30 00	Aubergines (egg-plants)	154,47	6 750	1 251,84	322,42	1 096,52	26 786	120,43	235 811	363,99	98,51
1.220	ex 0709 40 00	Celery stalks and leaves	46,00	2 010	372,82	96,02	326,56	7 977	35,86	70 228	108,40	29,33
1.230	0709 51 30	Chantarelles	660,65	28 685	5 250,36	1 368,47	4 657,88	110 953	510,76	1 022 231	1 542,93	437,30
1.240	0709 60 10	Sweet peppers	80,45	3 515	651,94	167,91	571,06	13 950	62,71	122 808	189,56	51,30
1.250	0709 90 50	Fennel	30,77	1 344	249,40	64,23	218,46	5 336	23,99	46 980	72,51	19,62
1.260	0709 90 70	Courgettes	110,82	4 842	898,06	231,30	786,64	19 216	86,39	169 169	261,12	70,67
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	81,99	3 573	658,40	170,36	582,01	14 177	63,82	125 542	192,34	53,17
2.10	ex 0802 40 00	Chestnuts (<i>Castanea spp.</i>) fresh	71,58	3 124	577,39	149,21	508,93	12 383	55,77	109 540	168,40	45,76
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	33,54	1 465	271,82	70,01	238,09	5 816	26,15	51 204	79,03	21,39
2.30	ex 0804 30 00	Pineapples, fresh	54,29	2 372	440,01	113,33	385,41	9 415	42,33	82 885	127,94	34,62
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	188,12	8 220	1 524,55	392,66	1 335,39	32 621	146,66	287 181	443,28	119,97
2.50	ex 0804 50 00	Guavas and mangoes, fresh	193,42	8 451	1 567,42	403,70	1 372,95	33 539	150,79	295 257	455,75	123,34
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	41,25	1 802	334,33	86,11	292,85	7 153	32,16	62 978	97,21	26,31

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	33,12	1 447	268,44	69,14	235,14	5 744	25,82	50 567	78,05	21,12
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	21,73	948	175,34	45,31	154,55	3 760	16,93	33 265	51,13	13,89
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	— Clementines	54,45	2 379	441,28	113,65	386,53	9 442	42,45	83 125	128,31	34,72
2.70.2	ex 0805 20 30	— Monreales and Satsumas	34,87	1 523	282,61	72,79	247,54	6 047	27,18	53 236	82,17	22,24
2.70.3	ex 0805 20 50	— Mandarins and Wilkings	71,31	3 113	568,29	148,47	503,48	11 890	55,37	110 122	167,62	46,11
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	65,63	2 868	531,91	137,00	465,92	11 381	51,17	100 197	154,66	41,85
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	39,04	1 706	316,43	81,50	277,17	6 770	30,44	59 607	92,00	24,90
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	260,03	11 362	2 107,29	542,75	1 845,83	45 091	202,72	396 953	612,73	165,83
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	37,56	1 641	304,44	78,41	266,67	6 514	29,28	57 348	88,52	23,95
2.90.2	ex 0805 40 00	— pink	55,42	2 422	449,17	115,68	393,44	9 611	43,21	84 610	130,60	35,34
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	225,24	9 842	1 825,28	470,12	1 598,82	39 056	175,59	343 831	530,73	143,64
2.110	0807 10 10	Water-melons	13,01	565	103,78	26,98	91,95	2 192	10,05	20 118	30,42	8,53
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	88,53	3 868	717,46	184,79	628,44	15 352	69,02	135 149	208,61	56,46
2.120.2	ex 0807 10 90	— Other	164,78	7 200	1 335,38	343,94	1 169,70	28 574	128,46	251 547	388,28	105,08
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	61,70	2 696	500,06	128,79	438,02	10 700	48,10	94 198	145,40	39,35
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	54,69	2 389	443,20	114,15	388,21	9 483	42,63	83 487	128,87	34,87
2.150	0809 10 00	Apricots	171,60	7 498	1 390,64	358,17	1 218,10	29 756	133,78	261 956	404,35	109,43
2.160	0809 20 10 0809 20 90	Cherries	142,33	6 213	1 148,11	296,70	1 011,97	24 623	110,90	217 814	334,85	90,99
2.170	ex 0809 30 00	Peaches	161,33	7 049	1 307,44	336,74	1 145,23	27 976	125,78	246 285	380,16	102,89
2.180	ex 0809 30 00	Nectarines	137,41	6 004	1 113,56	286,81	975,40	23 827	107,12	209 763	323,78	87,63
2.190	0809 40 11 0809 40 19	Plums	155,39	6 790	1 259,25	324,33	1 103,01	26 945	121,14	237 206	366,14	99,09
2.200	0810 10 10 0810 10 90	Strawberries	369,31	16 137	2 992,84	770,84	2 621,51	64 039	287,92	563 764	870,21	235,52
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	319,79	13 973	2 591,54	667,48	2 270,00	55 452	249,31	488 171	753,53	203,94
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	133,09	5 815	1 078,58	277,80	944,76	23 079	103,76	203 173	313,61	84,87
2.230	ex 0810 90 90	Pomegranates	64,94	2 834	523,88	135,38	461,76	11 235	50,60	99 388	152,79	41,52
2.240	ex 0810 90 90	Khakis	109,99	4 806	891,33	229,57	780,74	19 072	85,74	167 901	259,16	70,14
2.250	ex 0810 90 90	Lychees	266,31	11 636	2 158,10	555,84	1 890,34	46 178	207,61	406 525	627,50	169,83

COMMISSION REGULATION (EEC) No 262/89

of 1 February 1989

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁷⁾; whereas the refund thus calculated for

sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 ⁽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 over 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 every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 February 1989.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ 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, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 1 February 1989 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	33,84 ⁽¹⁾	
1701 11 90 910	31,97 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,84 ⁽¹⁾	
1701 12 90 910	31,97 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3679
1701 99 10 100	36,79	
1701 99 10 910	36,34	
1701 99 10 950	36,34	
1701 99 90 100		0,3679

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 263/89

of 1 February 1989

fixing the maximum export refund for white sugar for the 39th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88

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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1035/88 of 18 April 1988 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1035/88, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 39th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 39th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at 39,050 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 2 February 1989.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 102, 21. 4. 1988, p. 14.

COMMISSION REGULATION (EEC) No 264/89

of 1 February 1989

introducing a new countervailing charge on fresh clementines originating in Morocco, and repealing Regulation (EEC) No 189/89

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 3270/88 of 24 October 1988 fixing for the 1988/89 marketing year the reference prices for fresh clementines⁽³⁾ fixed the reference price for products of class I at ECU 59,57 per 100 kilograms net for the period from 1 December 1988 until 28 February 1989;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken

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

Whereas the entry price thus calculated for fresh clementines originating in Morocco results in the fixing of a higher countervailing charge than that laid down by Commission Regulation (EEC) No 189/89 of 26 January 1989 introducing a countervailing charge on fresh clementines originating in Morocco⁽⁶⁾;

Whereas, pursuant to Article 26 (2) of Regulation (EEC) No 1035/72, a new countervailing charge should be fixed and Regulation (EEC) No 189/89 should be repealed;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 8,76 per 100 kilograms net is applied to fresh clementines (CN code ex 0805 20 10) originating in Morocco.

Article 2

This Regulation shall enter into force on 2 February 1989.

Commission Regulation (EEC) No 189/89 is hereby repealed.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 291, 25. 10. 1988, p. 45.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 23, 27. 1. 1989, p. 31.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 1 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 265/89**of 1 February 1989****amending for the second time 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⁾, as amended by Regulation (EEC) No 220/89⁽⁴⁾, 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 'ECU 10,49' is hereby replaced by 'ECU 11,84'.

Article 2

This Regulation shall enter into force on 2 February 1989.

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

Done at Brussels, 1 February 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.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 84.

COMMISSION REGULATION (EEC) No 266/89

of 1 February 1989

introducing a countervailing charge on fresh clementines originating in Spain
(except the Canary Islands)

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 0,6 ECU 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 3270/88 of 24 October 1988 fixing for the 1988/89 marketing year the reference prices for fresh clementines⁽³⁾ fixed the reference price for products of class I for the period from 1 December 1988 to 28 February 1989 at 59,57 ECU per 100 kilograms net;

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

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

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

Whereas, for fresh clementines originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh clementines;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of 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, pursuant to Article 136 (2) of the Act of Accession⁽⁸⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 1,42 ECU per 100 kilograms net is applied to fresh clementines (CN code ex 0805 20 10) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 3 February 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 291, 25. 10. 1988, p. 45.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 267/89**of 1 February 1989****fixing the import levies on white sugar and raw sugar**

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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 234/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation 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 referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 February 1989.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 29, 31. 1. 1989, p. 43.

ANNEX

to the Commission Regulation of 1 February 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	36,33 ⁽¹⁾
1701 11 90	36,33 ⁽¹⁾
1701 12 10	36,33 ⁽¹⁾
1701 12 90	36,33 ⁽¹⁾
1701 91 00	43,49
1701 99 10	43,49
1701 99 90	43,49 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 268/89**of 1 February 1989****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 237/89⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 237/89 to the informa-

tion known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 237/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 February 1989.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 30, 1. 2. 1989, p. 5.

ANNEX

to the Commission Regulation of 1 February 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4349	—
1702 20 90	0,4349	—
1702 30 10	—	54,23
1702 40 10	—	54,23
1702 60 10	—	54,23
1702 60 90	0,4349	—
1702 90 30	—	54,23
1702 90 60	0,4349	—
1702 90 71	0,4349	—
1702 90 90	0,4349	—
2106 90 30	—	54,23
2106 90 59	0,4349	—

COMMISSION REGULATION (EEC) No 269/89**of 1 February 1989****fixing the import levy on molasses**

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 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Regulation (EEC) No 2368/88 ⁽³⁾, as last amended by Regulation (EEC) No 173/89 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2368/88 to

the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, 1,00 ECU/100 kg.

Article 2

This Regulation shall enter into force on 2 February 1989.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 205, 30. 7. 1988, p. 29.

⁽⁴⁾ OJ No L 22, 26. 1. 1989, p. 9.

COMMISSION REGULATION (EEC) No 270/89

of 1 February 1989

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 3870/88⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1105/88⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1988/89 marketing year was fixed by Regulation (EEC) No 2255/88⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the

beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Regulation (EEC) No 2258/88⁽⁸⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,
- 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 correcting factor;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 110, 29. 4. 1988, p. 18.

⁽⁷⁾ OJ No L 199, 26. 7. 1988, p. 1.

⁽⁸⁾ OJ No L 199, 26. 7. 1988, p. 5.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1935/87⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87⁽²⁾;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecu that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has been fixed by Commission Regulation (EEC) No 2731/88⁽³⁾;

Whereas, since there are no valid activating threshold or guide prices for the 1989/90 marketing year for peas, field beans and sweet lupins or intervention price for barley, the amount of the subsidy in the case of advance fixing

for this marketing year, for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the latest price proposals and associated measures from the Commission to the Council; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1989/90 marketing year are known;

Whereas, owing to a technical difficulty, it was not possible to fix the aid applicable from 1 February 1989; whereas that aid should therefore be fixed retroactively from that date,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 February 1989 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1989/90 marketing year and, particularly those concerning maximum guaranteed quantities.

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 February 1989.

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

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 185, 4. 7. 1987, p. 21.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 116.

ANNEX I

Gross aid

Products intended for human consumption :

(in ECU per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (!)	6th period 8 (!)
Peas used :							
— in Spain	6,583	6,763	6,943	6,943	6,943	5,503	5,503
— in Portugal	6,625	6,805	6,985	6,985	6,985	5,545	5,545
— in another Member State	6,940	7,120	7,300	7,300	7,300	5,860	5,860
Field beans used :							
— in Spain	6,940	7,120	7,300	7,300	7,300	5,860	5,860
— in Portugal	6,625	6,805	6,985	6,985	6,985	5,545	5,545
— in another Member State	6,940	7,120	7,300	7,300	7,300	5,860	5,860

Products used in animal feed :

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (!)	6th period 8 (!)
A. Peas used :							
— in Spain	8,209	8,389	8,569	9,518	9,518	8,078	8,078
— in Portugal	7,871	8,051	8,231	9,211	9,211	7,771	7,771
— in another Member State	8,326	8,506	8,686	9,625	9,625	8,185	8,185
B. Field beans used :							
— in Spain	9,364	9,652	9,935	10,478	10,478	9,038	9,038
— in Portugal	9,063	9,355	9,641	10,201	10,201	8,761	8,761
— in another Member State	9,468	9,755	10,036	10,573	10,573	9,133	9,133
C. Sweet lupins harvested in Spain and used :							
— in Spain	7,936	7,936	7,936	9,201	9,201	9,513	9,513
— in Portugal	7,485	7,485	7,485	8,792	8,792	9,104	9,104
— in another Member State	8,092	8,092	8,092	9,343	9,343	9,655	9,655
D. Sweet lupins harvested in another Member State and used :							
— in Spain	9,086	9,086	9,086	10,351	10,351	10,351	10,351
— in Portugal	8,635	8,635	8,635	9,942	9,942	9,942	9,942
— in another Member State	9,242	9,242	9,242	10,493	10,493	10,493	10,493

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	335,11	343,80	352,49	352,49	352,49	282,96	282,96
— Denmark (Dkr)	61,36	62,95	64,54	64,54	64,54	51,81	51,81
— Federal Republic of Germany (DM)	16,39	16,81	17,24	17,24	17,24	13,84	13,84
— Greece (Dr)	526,12	554,52	582,91	582,91	582,91	355,75	355,75
— Spain (Pta)	1 120,20	1 147,93	1 175,66	1 175,66	1 175,66	953,81	953,81
— France (FF)	52,59	53,96	55,32	55,32	55,32	44,40	44,40
— Ireland (£ Irl)	5,837	5,989	6,141	6,141	6,141	4,926	4,926
— Italy (Lit)	11 465	11 762	12 060	12 060	12 060	9 681	9 681
— Netherlands (Fl)	18,37	18,85	19,32	19,32	19,32	15,51	15,51
— Portugal (Esc)	1 304,77	1 338,61	1 372,45	1 372,45	1 372,45	1 101,72	1 101,72
— United Kingdom (£)	4,677	4,799	4,920	4,920	4,920	3,948	3,948

Amounts to be deducted in the case of :

- Peas used in Spain (Pta) : 55,05,
- Peas, and field beans used in Portugal (Esc) : 59,22.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (1)	6th period 8 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	402,04	410,73	419,42	464,76	464,76	395,23	395,23
— Denmark (Dkr)	73,62	75,21	76,80	85,10	85,10	72,37	72,37
— Federal Republic of Germany (DM)	19,66	20,08	20,51	22,73	22,73	19,33	19,33
— Greece (Dr)	782,29	810,69	839,08	1 012,63	1 012,63	785,48	785,48
— Spain (Pta)	1 330,35	1 358,08	1 385,81	1 528,19	1 528,19	1 306,35	1 306,35
— France (FF)	63,11	64,47	65,84	72,96	72,96	62,04	62,04
— Ireland (£ Irl)	7,008	7,160	7,312	8,105	8,105	6,890	6,890
— Italy (Lit)	13 755	14 052	14 349	15 901	15 901	13 522	13 522
— Netherlands (Fl)	22,04	22,52	22,99	25,48	25,48	21,67	21,67
— Portugal (Esc)	1 565,35	1 599,19	1 633,03	1 809,57	1 809,57	1 538,84	1 538,84
— United Kingdom (£)	5,614	5,735	5,857	6,491	6,491	5,519	5,519
Amounts to be deducted in the case of use :							
— Spain (Pta)	18,04	18,04	18,04	16,50	16,50	16,50	16,50
— Portugal (Esc)	85,54	85,54	85,54	77,83	77,83	77,83	77,83

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	70,56	7,72	0,13	0,52	0,00	0,00	0,00	0,26
— Denmark (Dkr)	0,00	0,00	0,00	12,92	1,41	0,02	0,10	0,00	0,00	0,00	0,05
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,45	0,38	0,01	0,03	0,00	0,00	0,00	0,01
— Greece (Dr)	0,00	0,00	0,00	270,09	29,55	0,50	1,99	0,00	0,00	0,00	1,01
— Spain (Pta)	0,00	0,00	0,00	221,58	24,24	0,41	1,63	0,00	0,00	0,00	0,83
— France (FF)	0,00	0,00	0,00	11,09	1,21	0,02	0,08	0,00	0,00	0,00	0,04
— Ireland (£ Irl)	0,000	0,000	0,000	1,235	0,135	0,002	0,009	0,000	0,000	0,000	0,005
— Italy (Lit)	0	0	0	2414	264	4	18	0	0	0	9
— Netherlands (Fl)	0,00	0,00	0,00	3,87	0,42	0,01	0,03	0,00	0,00	0,00	0,01
— Portugal (Esc)	0,00	0,00	0,00	274,74	30,06	0,51	2,02	0,00	0,00	0,00	1,03
— United Kingdom (£)	0,000	0,000	0,000	0,987	0,108	0,002	0,007	0,000	0,000	0,000	0,004

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (!)	6th period 8 (!)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	457,18	471,04	484,61	510,54	510,54	441,00	441,00
— Denmark (Dkr)	83,71	86,25	88,73	93,48	93,48	80,75	80,75
— Federal Republic of Germany (DM)	22,35	23,03	23,70	24,96	24,96	21,56	21,56
— Greece (Dr)	993,37	1 041,54	1 088,60	1 187,85	1 187,85	960,69	960,69
— Spain (Pta)	1 503,51	1 547,47	1 590,51	1 671,94	1 671,94	1 450,09	1 450,09
— France (FF)	71,77	73,95	76,08	80,15	80,15	69,23	69,23
— Ireland (£ Irl)	7,973	8,215	8,452	8,906	8,906	7,691	7,691
— Italy (Lit)	15 641	16 115	16 579	17 467	17 467	15 088	15 088
— Netherlands (Fl)	25,06	25,82	26,57	27,99	27,99	24,18	24,18
— Portugal (Esc)	1 780,05	1 834,01	1 886,84	1 987,80	1 987,80	1 717,07	1 717,07
— United Kingdom (£)	6,385	6,579	6,768	7,131	7,131	6,159	6,159
Amounts to be deducted in the case of use :							
— Spain (Pta)	16,04	15,88	15,58	14,65	14,65	14,65	14,65
— Portugal (Esc)	76,14	75,20	74,26	69,94	69,94	69,94	69,94

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	70,56	7,72	0,13	0,52	0,00	0,00	0,00	0,26
— Denmark (Dkr)	0,00	0,00	0,00	12,92	1,41	0,02	0,10	0,00	0,00	0,00	0,05
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,45	0,38	0,01	0,03	0,00	0,00	0,00	0,01
— Greece (Dr)	0,00	0,00	0,00	270,09	29,55	0,50	1,99	0,00	0,00	0,00	1,01
— Spain (Pta)	0,00	0,00	0,00	221,58	24,24	0,41	1,63	0,00	0,00	0,00	0,83
— France (FF)	0,00	0,00	0,00	11,09	1,21	0,02	0,08	0,00	0,00	0,00	0,04
— Ireland (£ Irl)	0,000	0,000	0,000	1,235	0,135	0,002	0,009	0,000	0,000	0,000	0,005
— Italy (Lit)	0	0	0	2 414	264	4	18	0	0	0	9
— Netherlands (Fl)	0,00	0,00	0,00	3,87	0,42	0,01	0,03	0,00	0,00	0,00	0,01
— Portugal (Esc)	0,00	0,00	0,00	274,74	30,06	0,51	2,02	0,00	0,00	0,00	1,03
— United Kingdom (£)	0,000	0,000	0,000	0,987	0,108	0,002	0,007	0,000	0,000	0,000	0,004

ANNEX VII

Partial aid

Sweet lupins intended for used in animal feed :

(in national currency per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 (!)	6th period 8 (!)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	446,27	446,27	446,27	506,67	506,67	506,67	506,67
— Denmark (Dkr)	81,71	81,71	81,71	92,78	92,78	92,78	92,78
— Federal Republic of Germany (DM)	21,82	21,82	21,82	24,78	24,78	24,78	24,78
— Greece (Dr)	903,67	903,67	903,67	1 134,88	1 134,88	1 219,64	1 219,64
— Spain (Pta)	1 473,55	1 473,55	1 473,55	1 663,23	1 663,23	1 655,62	1 655,62
— France (FF)	70,05	70,05	70,05	79,54	79,54	79,55	79,55
— Ireland (£ Irl)	7,780	7,780	7,780	8,837	8,837	8,840	8,840
— Italy (Lit)	15 268	15 268	15 268	17 334	17 334	17 334	17 334
— Netherlands (Fl)	24,46	24,46	24,46	27,78	27,78	27,78	27,78
— Portugal (Esc)	1 737,56	1 737,56	1 737,56	1 972,76	1 972,76	1 972,76	1 972,76
— United Kingdom (£)	6,232	6,232	6,232	7,077	7,077	7,078	7,078
Amounts to be deducted in the case of use in :							
— Spain (Pta)	24,06	24,06	24,06	21,90	21,90	21,90	21,90
— Portugal (Esc)	114,12	114,12	114,12	103,59	103,59	103,59	103,59

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	51,32	5,61	0,10	0,38	0,00	0,00	0,00	0,19
— Denmark (Dkr)	0,00	0,00	0,00	9,40	1,03	0,02	0,07	0,00	0,00	0,00	0,04
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,51	0,27	0,00	0,02	0,00	0,00	0,00	0,01
— Greece (Dr)	0,00	0,00	0,00	196,43	21,49	0,37	1,45	0,00	0,00	0,00	0,74
— Spain (Pta)	0,00	0,00	0,00	161,15	17,63	0,30	1,19	0,00	0,00	0,00	0,60
— France (FF)	0,00	0,00	0,00	8,06	0,88	0,01	0,06	0,00	0,00	0,00	0,03
— Ireland (£ Irl)	0,000	0,000	0,000	0,898	0,098	0,002	0,007	0,000	0,000	0,000	0,003
— Italy (Lit)	0	0	0	1 756	192	3	13	0	0	0	7
— Netherlands (Fl)	0,00	0,00	0,00	2,81	0,31	0,01	0,02	0,00	0,00	0,00	0,01
— Portugal (Esc)	0,00	0,00	0,00	199,81	21,86	0,37	1,47	0,00	0,00	0,00	0,75
— United Kingdom (£)	0,000	0,000	0,000	0,718	0,079	0,001	0,005	0,000	0,000	0,000	0,003

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4582	7,85212	2,05853	169,376	126,545	6,90403	0,768411	1 505,20	2,31943	168,560	0,623609

(¹) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the provisions to be adopted on prices, related measures and maximum guaranteed quantity arrangements for that marketing year.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES

of 23 January 1989

appointing Vice-Presidents of the Commission of the European Communities

(89/81/EEC, Euratom, ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the
European Communities, and in particular Article 14 thereof,

Having regard to the Decision of the Representatives of the Governments of the Member
States of the European Communities of 8 December 1988 appointing Members of the
Commission of the European Communities (¹),

HAVE DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed Vice-Presidents of the Commission of the European
Communities for the period up to and including 5 January 1991.

Mr F. H. J. J. Andriessen
Dr Martin Bangemann
The Right Honourable Sir Leon Brittan, Q.C.
Mr Henning Christophersen
Mr Manuel Marín Gonzalez
Mr Filippo Maria Pandolfi

Done at Brussels, 23 January 1989.

The President

F. FERNANDEZ ORDOÑEZ

(¹) OJ No L 351, 21. 12. 1988, p. 38.