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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 428/89 of 20 February 1989 concerning the export of certain chemical products** 1
- Commission Regulation (EEC) No 429/89 of 21 February 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 3
- Commission Regulation (EEC) No 430/89 of 21 February 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 5
- ★ **Commission Regulation (EEC) No 431/89 of 21 February 1989 amending Regulation (EEC) No 1813/84 laying down detailed rules for applying the differential amounts for colza, rape and sunflower seed** 7
- Commission Regulation (EEC) No 432/89 of 21 February 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5 8
- Commission Regulation (EEC) No 433/89 of 21 February 1989 abolishing the countervailing charge on fresh clementines originating in Morocco 11
- Commission Regulation (EEC) No 434/89 of 21 February 1989 introducing a countervailing charge on apples originating in Poland 12
- Commission Regulation (EEC) No 435/89 of 21 February 1989 amending for the fourth time Regulation (EEC) No 151/89 introducing a countervailing charge on fresh lemons originating in Turkey 14

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 428/89
of 20 February 1989
concerning the export of certain chemical products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas, at the international conference on chemical weapons which took place in Paris from 7 to 11 January 1989, the Member States of the European Economic Community strongly condemned the use of chemical weapons and underlined their commitment to the early conclusion of a global, comprehensive and verifiable convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction;

Whereas discussions in the context of European Political Cooperation led notably on 14 February 1989 to a consensus that it is necessary to take urgent measures to control the export of certain chemical products which could be used for the production of such weapons;

Whereas the European Parliament adopted on 19 January 1989 a resolution on the proliferation of chemical weapons;

Whereas Article 30 (5) of the Single European Act laid down that the external policies of the European Community and the policies agreed in European Political Cooperation must be consistent;

Whereas the interests of the Member States and of the Community require that the export of certain chemical products which could be used for the production of chemical weapons be regulated by means of urgent, effective measures; whereas the Member States therefore decided to adopt a Council regulation pursuant to the Treaty establishing the European Economic Community, and, in the light of the circumstances surrounding its adoption, to keep under review the scope for further action;

Whereas the list of chemical products annexed to this Regulation was agreed in the context of European Political Cooperation; whereas the content of the list may be re-examined in that forum;

Whereas, in view of their nature and urgency, these measures are of paramount public importance and should accordingly be applied with immediate effect;

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

Exports of the products listed in the Annex hereto shall be subject to the issue by the competent authorities in the Member States of a prior export authorization, or to equivalent measures.

Article 2

If there is reason to believe that products under consideration will be used for the development or production of chemical weapons or that there is a risk of their being delivered directly or indirectly to belligerent countries or to areas of serious international tension, no authorization shall be issued or exportation shall be prohibited by equivalent measures.

Article 3

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, 20 February 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

ANNEX

List of chemical products

	<i>CN code</i>
1. Thiodiglycol	2930 90 90
2. Phosphorus oxychloride	2812 10 10
3. Dimethyl methyl phosphonate	2931 00 00
4. Methyl phosphonyl difluoride	2931 00 00
5. Methyl phosphonyl dichloride	2931 00 00
6. Dimethyl phosphite	2920 90 90
7. Phosphorus trichloride	2812 10 10
8. Trimethyl phosphite	2920 90 90

COMMISSION REGULATION (EEC) No 429/89

of 21 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 20 February 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 22 February 1989.

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

Done at Brussels, 21 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. 96.

ANNEX

to the Commission Regulation of 21 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	126,66
0712 90 19	20,50	126,66
1001 10 10	53,13	170,32 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	170,32 ⁽¹⁾ ⁽²⁾
1001 90 91	30,85	119,26
1001 90 99	30,85	119,26
1002 00 00	58,63	112,23 ⁽³⁾
1003 00 10	49,19	119,38
1003 00 90	49,19	119,38
1004 00 10	40,25	75,46
1004 00 90	40,25	75,46
1005 10 90	20,50	126,66 ⁽³⁾ ⁽²⁾
1005 90 00	20,50	126,66 ⁽³⁾ ⁽²⁾
1007 00 90	43,84	137,31 ⁽⁴⁾
1008 10 00	49,19	24,20
1008 20 00	49,19	58,94 ⁽⁴⁾
1008 30 00	49,19	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	49,19	0,00
1101 00 00	57,38	180,82
1102 10 00	96,27	171,28
1103 11 10	95,80	277,44
1103 11 90	60,70	194,02

⁽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 430/89

of 21 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 20 February 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 22 February 1989.

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

Done at Brussels, 21 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 21 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	0,16	0,16	0
0712 90 19	0	0,16	0,16	0
1001 10 10	0	0	0	8,88
1001 10 90	0	0	0	8,88
1001 90 91	0	0	0	0,86
1001 90 99	0	0	0	0,86
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	0,16	0,16	0
1005 90 00	0	0,16	0,16	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	1,22

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	1,53	1,53
1107 10 19	0	0	0	1,14	1,14
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 431/89

of 21 February 1989

amending Regulation (EEC) No 1813/84 laying down detailed rules for applying the differential amounts for colza, rape and sunflower seed

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽³⁾, as last amended by Regulation (EEC) No 2216/88 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 1813/84 ⁽⁵⁾, as last amended by Regulation (EEC) No 2138/87 ⁽⁶⁾, stipulates that the differential amount is to include a target price corrective reflecting the effect of the monetary gap on the target price; whereas for this purpose the target price is reduced by a percentage, at present 7,5 %; whereas in view of the market trend and to avoid disturbance the percentage should be increased;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 5 (1) of Regulation (EEC) No 1813/84 '7,5 %', is replaced by '13 %'.

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 to the calculation of the differential amounts applicable for identification or export purposes:

- for colza and rape seed, from July 1989,
- for sunflower seed, from August 1989.

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

Done at Brussels, 21 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 200, 21. 7. 1987, p. 9.

COMMISSION REGULATION (EEC) No 432/89

of 21 February 1989

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1115/88⁽²⁾,Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80⁽³⁾, as last amended by Regulation (EEC) No 3939/87⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 30 January 1989, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 1310/88 of 11 May 1988 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 9a (3) of Regulation (EEC) No 1837/80;

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 30

January 1989, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (3) of Regulation (EEC) No 1837/80 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 5, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions following the abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 30 January 1989, the level of the premium is fixed at 168,774 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 30 January 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

*Article 3*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 30 January 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 21 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 21 February 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 (*)
	Live weight	Live weight
0104 10 90	79,324	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	168,774	0
0204 21 00	168,774	0
0204 50 11		0
0204 22 10	118,142	
0204 22 30	185,651	
0204 22 50	219,406	
0204 22 90	219,406	
0204 23 00	307,169	
0204 30 00	126,581	
0204 41 00	126,581	
0204 42 10	88,607	
0204 42 30	139,239	
0204 42 50	164,555	
0204 42 90	164,555	
0204 43 00	230,377	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	219,406	
0210 90 19	307,169	
1602 90 71 :		
— unboned (bone-in)	219,406	
— boned or boneless	307,169	

(*) Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 433/89

of 21 February 1989

abolishing the countervailing charge on fresh clementines originating in Morocco.

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

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

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

Whereas Commission Regulation (EEC) No 264/89⁽³⁾, as last amended by Regulation (EEC) No 367/89⁽⁴⁾, introduced a countervailing charge on fresh clementines originating in Morocco;

Whereas the present trend of prices for products originating in Morocco on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85⁽⁶⁾, recorded or calculated

in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 264/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 22 February 1989.

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

Done at Brussels, 21 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 31, 2. 2. 1989, p. 11.

⁽⁴⁾ OJ No L 43, 15. 2. 1989, p. 21.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 434/89

of 21 February 1989

introducing a countervailing charge on apples originating in Poland

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 1789/88 of 24 June 1988 fixing for the 1988/89 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of February 1989 at ECU 50,44 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 Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

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

Whereas, for apples originating in Poland 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 apples;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 15,91 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in Poland.

Article 2

This Regulation shall enter into force on 23 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 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 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, 21 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 435/89

of 21 February 1989

amending for the fourth 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 last amended by Regulation (EEC) No 311/89⁽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 14,49' is hereby replaced by 'ECU 18,51'.

Article 2

This Regulation shall enter into force on 22 February 1989.

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

Done at Brussels, 21 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 36, 8. 2. 1989, p. 15.