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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 585/89

of 7 March 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 6 March 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 8 March 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, 7 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 7 March 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	21,98	124,05
0712 90 19	21,98	124,05
1001 10 10	55,14	181,48 ⁽¹⁾ ⁽²⁾
1001 10 90	55,14	181,48 ⁽¹⁾ ⁽²⁾
1001 90 91	32,44	116,52
1001 90 99	32,44	116,52
1002 00 00	60,11	113,90 ⁽²⁾
1003 00 10	50,67	117,17
1003 00 90	50,67	117,17
1004 00 10	41,73	77,30
1004 00 90	41,73	77,30
1005 10 90	21,98	124,05 ⁽²⁾ ⁽³⁾
1005 90 00	21,98	124,05 ⁽²⁾ ⁽³⁾
1007 00 90	45,32	138,71 ⁽⁴⁾
1008 10 00	50,67	26,17
1008 20 00	50,67	52,92 ⁽⁴⁾
1008 30 00	50,67	0,00 ⁽⁴⁾
1008 90 10	(⁽⁵⁾)	(⁽⁵⁾)
1008 90 90	50,67	0,00
1101 00 00	59,77	176,66
1102 10 00	98,51	173,96
1103 11 10	98,98	293,93
1103 11 90	63,11	189,34

⁽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 586/89

of 7 March 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 6 March 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 8 March 1989.

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

Done at Brussels, 7 March 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 7 March 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	1,23	1,23	0
0712 90 19	0	1,23	1,23	0
1001 10 10	0	3,20	3,20	3,20
1001 10 90	0	3,20	3,20	3,20
1001 90 91	0	4,82	4,82	4,82
1001 90 99	0	4,82	4,82	4,82
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	1,23	1,23	0
1005 90 00	0	1,23	1,23	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	6,75	6,75	6,75

B. Malt

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	8,58	8,58	8,58	8,58
1107 10 19	0	6,41	6,41	6,41	6,41
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 587/89**of 7 March 1989****suspending the standing invitation to tender for the refund for export of
common wheat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

*Article 1*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 16 (6) thereof,

The tender under Regulation (EEC) No 2470/88 is hereby suspended from 9 March until 5 April 1989.

Whereas it is convenient to suspend the tender under Commission Regulation (EEC) No 2470/88 ⁽³⁾;*Article 2*

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

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, 7 March 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 213, 6. 8. 1988, p. 7.

COMMISSION REGULATION (EEC) No 588/89

of 7 March 1989

concerning the stopping of fishing for saithe by vessels flying the flag of the Netherlands

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4194/88 of 21 December 1988 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1989 and certain conditions under which they may be fished ⁽³⁾, as amended by Regulation (EEC) No 295/89 ⁽⁴⁾, provides for saithe quotas for 1989;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of saithe in the waters of ICES divisions II a (EC zone), III a, III b, c and d (EC zone) and IV by vessels flying the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1989; whereas the Netherlands has prohibited fishing for this stock as from 28 February

1989; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of saithe in the waters of ICES divisions II a (EC zone), III a, III b, c and d (EC zone) and IV by vessels flying the flag of the Netherlands or registered in the Netherlands are deemed to have exhausted the quota allocated to the Netherlands for 1989.

Fishing for saithe in the waters of ICES divisions II a (EC zone), III a, III b, c and d (EC zone) and IV by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 28 February 1989.

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

Done at Brussels, 7 March 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 369, 31. 12. 1988, p. 3.

⁽⁴⁾ OJ No L 33, 4. 2. 1989, p. 38.

COMMISSION REGULATION (EEC) No 589/89**of 7 March 1989****amending Regulation (EEC) No 212/89 on the opening of an invitation to tender
for the refund for the export of common wheat**

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⁾,

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⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 212/89 ⁽⁴⁾ opened an invitation to tender for the refund for the export of common wheat;

Whereas, in the present situation, it is appropriate to increase the quantity delivered to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EEC) No 212/89 is hereby amended as follows:

'1. A special intervention measure in the form of an export refund shall be applied in respect of 500 000 tonnes of common wheat exported from Germany.'

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, 7 March 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 67.

COMMISSION REGULATION (EEC) No 590/89

of 7 March 1989

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

Whereas Commission Regulation (EEC) No 1386/88 of 20 May 1988 fixing for the 1988/89 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the period from November 1988 to April 1989 at ECU 47,15 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 lemons originating in Spain (except the Canary Islands) the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas one of these entry prices are at least 0,6 ECU below the reference prices; whereas a countervailing charge should therefore be introduced for these fresh lemons;

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 of Spain and Portugal, 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,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 21.

⁽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.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

A countervailing charge of ECU 1,21 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Spain (except the Canary Islands).

This Regulation shall enter into force on 9 March 1989.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 14 March 1989.

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

Done at Brussels, 7 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

ELEVENTH COMMISSION DIRECTIVE

of 21 February 1989

adapting to technical progress Annexes II, III, IV, V, VI and VII to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

(89/174/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products⁽¹⁾, as last amended by Directive 88/667/EEC⁽²⁾, and in particular Article 8 (2) thereof,

Whereas, on the basis of the available information, certain provisionally permitted colouring agents, substances, preservatives and ultraviolet filters may be definitively permitted, while others must be definitively prohibited or be permitted for a further specified period;

Whereas, in order to protect public health, it is necessary to prohibit the use of Padimate A (INN) used as an ultraviolet filter, benzoyl peroxide, all oestrogen hormones in cosmetic products and certain substances used as hair dyes;

Whereas, on the basis of the available information, the field of application of quinolin-8-ol and bis (8-hydroxy-quinolinium) sulphate should be extended;

Whereas, on the basis of the latest scientific and technical research, the use of glutaraldehyde as a preservative and of 2,4,6-Triamino-1,3,5-triazine as an ultraviolet filter may be permitted in cosmetic products subject to certain limitations and requirements;

Whereas, in order to protect public health, it is advisable to reduce the concentration of a mixture of 5-chloro-2-methyl-isothiazol-3(2H)-one and 2-methylisothiazol-3(2H)-one with magnesium chloride and magnesium nitrate used as a preservative in cosmetic products;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Cosmetic Products Sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/768/EEC is hereby amended as follows:

1. in Annex II:

- in No 260, 'with the exception of those listed in Annex V' is deleted,
- the following numbers are added:
 - 381. Amyl 4-dimethylaminobenzoate, mixed isomers (Padimate A (INN))
 - 382. Benzoyl peroxide
 - 383. 2-Amino-4-nitrophenol
 - 384. 2-Amino-5-nitrophenol;

2. in Part 1 of Annex III in the French version, points (a) and (b):

- (a) under reference No 1, boric acid, 'Mouth-care products' in column c (b) is replaced by 'Oral hygiene products';
- (b) under reference No 12, hydrogen peroxide, 'Skin-care preparations' in column c (b) is replaced by 'Skin-hygiene preparations';
- (c) under reference No 53, etidronic acid, the words in column f are deleted;

3. in Part 2 of Annex III:

the words in the column 'Other limitations and requirements' are deleted from reference Nos 12 700, 15 800, 20 470, 42 170, 45 190 and 47 000;

4. in Part 1 of Annex IV a reference No 1 is added:

⁽¹⁾ OJ N° L 262, 27. 9. 1976, p. 169.

⁽²⁾ OJ No L 382, 31. 12. 1988, p. 46.

a	b	c	d	e	f	g
'1	Quinolin-8-ol and bis (8-hydroxy-quinolium) sulphate	(a) Preparations for skin hygiene not rinsed off after use (b) Foot hygiene preparations not rinsed off after use (c) Mouth hygiene products	0,02 % calculated as base 0,04 % calculated as base 0,01 % calculated as base		(a) (b) (c) Contains quinolin-8-ol	31.12.1990'

5. in Part 2 of Annex IV:

- (a) the numbers 15 800, 19 120, 20 470, 21 115, 42 170, 45 190, 47 000, 73 905 and 75 660 are deleted;
- (b) '31. 12. 1988' in the column 'Allowed until' is replaced by '31. 12. 1989' for the following numbers: 13 065, 21 110, 26 100, 42 045, 42 535, 44 045, 61 554, 73 900 and 74 180;
- (c) for the colouring agent CI 42 535 'solely in hair preparations at a maximum concentration of 100 ppm' is added to the 'other limits and requirements column';

6. in Annex V, item (a) of reference No 3, oestrone, oestradiol and its esters, oestriol and its esters, is deleted;

a	b	c	d	e	f
'26	Glutaraldehyde	0,1 %	Prohibited in aerosols (sprays)	Contains glutaraldehyde where the glutaraldehyde concentration in the finished product exceeds 0,05 %	31.12.1991'

(b) the following reference numbers are deleted:

- 1. Boric acid (+)
 - 3. Dibromopropamidine (INN) and its salts (including isethionate)
 - 5. 3-Heptyl-2-(3-heptyl-4-methyl-4-thiazolin-2-ylidene methyl)-4-methyl-thiazolinium iodide
 - 19. 4-Hydroxybenzoic acid benzyl ester
 - 25. 1,3,5-Tris(2-hydroxyethyl)hexahydro-1,3,5-triazine,
- (c) '31. 12. 1988' in column f is replaced by '31. 12. 1989' for the following reference numbers:
- 4. Alkyl(C12-C22) trimethyl-ammonium bromide and chloride (including Cetrimonium bromide (INN) (+))
 - 15. Benzethonium chloride (INN) (+)
 - 16. Benzalkonium chloride (INN), bromide and saccharinate (+)
 - 20. Hexamidine (INN) and its salts (including isethionate and 4-hydroxybenzoate) (+);

9. in Part 2 of Annex VII the following reference numbers are deleted:

7. in Annex VI, Part 1:

(a) in the French version:

under reference No 5, formaldehyde and paraformaldehyde, the words in column c are replaced by the following:

'0,2 % (except for oral hygiene)

0,1 % (for oral hygiene)

concentrations expressed as free formaldehyde';

- (b) the maximum authorized concentration in column c for reference No 39, 5-chloro-2-methyl-isothiazol-3(2H)one and 2-methyl-isothiazol-3(2H)-one with magnesium chloride and magnesium nitrate, is replaced by 0,0015 %;

- (c) under reference No 20, bromo-5-nitro-5-dioxane, 1,3, 'see Annex VI, Part 2, reference No 7' in column d is deleted;

8. in Part 2 of Annex VI:

(a) the following reference number is added:

- 3. Padimate A (INN)
- 7. 3,3,5-Trimethylcyclohexyl-2-acetamidobenzoate
- 8. Potassium cinnamate
- 9. 4-Methoxycinnamic acid salts (potassium, sodium and diethanolamine salts)
- 10. Propyl 4-methoxycinnamate
- 11. Salicylic acid salts (potassium, sodium and triethanolamine salts)
- 14. Cinoxate (INN)
- 15. 3,4-Dihydroxy-5-(trihydroxybenzoyloxy) benzoic acid, trioleate
- 18. 2-Ethylhexyl 2-(4-phenylbenzoyl)-benzoate
- 19. 5-Methyl-2-phenylbenzoxazole
- 20. Sodium 3,4-dimethoxyphenylglyoxylate
- 21. 1,3-bis(4-methoxyphenyl) propane-1,3-dione
- 22. 5-(3,3-Dimethyl-8,9,10-trinorborn-2-ylidene) pent-3-en-2-one

- 23. alpha'-(2-Oxoborn-3-ylidene)-p-xylene-2-sulphonic acid
- 27. alpha-cyano-4-methoxy cinnamic acid and its hexyl ester
- 30. Cyclohexyl 4-methoxycinnamate ;

10. Part 2 of Annex VII is replaced by the text in the Annex to this Directive.

Article 2

1. Without prejudice to the allowed dates referred to in Article 1 (4), (5), (8) and (10), Member States shall take the necessary measures to ensure that, with effect from 1 January 1990 for substances referred to in Article 1 (1) and with effect from 1 January 1991 for substances referred to in Article 1 (2), (4), (5), (7), (8) and (10), neither manufacturers nor importers established in the Community place on the market products which do not meet the requirements of this Directive.

2. Member States shall take the necessary measures to ensure that the products referred to in paragraph 1 may not be sold or disposed of to the final consumer after 31 December 1990 when they contain the substances

referred to in Article 1 (1) and after 31 December 1992 when they contain the substances referred to in Article 1 (2), (4), (5), (7), (8) and (10).

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1989. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the text of such provisions of national law as they adopt in the field governed by this Directive.

Article 4

This Directive is addressed to the Member States

Done at Brussels, 21 February 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

ANNEX VII

PART 2

LIST OF UV FILTERS WHICH COSMETIC PRODUCTS MAY PROVISIONALLY CONTAIN

Reference number	Substances	Maximum authorized concentration	Other limitations and requirements	Conditions of use and warnings which must be printed on the label	Allowed until
a	b	c	d	e	f
1	N-Propoxylated ethyl-4-aminobenzoate (mixed isomers)	5 %			31. 12. 1991
2	Ethoxylated ethyl-4-aminobenzoate	10 %			31. 12. 1991
4	Glycerol 1-(4-aminobenzoate)	5 %	Free from benzocaine (INN)		31. 12. 1991
5	2-Ethylhexyl 4-dimethylaminobenzoate	8 %			31. 12. 1991
6	2-Ethylhexyl salicylate	5 %			31. 12. 1991
12	Isopentyl-4-methoxycinnamate (mixed isomers)	10 %			31. 12. 1991
13	2-Ethylhexyl 4-methoxycinnamate	10 %			31. 12. 1991
16	2-Hydroxy-4-methoxy-4'-methylbenzophenone (mexenone)	4 %		Contains mexenone (*)	31. 12. 1991
17	2-Hydroxy-4-methoxybenzophenone-5 sulphonic acid and sodium salt (Sulisobenzone and Sulisobenzone sodium)	5 % (expressed as acid)			31. 12. 1991
24	alpha-(2-Oxoborn-3-ylidene) toluene-4-sulphonic acid and its salts	6 % (expressed as acid)			31. 12. 1991
25	3-(4'-Methylbenzylidene)-d-1-camphor	6 %			31. 12. 1991
26	3-Benzylidene camphor	6 %			31. 12. 1991
28	4-Isopropyl-dibenzoylmethane	5 %			31. 12. 1991
29	4-Isopropylbenzyl salicylate	4 %			31. 12. 1991
31	1-(4-tert-Butylphenyl)-3-(4-methoxyphenyl)propane-1,3-dione	5 %			31. 12. 1991
32	2,4,6-Trianiino-(p-carbo-2'-ethylhexyl-1'-oxi)-1,3,5-triazine	5 %			31. 12. 1991

(*) Not required if concentration is 0,5 % or less and when it is used only for product protection purposes.

COMMISSION DECISION

of 21 February 1989

approving supplementary aid from the United Kingdom to the coal industry in the 1987 financial year (1987/88)

(Only the English text is authentic)

(89/175/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 204/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

I

In its letters of 26 October and 9 December 1988 the United Kingdom Government informed the Commission, pursuant to Article 9 (3) of Decision No 2064/86/ECSC, of the supplementary aid it intends to give to cover operating losses in the coal industry in 1987/88.

The Commission adopted on 31 July 1987 Decision 87/452/ECSC⁽²⁾ approving aid from the United Kingdom to the coal industry in the 1987 financial year. This Decision authorized the United Kingdom Government to give direct or indirect support to the coal industry in 1987/88, subject to the approval of the Commission.

As stated in that Decision, the United Kingdom Government planned, pursuant to Decision No 2064/86/ECSC, to give aid in 1987/88 amounting to £ 90,5 million, to cover operating losses.

The United Kingdom Government informed the Commission in its letters of 26 October and 9 December 1988 that the amount of aid to cover operating losses specified in the Decision would not be sufficient.

The proposed increase for 1987/88 over the volume of aid authorized by the Commission would be £ 109,5 million, bringing the total amount of aid to cover operating losses in 1987/88 to £ 200 million.

This increase is necessary because operating losses in 1987/88 were considerably higher than originally estimated. Aid to cover operating losses would amount to £ 2 per tonne produced.

Total aid to cover operating losses amounting to £ 200 million would cover only 33 % of the difference between the projected average costs and the projected average

receipts and is, therefore, compatible with Article 3 (1) of Decision No 2064/86/ECSC.

Aid to cover operating losses prevents the premature closure of production sites. It therefore contributes to solving the social and regional problems related to developments in the coal industry, in conformity with the third indent of Article 2 (1) of that Decision.

II

Pursuant to Article 11 (2) of Decision No 2064/86/ECSC, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed of the amounts of the payments and the manner in which they are apportioned,

HAS ADOPTED THIS DECISION :

Article 1

The United Kingdom is hereby authorized to grant supplementary aid for the financial year 1987/88 totalling £ 109,5 million to the coal industry to cover operating losses, bringing the total amount of aid authorized for 1987/88 to £ 200 million.

Article 2

The United Kingdom Government shall inform the Commission by 30 June 1989 of the actual amounts paid in 1987/88.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 21 February 1989.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 241, 25. 8. 1987, p. 13.

COMMISSION DECISION

of 22 February 1989

approving aid from the Kingdom of Spain for the coal-mining industry during 1986

(Only the Spanish text is authentic)

(89/176/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision 528/76/ECSC of 25 February 1976 regarding the Community system of measures taken by the Member States to assist the coal-mining industry⁽¹⁾,

Having consulted the Council,

Whereas :

I

The Government of the Kingdom of Spain has informed the Commission, pursuant to Article 2 of the above Decision, of the financial measures which it intends to implement directly or indirectly for the benefit of the coal industry during 1986; whereas the following of these measures may be approved pursuant to the Decision :

(million Pta)

— Investment aid	694,2
— Promotion of innovation	115,0
— Aid to cover pit operating losses	28 874,0

This aid meets the criteria laid down in the Decision for the admissibility of such State assistance.

The investment aid totalling Pta 694,2 million is to be granted to investment projects in pits of various undertakings. Investment in the undertakings concerned is considerably higher than the amount of the scheduled aid. It is in harmony with the Community's coal-policy guidelines since it will improve these undertaking's competitiveness. The aid meets the criteria of Article 7 (2) of Decision 528/76/EEC.

The aid totalling Pta 115 million to promote new innovation will only be granted to the Hunosa undertaking's pits. This aid should ensure that the results of research are quickly applied in practice. The aid is less

than the undertakings' costs of Pta 536 million and will be granted to individual projects which, if implemented, are likely to produce a tangible economic benefit in coal mining in the medium term. Both the purpose and the amount of the aid meet the criteria of Article 7 (3) (3) of Decision 528/76/ECSC.

The planned aid totalling Pta 28 874 million to cover pit operating losses will be granted to the Hunosa, Figaredo, Hullasa and La Camocha undertakings. This aid will cover only part of the undertakings' losses, between 70 and 95 %, in 1986. The purpose of the aid to all four undertakings is to avoid serious economic and social problems in those coalfields where, in the event of pit closures, adequate alternative employment for redundant mineworkers does not yet exist. The aid therefore meets the criteria of Article 12 (1) of Decision 528/76/ECSC.

II

Pursuant to Article 3 (2) of the Decision, the examination of the compatibility of the above aid with the proper functioning of the common market must also be extended to all other financial measures to support current production in 1986.

On this basis the total value of the planned measures is ECU 259 700 000, i.e. ECU 11,91 per tonne.

It emerges from the examination of the compatibility of this aid to current production with the proper functioning of the common market that :

- there were no supply difficulties in 1986 owing to pithead stocks of coal and coke,
- Spanish coal deliveries to other Community countries were very low,
- alignment of prices on those of other Community producers scarcely took place in 1986,
- Spanish coal prices did not result in indirect aid to industrial consumers in 1986.

It can therefore be stated that the aid proposed for the Spanish coal industry for current production in 1986 is compatible with the proper functioning of the common market.

⁽¹⁾ OJ No L 63, 11. 3. 1976, p. 1.

This also applies when account is taken of aid to the coal industry pursuant to Commission Decision 73/287/ECSC⁽¹⁾.

III

Pursuant to Article 14 (1) of Decision No 528/76/ECSC, the Commission must ascertain that aid authorized is used exclusively for the purposes set out in Articles 7 to 12 thereof; whereas the Commission must be informed in particular of the amount of aid and the manner in which it is apportioned,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Spain is hereby authorized to grant the following aid to the Spanish coal industry in 1986:

1. Investment aid not exceeding Pta 694 200 000;
2. Aid to promote new innovation not exceeding Pta 115 000 000;
3. Aid to cover pit operating losses not exceeding Pta 28 874 000 000.

Article 2

The Government of the Kingdom of Spain shall notify the Commission by 30 June 1989 of details of the aid granted pursuant to this Decision, and in particular of the amounts paid and the manner in which they are apportioned.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 22 February 1989.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 259, 15. 9. 1973, p. 36.

COMMISSION DECISION

of 22 February 1989

approving aid from the Portuguese Republic to the coal-mining industry during 1986

(Only the Portuguese text is authentic)

(89/177/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision 528/76/ECSC of 25 February 1976 regarding the Community system of measures taken by the Member States to assist the coal-mining industry⁽¹⁾,

Having consulted the Council,

Whereas :

I

The Government of the Portuguese Republic has informed the Commission pursuant to Article 2 of the Decision, of the financial measures which it intends to take for the direct or indirect benefit of the coal industry in 1986; whereas of these measures the following may be approved pursuant to that Decision :

Aid to cover pit operating losses : Esc 667,2 million.

This aid meets the criteria laid down in the Decision for the admissibility of such State assistance.

The aid totalling Esc 667 200 000 to cover pit operating losses completely covers the difference between the average costs and returns for every tonne of coal produced by Carbonifera do Douro in 1986; whereas the aid is granted to preclude serious economic and social upheaval in the employment area of the Dúrico-Beira coalfield in which adequate alternative employment for redundant mineworkers is not yet available; whereas the aid therefore complies with the first subparagraph of Article 12 (1) and the second subparagraph of Article 12 (2) of the Decision.

II

Pursuant to Article 3 (2) of the Decision, an examination of the compatibility of the proposed aid with the proper functioning of the common market must also extend to all other financial measures to support current production in 1986.

On this basis of assessment, the total amount of aid proposed is ECU 4,5 million, i.e. ECU 18 per tonne.

The following observations can be made on the compatibility of the proposed aid for current production with the proper functioning of the common market :

- no deliveries of Portuguese coal to other Community countries were made in 1986;
- industrial consumers of coal did not receive indirect aid in 1986 as a result of the prices of Portuguese coal.

It may therefore be concluded that the Portuguese aid for current production in the coal industry in 1986 is compatible with the proper functioning of the common market.

III

Pursuant to Article 14 (1) of the Decision, the Commission must ensure that the aid authorized is exclusively used for the purposes set out in Article 12 of this Decision; whereas the Commission must therefore be informed of the amounts of the payments and of the manner in which they are apportioned,

HAS ADOPTED THIS DECISION :

Article 1

The Portuguese Republic is hereby authorized in respect of 1986 to grant the following aid to the coal-mining industry :

Aid not exceeding Esc 667 200 000 to cover pit operating losses.

Article 2

The Government of the Portuguese Republic shall notify the Commission by 30 June 1989 of details of the aid granted pursuant to this Decision, and in particular of the amounts paid and the manner in which they are apportioned.

Article 3

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 22 February 1989.

For the Commission

António CARDOSO E CUNHA
Member of the Commission

⁽¹⁾ OJ No L 63, 11. 3. 1976, p. 1.

COMMISSION DIRECTIVE

of 22 February 1989

adapting to technical progress Council Directive 88/379/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations

(89/178/EEC)

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

Having regard to Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations⁽¹⁾, and in particular Article 15 thereof,

Whereas point 2.1 of Annex II to Directive 88/379/EEC contains special provisions on the labelling of paints and varnishes containing lead; whereas these provisions are based on lead content expressed as a percentage of the total weight of the preparation in question and the lead content must be revised, pursuant to Commission Directive 86/508/EEC⁽²⁾, by 31 December 1988 at the latest;

Whereas preparations, on sale to the general public containing active chlorine or constituents capable of giving off active chlorine can, under particular circumstances, represent a risk for uninformed users; whereas users should be warned of this risk;

Whereas preparations containing cadmium (alloys) used for soldering and brazing are dangerous only during use; whereas in those circumstances users should be provided through labelling with information to enable them to use such products correctly and without danger;

Whereas the special labelling provisions applicable to certain preparations set out in Annex II to Directive 88/379/EEC should therefore be revised and supplemented;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in Dangerous Substances and Preparations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 88/379/EEC is hereby amended as follows:

1. '0,25 %' in point 2.1 of Annex II is replaced by '0,15 %';

2. the following points are added to Annex II:

7. PREPARATIONS SOLD TO THE GENERAL PUBLIC WHICH CONTAIN ACTIVE CHLORINE

The packaging of preparations containing more than 1 % of active chlorine must bear the following particular inscriptions:

"Warning! Do not use together with other products. May release dangerous gases (chlorine)".

8. PREPARATIONS CONTAINING CADMIUM (ALLOYS) AND INTENDED TO BE USED FOR BRAZING OR SOLDERING

The packaging of the abovementioned preparations must bear the following inscription printed in clearly legible and indelible characters:

"Warning! Contains cadmium.
Dangerous fumes are formed during use.
See information supplied by the manufacturer
Comply with the safety instructions".

Article 2

Member States shall adopt and publish the provisions necessary to comply with this Directive by 1 December 1990 and shall forthwith inform the Commission thereof.

They shall apply these provisions from 1 June 1991 at the latest.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 22 February 1989.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 187, 16. 7. 1988, p. 14.

⁽²⁾ OJ No L 295, 18. 10. 1986, p. 31.

COMMISSION DECISION

of 23 February 1989

on health protection measures in connection with imports of certain fresh meat from Argentina

(89/179/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by Directive 88/289/EEC ⁽²⁾, and in particular Article 16 thereof,

Whereas the requirements as regards animal health conditions and veterinary certification for imports of fresh meat from Argentina are laid down in Commission Decision 86/194/EEC ⁽³⁾, as amended by Decision 87/455/EEC ⁽⁴⁾, with particular reference to the situation of foot-and-mouth disease obtaining in Argentina at that time;

Whereas during the last Community on-the-spot inspection in November 1988 changes were observed in the quality of Argentinian veterinary controls in respect of foot-and-mouth disease in some of the provinces of Argentina;

Whereas if this situation persists it is liable to create a hazard for Community livestock;

Whereas it is therefore appropriate to adopt protection measures to avert such a hazard and to prohibit imports from some of the provinces of Argentina;

Whereas the Commission has drawn the provisions of Article 14 of Directive 72/462/EEC to the attention of the Argentinian authorities;

Whereas the animal health requirements for imports of meat products from third countries have not yet been approximated at Community level; whereas therefore Member States may continue for the time being to import meat products from third countries in accordance with the general animal health provisions of the relevant Community legislation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee;

HAS ADOPTED THIS DECISION:

Article 1

The authorization to import fresh meat from Argentina laid down in Decision 86/194/EEC is hereby suspended in respect of fresh meat of bovine, ovine and caprine animals from the following provinces:

- Chaco,
- Formosa.

Article 2

Member States shall not authorize the import of fresh meat which has been obtained from bovine, ovine and caprine carcasses which have been boned in cutting plants in the provinces listed in Article 1.

Article 3

Member States shall require the accompanying animal health certificate to be amended so that all references to 'Argentina' are accompanied by references indicating the exclusion of the provinces listed in Article 1 before signature by the official veterinarian in respect of fresh meat obtained from bovine, ovine and caprine animals.

Article 4

This Decision shall apply from 1 March 1989.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 23 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 124, 18. 5. 1988, p. 31.

⁽³⁾ OJ No L 142, 28. 5. 1986, p. 38.

⁽⁴⁾ OJ No L 244, 28. 8. 1987, p. 38.

COMMISSION DECISION

of 23 February 1989

on improving the efficiency of agricultural structures in Italy (Molise) pursuant to Council Regulation (EEC) No 797/85

(Only the Italian text is authentic)

(89/180/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾, as last amended by Regulation (EEC) No 1137/88 ⁽²⁾, and in particular Article 25 (3) thereof,

Whereas the Italian Government, pursuant to Article 24 (4) of Regulation (EEC) No 797/85, forwarded 'deliberazione' No 176 of 4 May 1988 of the Region of Molise concerning the implementation of Regulation (EEC) No 797/85;

Whereas, pursuant to Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution from the Community to the common measure referred to in Article 1 of the said Regulation are satisfied in the light of the compatibility of the abovementioned provisions with the aforementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas the investment aid granted to farmers not submitting an improvement plan is subject to the limitations and restrictions provided for in Article 8 (2), (3) and (4) of Regulation (EEC) No 797/85;

Whereas the regional aid must be revised in order to comply with the limitations set out in Articles 4 and 8 (2) of Regulation (EEC) No 797/85; whereas the Region will therefore forward a list of the aid governed by regional legislation and a table with the rates of aid for investment with and without an improvement plan;

Whereas, subject to the above comments, the provisions forwarded satisfy the conditions and the objectives of Regulation (EEC) No 797/85;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

The provisions contained in 'deliberazione' No 176 of 4 May 1988 of the Region of Molise and forwarded by the Italian Government pursuant to Article 24 (4) of Regulation (EEC) No 797/85 satisfy the conditions for a Community contribution to the common measure provided for in Article 1 of the said Regulation, subject to the following conditions:

- (a) Italy shall ensure that investment aid granted to farmers not submitting an improvement plan complies with the limitations and restrictions provided for in Article 8 (2), (3) and (4) of Regulation (EEC) No 797/85;
- (b) Italy shall forward to the Commission a list of the investment aid governed by the legislation in force in the Region of Molise.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.