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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 686/89

of 17 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 16 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 18 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, 17 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 17 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	126,23
0712 90 19	21,98	126,23
1001 10 10	55,14	181,62 ⁽¹⁾ ⁽²⁾
1001 10 90	55,14	181,62 ⁽¹⁾ ⁽²⁾
1001 90 91	32,44	117,95
1001 90 99	32,44	117,95
1002 00 00	60,11	110,86 ⁽⁴⁾
1003 00 10	50,67	113,97
1003 00 90	50,67	113,97
1004 00 10	41,73	76,74
1004 00 90	41,73	76,74
1005 10 90	21,98	126,23 ⁽³⁾ ⁽⁵⁾
1005 90 00	21,98	126,23 ⁽³⁾ ⁽⁵⁾
1007 00 90	45,32	136,97 ⁽⁴⁾
1008 10 00	50,67	23,67
1008 20 00	50,67	34,37 ⁽⁴⁾
1008 30 00	50,67	0,00 ⁽³⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	50,67	0,00
1101 00 00	59,77	179,49
1102 10 00	98,51	169,56
1103 11 10	98,98	295,02
1103 11 90	63,11	192,40

⁽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 687/89

of 17 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 16 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 18 March 1989.

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

Done at Brussels, 17 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 17 March 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	1,69
1001 10 90	0	0	0	1,69
1001 90 91	0	0	0	2,01
1001 90 99	0	0	0	2,01
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	2,82

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	3,58	3,58
1107 10 19	0	0	0	2,67	2,67
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 688/89
of 17 March 1989
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88⁽⁵⁾, as last amended by Regulation (EEC) No 617/89⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2699/88 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 March 1989.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.

⁽⁶⁾ OJ No L 68, 11. 3. 1989, p. 5.

ANNEX

to the Commission Regulation of 17 March 1989 fixing the import levies on rice and broken rice

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (¹) (²) (³)	(ECU / tonne)
				Third countries (except ACP or OCT) (³)
1006 10 21	—	—	146,38	299,97
1006 10 23	—	225,69	146,86	300,92
1006 10 25	—	225,69	146,86	300,92
1006 10 27	—	225,69	146,86	300,92
1006 10 92	—	—	146,38	299,97
1006 10 94	—	225,69	146,86	300,92
1006 10 96	—	225,69	146,86	300,92
1006 10 98	—	225,69	146,86	300,92
1006 20 11	—	—	183,88	374,96
1006 20 13	—	282,11	184,47	376,15
1006 20 15	—	282,11	184,47	376,15
1006 20 17	—	282,11	184,47	376,15
1006 20 92	—	—	183,88	374,96
1006 20 94	—	282,11	184,47	376,15
1006 20 96	—	282,11	184,47	376,15
1006 20 98	—	282,11	184,47	376,15
1006 30 21	13,05	—	237,62	499,10
1006 30 23	12,97	440,13	281,53	586,84
1006 30 25	12,97	440,13	281,53	586,84
1006 30 27	12,97	440,13	281,53	586,84
1006 30 42	13,05	—	237,62	499,10
1006 30 44	12,97	440,13	281,53	586,84
1006 30 46	12,97	440,13	281,53	586,84
1006 30 48	12,97	440,13	281,53	586,84
1006 30 61	13,90	—	253,42	531,55
1006 30 63	13,90	471,83	302,20	629,10
1006 30 65	13,90	471,83	302,20	629,10
1006 30 67	13,90	471,83	302,20	629,10
1006 30 92	13,90	—	253,42	531,55
1006 30 94	13,90	471,83	302,20	629,10
1006 30 96	13,90	471,83	302,20	629,10
1006 30 98	13,90	471,83	302,20	629,10
1006 40 00	0	—	49,30	104,60

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

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

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

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

COMMISSION REGULATION (EEC) No 689/89**of 17 March 1989****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88⁽³⁾, as last amended by Regulation (EEC) No 618/89⁽⁴⁾;

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

Article 1

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

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

Article 2

This Regulation shall enter into force on 20 March 1989.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.

⁽⁴⁾ OJ No L 68, 11. 3. 1989, p. 7.

ANNEX

to the Commission Regulation of 17 March 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 3	1st period 4	2nd period 5	3rd period 6
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 690/89

of 17 March 1989

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 27 February to 5 March 1989

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

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, as amended by Regulation (EEC) No 3988/87 ⁽⁴⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 27 February to 5 March 1989 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 27 February to 5 March 1989 shall be those set out in the Annex.

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 27 February 1989.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

ANNEX

to the Commission Regulation of 17 March 1989 fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 27 February to 5 March 1989

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 21	26,26474
0201 20 29	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30 00	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽¹⁾	29,94180
1602 50 10 ⁽²⁾	21,01179

⁽¹⁾ Containing 80 % or more by weight of beef meat.

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 691/89**of 17 March 1989****fixing the export refunds on eggs**

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 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3207/88⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75 of 29 October 1975⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

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⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas Commission Regulation (EEC) No 633/86 of 28 February 1986 laying down specific rules on export refunds in the egg sector following the accession of Portugal and amending Regulation (EEC) No 188/86⁽⁶⁾ established the principle that no Community refund should be granted on egg products originating in Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of codes of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.
2. The refund referred to in paragraph 1 shall not be granted in respect of exports to Portugal from 1 March 1986.
3. The refund referred to in paragraph 1 shall not be granted in respect of exports of products originating in Portugal.

Article 2

This Regulation shall enter into force on 1 April 1989.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ See page 2 of this Official Journal.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁶⁾ OJ No L 60, 1. 3. 1986, p. 13.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 17 March 1989 fixing the export refunds on eggs

Product code	Destination (1)	Amount of refund
		ECU/100 units
0407 00 11 000	02	5,20
0407 00 19 000	04	3,50
	03	4,50
		ECU/100 kg
0407 00 30 000	06	30,00
	05	40,00
0408 11 10 000	01	140,00
0408 19 11 000	01	61,00
0408 19 19 000	01	67,00
0408 91 10 000	01	137,00
0408 99 10 000	01	35,00

(1) The destinations are as follows:

01 All destinations,

02 All destinations except the United States of America.

03 Iraq,

04 All destinations except the United States of America and Iraq,

05 Bahrain, Oman, Qatar, the United Arab Emirates, Kuwait, North Yemen and Hong Kong,

06 All destinations except those of 05 above.

NB: The product codes and the footnotes are defined in amended Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 692/89
of 17 March 1989

re-establishing the levying of customs duties on glass inners falling within CN code 7012, originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4257/88 of 19 December 1988 applying generalized tariff preferences for 1989 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 15 thereof,

Whereas pursuant to Articles 1 and 12 of Regulation (EEC) No 4257/88, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceiling fixed in column 7 of Annex I;

Whereas, as provided for in Article 13 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on

imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of glass inners falling within CN code 7012, the individual ceiling was fixed at ECU 540 000; whereas, on 9 February 1989 imports of these products into the Community originating in India reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 21 March 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4257/88, shall be re-established on imports into the Community of the following products originating in India:

Order No	CN code	Description
10.0760	7012	Glass inners for vacuum flasks or for other vacuum vessels

Article 2

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

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

Done at Brussels, 17 March 1989.

For the Commission
Christiane SCRIVENER
Member of the Commission

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 693/89

of 17 March 1989

amending Annexes III and IV bis to Council Regulation (EEC) No 4136/86 with regard to certain textile products originating in India (category 4)

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

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries ⁽¹⁾, as last amended by Regulation (EEC) No 2995/88 ⁽²⁾, and in particular Article 17 thereof,

Whereas, with a view to the introduction of the combined nomenclature, the Community has negotiated with India an Agreed Minute modifying the quantitative limits for category 4 products provided for in the Agreement between the EEC and India on trade in textiles;

Whereas the Council has decided, on 20 February 1989, that this Agreed Minute should be applied provisionally pending its formal conclusion;

Whereas it is therefore necessary to amend Annexes III and IV bis to Regulation (EEC) No 4136/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes III and IV bis to Regulation (EEC) No 4136/86 are hereby amended for India in accordance with the Annex hereto.

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 1 January 1988.

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

Done at Brussels, 17 March 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

⁽²⁾ OJ No L 270, 30. 9. 1988, p. 64.

ANNEX

1. Annex III is amended as follows:

— In group I B (category 4, India) the table is replaced by the following table:

'Category	CN code	Description	Third country	Unit	Year	Annual quantitative limit
4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	India (*)	1 000 pieces	1988	28 500
	6105 20 10				1989	29 754
	6105 20 90				1990	31 063
	6105 90 10				1991	32 430
	6109 10 00					
	6109 90 10					
	6109 90 30					
	6110 20 10					
	6110 30 10					

(*) See Appendix.

— In category 4, India, of the Appendix, the specific quantities concerning the products of CN codes 6105 10 00, 6105 20 10, 6105 20 90 and ex 6105 90 10 are repealed.

2. Annex IV bis is amended as follows:

— In group I B (category 4, India) the table is replaced by the following table:

'Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	India (*)	D	1 000 pieces	6 318	6 596	6 886	7 189
	6105 20 10			F		4 225	4 410	4 605	4 808
	6105 20 90			I		7 174	7 490	7 819	8 163
	6105 90 10			BNL		2 749	2 870	2 996	3 128
				UK		6 336	6 615	6 905	7 210
	6109 10 00			IRL		202	211	220	229
	6109 90 10			DK		773	807	843	880
	6109 90 30			GR		137	143	149	156
				ES		470	491	512	535
	6110 20 10			PT		116	121	126	132
	6110 30 10								
				EEC		28 500	29 754	31 063	32 430

(*) See Appendix.

— In category 4, India, of the Appendix, the specific quantities concerning the products of CN codes 6105 10 00, 6105 20 10, 6105 20 90 and ex 6105 90 10 are repealed.

COMMISSION REGULATION (EEC) No 694/89
of 17 March 1989

amending Annexes III and IV bis to Council Regulation (EEC) No 4136/86 with regard to certain textile products originating in the Philippines (categories 4, 5, 6, 7, 8, 15, 16, 21 and 74)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries ⁽¹⁾, as last amended by Regulation (EEC) No 693/89 ⁽²⁾, and in particular Article 17 thereof,

Whereas, with a view to the introduction of the combined nomenclature, the Community has negotiated with the Philippines an Agreed Minute modifying the quantitative limits for categories 4, 5, 6, 7, 8, 15, 16, 21 and 74 products provided for in the Agreement between the EEC and the Philippines on trade in textiles;

Whereas the Council has decided, on 20 February 1989, that this Agreed Minute should be applied provisionally pending its formal conclusion;

Whereas it is therefore necessary to amend Annexes III and IV bis to Regulation (EEC) No 4136/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes III and IV bis to Regulation (EEC) No 4136/86 are hereby amended for the Philippines in accordance with the Annex hereto.

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 1 January 1988.

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

Done at Brussels, 17 March 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

⁽²⁾ See page 14 of this Official Journal.

ANNEX

1. Annex III is amended as follows :

— In group I B (categories 4, 5, 6, 7 and 8, Philippines) the table is replaced by the following table :

Category	CN code	Description	Third country	Unit	Year	Annual quantitative limit
4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool of fine animal hair), undervests and the like, knitted or crocheted	Philippines	1 000 pieces	1988	12 293
	6105 20 10				1989	12 846
	6105 20 90				1990	13 424
	6105 90 10				1991	14 028
	6109 10 00					
	6109 90 10					
	6109 90 30					
5	6110 20 10	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted and crocheted	Philippines	1 000 pieces		
	6110 30 10					
	6101 10 90				1988	5 639
	6101 20 90				1989	5 921
	6101 30 90				1990	6 217
					1991	6 528
	6102 10 90					
	6102 20 90					
	6102 30 90					
	6110 10 10					
	6110 10 31					
	6110 10 39					
	6110 10 91					
	6110 10 99					
	6110 20 91					
	6110 20 99					
	6110 30 91					
	6110 30 99					
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, cotton or man-made fibres	Philippines	1 000 pieces	1988	4 674
	6203 41 90				1989	4 931
	6203 42 31				1990	5 200
	6203 42 33				1991	5 488
	6203 42 35					
	6203 42 90					
	6203 43 19					
	6203 43 90					
	6203 49 19					
	6203 49 50					
	6204 61 10					
	6204 62 31					
	6204 62 33					
	6204 62 35					
	6204 63 19					
	6204 69 19					
7	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	Philippines	1 000 pieces	1988	3 362
	6106 20 00				1989	3 496
	6106 90 10				1990	3 636
					1991	3 781
	6206 20 00					
	6206 30 00					
	6206 40 00					

Category	CN code	Description	Third country	Unit	Year	Annual quantitative limit
8	6205 10 00	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres	Philippines	1 000 pieces	1988	4 173
	6205 20 00				1989	4 319
	6205 30 00				1990	4 470
					1991	4 626'

— In group II B (categories 15 and 21, Philippines) the table is replaced by the following table:

Category	CN code	Description	Third country	Unit	Year	Annual quantitative limit
15	6202 11 00	Women's or girl's woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, cotton or man-made textile fibres (other than parkas) (of category 21)	Philippines	1 000 pieces	1988	1 315
	6202 12 10				1989	1 394
	ex 6202 12 90				1990	1 478
	6202 13 10				1991	1 567
	ex 6202 13 90					
	6204 31 00					
	6204 32 90					
	6204 33 90					
21	6204 39 19	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, cotton or man-made fibres	Philippines	1 000 pieces		
	6210 30 00					
	ex 6201 12 10				1988	3 879
	ex 6201 12 90				1989	4 112
	ex 6201 13 10				1990	4 359
	ex 6201 13 90				1991	4 621'
	6201 91 00					
	6201 92 00					
	6201 93 00					
	ex 6202 12 10					
	ex 6202 12 90					
	ex 6202 13 10					
	ex 6202 13 90					
	6202 91 00					
	6202 92 00					
	6202 93 00					

2. Annex IV bis is amended as follows:

— In group I B (categories 4, 5, 6, 7 and 8, Philippines) the table is replaced by the following table:

Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle jumpers and pull-overs (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	Philippines	D	1 000 pieces	3 128	3 223	3 317	3 415
	6105 20 10			F		3 842	3 929	4 031	4 138
	6105 20 90			I		796	941	1 068	1 208
	6105 90 10			BNL		1 256	1 324	1 382	1 456
				UK		2 375	2 479	2 600	2 728
	6109 10 00			IRL		53	61	70	80
	6109 90 10			DK		624	637	651	667
	6109 90 30			GR		60	68	77	87
				ES		124	140	171	182
	6110 20 10			PT		35	44	57	67
	6110 30 10								
				EEC		12 293	12 846	13 424	14 028

Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
5	6101 10 90	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Philippines	D	1 000 pieces	1 919	1 962	2 011	2 058
	6101 20 90			F		842	933	1 030	1 136
	6101 30 90			I		418	475	536	601
				BNL		663	681	698	715
	6102 10 90			UK		1 209	1 249	1 287	1 323
	6102 20 90			IRL		42	46	50	53
	6102 30 90			DK		414	423	432	441
				GR		28	34	38	42
	6110 10 10			ES		84	92	105	125
	6110 10 31			PT		20	26	30	34
	6110 10 39								
	6110 10 91			EEC		5 639	5 921	6 217	6 528
	6110 10 99								
	6110 20 91								
	6110 20 99								
	6110 30 91								
	6110 30 99								
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, cotton or man-made fibres	Philippines	D	1 000 pieces	2 152	2 201	2 251	2 309
	6203 41 90			F		486	548	616	689
	6203 42 31			I		246	305	370	440
	6203 42 33			BNL		879	898	917	935
	6203 42 35			UK		617	652	695	735
	6203 42 90			IRL		20	23	26	30
	6203 43 19			DK		116	120	124	129
	6203 43 90			GR		43	48	53	59
	6203 49 19			ES		93	110	118	127
	6203 49 50			PT		22	26	30	35
	6204 61 10			EEC		4 674	4 931	5 200	5 488
	6204 62 31								
	6204 62 33								
	6204 62 35								
	6204 63 19								
	6204 69 19								
7	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	Philippines	D	1 000 pieces	1 287	1 309	1 333	1 356
	6106 20 00			F		686	725	762	799
	6106 90 10			I		272	303	337	374
				BNL		290	300	310	320
	6206 20 00			UK		659	675	693	711
	6206 30 00			IRL		15	17	19	21
	6206 40 00			DK		87	91	95	99
				GR		14	17	19	21
				ES		44	49	56	66
				PT		8	10	12	14
				EEC		3 362	3 496	3 636	3 781
8	6205 10 00	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres	Philippines	D	1 000 pieces	1 655	1 688	1 720	1 756
	6205 20 00			F		783	812	843	876
	6205 30 00			I		487	517	549	583
				BNL		529	542	555	568
				UK		451	474	496	520
				IRL		50	52	54	56
				DK		106	109	111	114
				GR		18	21	24	27
				ES		78	86	97	21
				PT		16	18	21	24
				EEC		4 173	4 319	4 470	4 626

— In group II B (categories 15, 16 and 21, Philippines) the table is replaced by the following table :

'Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
15	6202 11 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, cotton or man-made textile fibres (other than parkas) (of category 21)	Philippines	D	1 000 pieces	440	451	462	475
	6202 12 10			F		116	135	155	178
	ex 6202 12 90			I		109	126	145	166
	6202 13 10			BNL		121	129	138	146
	ex 6202 13 90			UK		431	439	447	454
				IRL		8	9	10	11
	6204 31 00			DK		24	28	32	35
	6204 32 90			GR		13	15	17	19
	6204 33 90			ES		45	53	61	70
	6204 39 19			PT		8	9	11	13
	6210 30 00			EEC		1 315	1 394	1 478	1 567
16	6203 11 00	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, cotton or man-made fibres, excluding ski suits	Philippines	F	1 000 pieces	5	5	6	6
	6203 12 00								
	6203 19 10								
	6203 19 30								
	6203 21 00								
	6203 22 90								
	6203 23 90								
	6203 29 19								
21	ex 6201 12 10	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man made fibres	Philippines	D	1 000 pieces	1 593	1 621	1 652	1 682
	ex 6201 12 90			F		559	612	665	721
	ex 6201 13 10			I		237	279	322	371
	ex 6201 13 90			BNL		373	395	419	444
	6201 91 00			UK		793	841	893	948
	6201 92 00			IRL		29	31	34	36
	6201 93 00			DK		111	116	123	131
				GR		25	29	34	39
	ex 6202 12 10			ES		133	157	181	208
	ex 6202 12 90			PT		26	31	36	41
	ex 6202 13 10								
	ex 6202 13 90			EEC		3 879	4 112	4 359	4 621'
	6202 91 00								
	6202 92 00								
	6202 93 00								

— In group III B (category 74, Philippines) the table is replaced by the following table :

'Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
74	6104 11 00	Women's or girls' knitted or crocheted suits and ensembles, of wool, cotton or man-made fibres, excluding ski-suits	Philippines	UK	1 000 pieces	109	118	127	137'
	6104 12 00								
	6104 13 00								
	ex 6104 19 00								
	6104 21 00								
	6104 22 00								
	6104 23 00								
	ex 6104 29 00								

COMMISSION REGULATION (EEC) No 695/89

of 17 March 1989

fixing for the 1989 marketing year the reference prices for cherries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas cherries are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas cherries harvested during a given crop year are marketed from April to September; whereas the quantities harvested in April, during the first 20 days of May and from 11 August to 30 September are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 May to 10 August inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989 marketing year, the reference prices for cherries falling within CN code 0809 20, expressed in ecus per 100 kilograms net, of packed products of class I, of all sizes, shall be as follows:

May (21 to 31):	139,74,
June:	124,84,
July:	114,70,
August (1 to 10):	87,98.

Article 2

This Regulation shall enter into force on 21 May 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

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

Done at Brussels, 17 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 696/89
of 17 March 1989
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Regulation (EEC) No 4006/87⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 2261/88⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3026/88⁽⁴⁾, as last amended by Regulation (EEC) No 520/89⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3026/88 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 50,356 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 18 March 1989.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 8.

⁽⁴⁾ OJ No L 271, 1. 10. 1988, p. 69.

⁽⁵⁾ OJ No L 58, 1. 3. 1989, p. 38.

COMMISSION REGULATION (EEC) No 697/89

of 17 March 1989

re-establishing the preferential customs duty on imports of multiflorous (spray)
carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 4088/87
of 21 December 1987 fixing conditions for the
application of preferential customs duties on imports of
certain flowers originating in Cyprus, Israel, Jordan and
Morocco⁽¹⁾, as amended by Regulation (EEC) No
3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions
for the application of a preferential customs duty on
large-flowered roses, small-flowered roses, uniflorous
(bloom) carnations and multiflorous (spray) carnations
within the limit of tariff quotas opened annually for
imports of fresh cut flowers into the Community;

Whereas Council Regulations (EEC) No 3005/88⁽³⁾,
(EEC) No 3175/88⁽⁴⁾, (EEC) No 3552/88⁽⁵⁾ and (EEC) No
4078/88⁽⁶⁾ open and provide for the administration of
Community tariff quotas for cut flowers and flower buds,
fresh, originating in Cyprus, Jordan, Morocco and Israel
respectively;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87
stipulates that the preferential customs duty shall be
reintroduced for a given product of a given origin if the
prices of the imported product (full rate customs duty not
deducted) are, for at least 70 % of the quantities for which
prices are available on representative Community import
markets, not less than 85 % of the Community producer
price for a period, calculated from the actual date of
suspension of the actual preferential customs duty,

- of two successive market days, after suspension under
Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension
under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 3557/88⁽⁷⁾
fixed Community producer prices for carnations and roses
for application of the arrangements for importation from
the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁸⁾, as
amended by Regulation (EEC) No 3556/88⁽⁹⁾, laid down
detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function
in the normal manner prices on importation should be
calculated using

- for currencies maintained against each other within a
maximum spread at any given moment for spot rate
transactions of 2,25 % a conversion rate 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⁽¹⁰⁾, as last
amended by Regulation (EEC) No 1636/87⁽¹¹⁾;
- for other currencies a conversion rate based on the
arithmetic mean of the spot market rate of the
currency, recorded for a given period, against the
Community currencies indicated in the preceding
indent and of the aforesaid coefficient;

Whereas the preferential customs duty fixed for
multiflorous (spray) carnations originating in Israel by
Regulation (EEC) No 4078/88 was suspended by
Commission Regulation (EEC) No 600/89⁽¹²⁾;

Whereas on the basis of price recordings made as
specified in Regulations (EEC) No 4088/87 and (EEC) No
700/88 it must be concluded that the requirement for
reintroduction of the preferential customs duty laid down
in the first indent of Article 2 (3) of Regulation (EEC) No
4088/87 is met for multiflorous (spray) carnations
originating in Israel; whereas the preferential customs
duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of multiflorous (spray) carnations (CN code
ex 0603 10 53) originating in Israel the preferential
customs duty set by Regulation (EEC) No 4078/88 is
reintroduced.

Article 2

This Regulation shall enter into force on 18 March 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 271, 1. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 1.

⁽⁵⁾ OJ No L 311, 17. 11. 1988, p. 2.

⁽⁶⁾ OJ No L 359, 28. 12. 1988, p. 8.

⁽⁷⁾ OJ No L 311, 17. 11. 1988, p. 9.

⁽⁸⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁹⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹²⁾ OJ No L 65, 9. 3. 1989, p. 17.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 698/89**of 17 March 1989****amending for the eighth 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 637/89⁽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 10,11' is hereby replaced by 'ECU 20,80'.

Article 2

This Regulation shall enter into force on 18 March 1989.

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

Done at Brussels, 17 March 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 70, 14. 3. 1989, p. 22.

COMMISSION REGULATION (EEC) No 699/89**of 17 March 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 650/89 ⁽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 18 March 1989.

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

Done at Brussels, 17 March 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 71, 15. 3. 1989, p. 30.

ANNEX

to the Commission Regulation of 17 March 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,41 ⁽¹⁾
1701 11 90	32,41 ⁽¹⁾
1701 12 10	32,41 ⁽¹⁾
1701 12 90	32,41 ⁽¹⁾
1701 91 00	39,51
1701 99 10	39,51
1701 99 90	39,51 ⁽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 (OJ No L 151, 30. 6. 1968, p. 42).

⁽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 700/89

of 17 March 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 14 (4) thereof,

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

Having regard to Council Regulation 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⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 490/89⁽⁷⁾, as last amended by Regulation (EEC) No 569/89⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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 over 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 16 March 1989;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 of the Commission⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 490/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 20 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 57, 28. 2. 1989, p. 18.

⁽⁸⁾ OJ No L 61, 4. 3. 1989, p. 39.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 17 March 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1102 30 00	3,02	114,30	111,28
1103 14 00	3,02	114,30	111,28
1103 29 50	3,02	114,30	111,28
1104 19 91	6,04	195,00	188,96
1108 19 10	30,83	181,28	150,45

COMMISSION REGULATION (EEC) No 701/89
of 17 March 1989
altering the export refunds on milk and milk products

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

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1109/88⁽²⁾, and in particular Article 17 (5) thereof,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EEC) No 547/89⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 547/89 to the information known to the Commission that the export

refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to Regulation (EEC) No 547/89 amended are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 18 March 1989.

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

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 60, 3. 3. 1989, p. 13.

ANNEX

to the Commission Regulation of 17 March 1989 altering the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0401 10 10 000		5,00
0401 10 90 000		5,00
0401 20 11 100		5,00
0401 20 11 500		8,17
0401 20 19 100		5,00
0401 20 19 500		8,17
0401 20 91 100		11,14
0401 20 91 500		13,12
0401 20 99 100		11,14
0401 20 99 500		13,12
0401 30 11 100		17,08
0401 30 11 400		26,78
0401 30 11 700		40,64
0401 30 19 100		17,08
0401 30 19 400		26,78
0401 30 19 700		40,64
0401 30 31 100		48,56
0401 30 31 400		76,29
0401 30 31 700		84,21
0401 30 39 100		48,56
0401 30 39 400		76,29
0401 30 39 700		84,21
0401 30 91 100		96,09
0401 30 91 400		141,63
0401 30 91 700		165,39
0401 30 99 100		96,09
0401 30 99 400		141,63
0401 30 99 700		165,39
0402 10 11 000		55,00
0402 10 19 000		55,00
0402 10 91 000		0,5500
0402 10 99 000		0,5500
0402 21 11 200		55,00
0402 21 11 300		85,94
0402 21 11 500		91,77
0402 21 11 900		100,00
0402 21 17 000		55,00
0402 21 19 300		85,94
0402 21 19 500		91,77
0402 21 19 900		100,00
0402 21 91 100		100,88
0402 21 91 200		101,72
0402 21 91 300		103,26
0402 21 91 400		112,27
0402 21 91 500		115,34
0402 21 91 600		127,00
0402 21 91 700		134,08
0402 21 91 900		141,89
0402 21 99 100		100,88

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 21 99 200		101,72
0402 21 99 300		103,26
0402 21 99 400		112,27
0402 21 99 500		115,34
0402 21 99 600		127,00
0402 21 99 700		134,08
0402 21 99 900		141,89
0402 29 15 200		0,5500
0402 29 15 300		0,8594
0402 29 15 500		0,9177
0402 29 15 900		1,0000
0402 29 19 200		0,5500
0402 29 19 300		0,8594
0402 29 19 500		0,9177
0402 29 19 900		1,0000
0402 29 91 100		1,0088
0402 29 91 500		1,1227
0402 29 99 100		1,0088
0402 29 99 500		1,1227
0402 91 11 110		5,00
0402 91 11 120		11,14
0402 91 11 310		18,33
0402 91 11 350		23,16
0402 91 11 370		29,00
0402 91 19 110		5,00
0402 91 19 120		11,14
0402 91 19 310		18,33
0402 91 19 350		23,16
0402 91 19 370		29,00
0402 91 31 100		22,82
0402 91 31 300		34,27
0402 91 39 100		22,82
0402 91 39 300		34,27
0402 91 51 000		26,78
0402 91 59 000		26,78
0402 91 91 000		96,09
0402 91 99 000		96,09
0402 99 11 110		0,0500
0402 99 11 130		0,1114
0402 99 11 150		0,1897
0402 99 11 310		21,15
0402 99 11 330		26,07
0402 99 11 350		35,72
0402 99 19 110		0,0500
0402 99 19 130		0,1114
0402 99 19 150		0,1897
0402 99 19 310		21,15
0402 99 19 330		26,07
0402 99 19 350		35,72
0402 99 31 110		0,2480
0402 99 31 150		37,31
0402 99 31 300		0,4856
0402 99 31 500		0,8421
0402 99 39 110		0,2480
0402 99 39 150		37,31
0402 99 39 300		0,4856

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,8421
0402 99 91 000		0,9609
0402 99 99 000		0,9609
0403 10 11 100		5,00
0403 10 11 300		8,17
0403 10 13 000		11,14
0403 10 19 000		17,08
0403 10 31 100		0,0500
0403 10 31 300		0,0817
0403 10 33 000		0,1114
0403 10 39 000		0,1708
0403 90 11 000		55,00
0403 90 13 000		55,00
0403 90 19 000		100,88
0403 90 31 000		0,5500
0403 90 33 000		0,5500
0403 90 39 000		1,0088
0403 90 51 100		5,00
0403 90 51 300		8,17
0403 90 53 000		11,14
0403 90 59 110		17,08
0403 90 59 140		26,78
0403 90 59 170		40,64
0403 90 59 310		48,56
0403 90 59 340		76,29
0403 90 59 370		84,21
0403 90 59 510		96,09
0403 90 59 540		141,63
0403 90 59 570		165,39
0403 90 61 100		0,0500
0403 90 61 300		0,0817
0403 90 63 000		0,1114
0403 90 69 000		0,1708
0404 90 11 100		55,00
0404 90 11 910		5,00
0404 90 11 950		18,33
0404 90 13 120		55,00
0404 90 13 130		85,94
0404 90 13 140		91,77
0404 90 13 150		100,00
0404 90 13 911		5,00
0404 90 13 913		11,14
0404 90 13 915		17,08
0404 90 13 917		26,78
0404 90 13 919		40,64
0404 90 13 931		18,33
0404 90 13 933		23,16
0404 90 13 935		29,00
0404 90 13 937		34,27
0404 90 13 939		35,87
0404 90 19 110		100,88
0404 90 19 115		101,72
0404 90 19 120		103,26
0404 90 19 130		112,27
0404 90 19 135		115,34

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 19 150		127,00
0404 90 19 160		134,08
0404 90 19 180		141,89
0404 90 19 900		—
0404 90 31 100		55,00
0404 90 31 910		5,00
0404 90 31 950		18,33
0404 90 33 120		55,00
0404 90 33 130		85,94
0404 90 33 140		91,77
0404 90 33 150		100,00
0404 90 33 911		5,00
0404 90 33 913		11,14
0404 90 33 915		17,08
0404 90 33 917		26,78
0404 90 33 919		40,64
0404 90 33 931		18,33
0404 90 33 933		23,16
0404 90 33 935		29,00
0404 90 33 937		34,27
0404 90 33 939		35,87
0404 90 39 110		100,88
0404 90 39 115		101,72
0404 90 39 120		103,26
0404 90 39 130		112,27
0404 90 39 150		115,34
0404 90 39 900		—
0404 90 51 100		0,5500
0404 90 51 910		0,0500
0404 90 51 950		21,15
0404 90 53 110		0,5500
0404 90 53 130		0,8594
0404 90 53 150		0,9177
0404 90 53 170		1,0000
0404 90 53 911		0,0500
0404 90 53 913		0,1114
0404 90 53 915		0,1708
0404 90 53 917		0,2678
0404 90 53 919		0,4064
0404 90 53 931		21,15
0404 90 53 933		26,07
0404 90 53 935		35,72
0404 90 53 937		37,31
0404 90 53 939		—
0404 90 59 130		1,0088
0404 90 59 150		1,1227
0404 90 59 930		0,5846
0404 90 59 950		0,8421
0404 90 59 990		0,9609
0404 90 91 100		0,5500
0404 90 91 910		0,0500
0404 90 91 950		21,15
0404 90 93 110		0,5500
0404 90 93 130		0,8594
0404 90 93 150		0,9177

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,0000
0404 90 93 911		0,0500
0404 90 93 913		0,1114
0404 90 93 915		0,1708
0404 90 93 917		0,2678
0404 90 93 919		0,4064
0404 90 93 931		21,15
0404 90 93 933		26,07
0404 90 93 935		35,72
0404 90 93 937		37,31
0404 90 93 939		—
0404 90 99 130		1,0088
0404 90 99 150		1,1227
0404 90 99 930		0,5846
0404 90 99 950		0,8421
0404 90 99 990		0,9609
0405 00 10 100		—
0405 00 10 200		128,54
0405 00 10 300		161,71
0405 00 10 500		165,85
0405 00 10 700		170,00
0405 00 90 100		170,00
0405 00 90 900		214,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	97,50
	404	—
	...	87,74
0406 20 90 915	028	—
	032	—
	400	130,00
	404	—
	...	116,99
0406 20 90 917	028	—
	032	—
	400	138,13
	404	—
	...	124,30
0406 20 90 919	028	—
	032	—
	400	154,38
	404	—
	...	138,92
0406 20 90 990		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	23,26

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	74,16
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	74,16
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 39 100	—	—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	50,52

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	74,16
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	131,82
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	131,82
0406 40 00 100	028	—
0406 40 00 900	032	—
	038	—
	400	120,00
	404	—
	...	131,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	115,00
	404	—
	...	164,34
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	115,00
	404	—
	...	164,34

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 15 900		—
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	115,00
	404	—
	...	164,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	156,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	140,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	140,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	119,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	93,27

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	87,18
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	93,27
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	87,18
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	93,27
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	87,18
0406 90 33 959		—
0406 90 35 110		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
	...	190,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	217,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	170,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	170,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	91,15

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	100,50
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	114,22
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	140,35
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	156,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	65,00
	404	—
	...	130,96
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
	...	114,22

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	...	140,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
	...	140,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	119,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	39,03
	404	—
	...	50,97
0406 90 83 990	028	—
	032	—
	400	39,03
	404	—
	...	50,97
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	163,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	140,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	91,15
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	100,50
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	114,22
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	156,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	...	140,35
0406 90 89 972	028	—
	032	—
	400	39,03
	404	—
	...	50,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	...	140,35
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	25,85
	404	—
	...	21,46
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	45,31
	404	—
	...	37,62
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	55,18
	404	—
	...	45,81
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		—
2309 10 15 300		—
2309 10 15 400		—
2309 10 15 500		—
2309 10 15 700		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		—
2309 10 19 300		—
2309 10 19 400		—
2309 10 19 500		—
2309 10 19 600		—
2309 10 19 700		—
2309 10 19 800		—
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		16,50
2309 10 70 200		22,00
2309 10 70 300		27,50
2309 10 70 500		33,00
2309 10 70 600		38,50
2309 10 70 700		44,00
2309 10 70 800		48,40
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		—
2309 90 35 300		—
2309 90 35 400		—
2309 90 35 500		—
2309 90 35 700		—
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		—
2309 90 39 300		—
2309 90 39 400		—
2309 90 39 500		—
2309 90 39 600		—
2309 90 39 700		—
2309 90 39 800		—
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		16,50
2309 90 70 200		22,00
2309 90 70 300		27,50
2309 90 70 500		33,00
2309 90 70 600		38,50
2309 90 70 700		44,00
2309 90 70 800		48,40
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 November 1988

on regional aid for mandarin growers in Sicily

(Only the Italian text is authentic)

(89/204/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2238/88⁽²⁾, and in particular Article 31 thereof,

After giving notice to the parties concerned, pursuant to Article 93 (2), to submit their comments⁽³⁾,

Whereas :

I

1. In accordance with Article 93 (3) of the Treaty, by letter of 23 June 1987, recorded as received on 29 June 1987, the Italian Permanent Representation to the European Communities notified the Commission of draft Law No 86/A introducing aid in respect of citrus production and damage caused to citrus plantations by bad weather between December 1986 and March 1987.

By letter of 30 July 1987, the Italian Permanent Representation notified the Commission that the Sicilian Regional Assembly had adopted the draft law as Law No 24 of 27 May 1987. In bringing the Law into force, the

Italian authorities infringed Article 93 (3) of the Treaty. In cases where aid schemes have been approved, such aid is to be regarded as unlawful.

2. Article 9 of the Law provides that the Regional Councillor for Agriculture and Forests is authorized to grant aid for mandarin growers through producers' organizations recognized under Italian law; the aid is equal to the aid approved at Community level for industrial processing of oranges of the 'Biondo commune' variety for the current marketing year⁽⁴⁾; the aid was ECU 6,51/100 kg for 1986/87 and ECU 6,39/100 kg for 1987/88.

For the 1987 financial year, the Law makes provision for a total amount of Lit 5 000 million (about ECU 3,4 million); about 50 000 tonnes of mandarins could therefore be eligible for regional aid.

The aid is granted to producers through recognized producers' organizations which have signed processing contracts. Processors must undertake to pay a minimum price to the growers; this minimum price corresponds to the average of prices fixed for the current year for products corresponding to Class II of the Community quality standard.

II

1. By letter of 28 August 1987 (No SG(87) D/10832), addressed to the Italian Government, the Commission stated that it had decided to initiate, in respect of the aid, the procedure provided for in Article 93 (2).

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ Letters from the Commission to the Governments of the Member States of 3 November 1987 and communication to other interested parties (OJ No C 290, 30. 10. 1987, p. 3).

⁽⁴⁾ Regulation (EEC) No 2601/69 of 18 December 1969 (OJ No L 324, 27. 12. 1969, p. 21).

2. In the same letter the Commission informed the Italian authorities that since the effects of the aid scheme ceased once the scheme came to an end it regarded the aid as an operating aid with no lasting effect on the development of the sector concerned. As a rule, such schemes are regarded by the Commission as incompatible with the common market.

Furthermore, the Community rules for the common organization of the markets for fruit and vegetables (Regulation (EEC) No 1035/72) constitute a complete and comprehensive system which rules out any option for the Member States to take additional independent measures to support fruit or vegetable growers' incomes. The rules do not provide for any processing aid for mandarins, although they do for oranges.

The regional aid therefore constitutes an infringement of Community law.

3. Under the procedure, the Commission gave notice to the Italian Government to submit its comments.

It also gave notice to the other Member States and other interested parties to submit their comments.

III

By telex of 29 October 1987, the Italian Government answered the Commission's letter of notice. It submitted the following comments:

- (a) the chronic problems of the mandarin market are familiar to the Commission; these problems necessitated the withdrawal of 1 557 071 quintals during 1986/87;
- (b) in these circumstances, the regional measure is designed to:
 - (i) limit withdrawals, thereby also limiting Community expenditure;
 - (ii) encourage processing, thus avoiding the need for destruction of the fruit;
 - (iii) ensure fairer returns for growers;
- (c) the regional measure is an aid measure consistent with the Community's policy on stabilizers as it establishes a guarantee threshold for the marketing of mandarins;
- (d) according to the regional authorities, the measure is exceptional and limited to the current marketing year;

(e) Article 31 of Regulation (EEC) No 1035/72 provides that state aid may be granted subject to scrutiny in the light of Articles 92 and 94 of the Treaty.

IV

With regard to the arguments put forward by the Italian authorities, the following points should be underlined:

- (a) the problems of the mandarin market are not new; the market is subject to permanent structural surpluses, which have not yet been reduced despite Community programmes of structural reform introduced for citrus fruit in Italy. Although the regional aid scheme in 1987 may have increased outlets on a purely regional scale, the application of such a measure does not encourage growers to take the necessary structural steps to remedy the chronic problems persisting in Italy.

If, as the regional authorities aver, the measure is an exceptional one, the provisions of the Law should not authorize the Regional Councillor with responsibility for agriculture to take such measures every year.

The aid scheme encourages growers to maintain, or even increase, mandarin production. Indirectly, therefore, it could increase the quantities offered to the market and thus affect intra-Community trade.

Furthermore, the regional aid is supplementary to the Community 'marketing premium' or financial compensation provided for in Article 6 of Council Regulation (EEC) No 2511/69⁽¹⁾, granted under certain conditions, in particular in respect of mandarins marketed in other Member States;

- (b) to solve the problems facing the mandarin market, all the requisite measures must be taken at Community level in order to prevent the creation of even greater problems as a result of unilateral national measures which might shift problems from assisted mandarin-growing areas to non-assisted areas;
- (c) the fact that Articles 92 to 94 of the Treaty apply to aid for the production and marketing of mandarins enables the Commission to regard certain aid schemes as compatible with the common market on condition that they are eligible for exception under Article 92; however, as explained below, the scheme in question does not satisfy the conditions of eligibility for such an exception;
- (d) in view of the foregoing, the reasoning put forward by the Italian authorities is unacceptable.

⁽¹⁾ OJ No L 318, 18. 12. 1969, p. 1.

V

The mandarin market is affected by structural surpluses, particularly in Italy; mandarin production in Italy totalled 291 000 tonnes in 1985/86, 283 100 tonnes in 1986/87 and 196 100 tonnes in 1987/88 ⁽¹⁾; mandarin production in Sicily accounts for more than 50 % of national production and the production area in 1983 was 8 412 hectares ⁽²⁾; Community withdrawal measures concerned 248 000 tonnes in 1985/86, 201 400 tonnes in 1986/87 and 5 608 tonnes in 1987/88 ⁽¹⁾; export outlets are small and mandarins are subject to competition from other citrus fruits, particularly clementines.

Total Italian exports of mandarins represent, as an annual average, less than 2 % of Italian production; among the Member States which produced and exported mandarins (7 490 tonnes) to the rest of the Community in 1987 ⁽¹⁾, Italy was in second place (1 840 tonnes), after Spain (2 956 tonnes); Italy does not import mandarins.

About 50 000 tonnes of mandarins were concerned by the regional aid scheme in 1987, representing about one quarter of mandarin production in Italy in that year; the quantity of mandarins concerned by regional aid (about ECU 3,4 million) is greater than the quantity exported.

VI

1. Articles 92 to 94 of the Treaty apply to the production and marketing of mandarins pursuant to Article 31 of Regulation (EEC) No 1035/72.

The aid scheme in question gives a special advantage to Sicilian mandarin growers by providing an income supplement which they could not have obtained from the market under normal conditions. Its effect, therefore, is to distort competition between the recipients of the aid and growers not receiving such aid in Italy and the other Member countries.

Article 9 of Law No 24/87, and in particular the provision granting aid in 1987, encourages mandarin growers to maintain or even increase production by guaranteeing an outlet at a minimum price; the financial advantage enjoyed by the recipients of the regional aid will enable them to exert pressure to bring down prices of mandarins offered fresh on the market and, in particular, those offered for export to other Member States; the measure may thus affect intra-Community trade in mandarins grown in Sicily; the aid thus affects intra-Community trade.

⁽¹⁾ Source: Eurostat.

⁽²⁾ Source: Annuario di statistica agraria.

The aid may also affect products processed from mandarins (fruit juice, essential oils and peel used in the manufacture of feedingstuffs); because of the regional aid, the processing industries may be encouraged to produce larger quantities than they would have done without aid; the quantities of processed products exported to the other Member States may therefore be affected by the aid scheme.

The scheme in question therefore satisfies the criteria of Article 92 (1) of the EEC Treaty, which provides that such aid is incompatible with the common market.

2. The exceptions provided for in Article 92 (2) are clearly not applicable to the aid measure in question; those provided for in paragraph 3 relate to objectives pursued in the Community interest and not simply in the interest of individual branches of the national economy; these exceptions must be interpreted strictly.

They may be allowed only in cases where aid is required for the attainment of one of the objectives referred to in the provisions; allowing exceptions in respect of aid not satisfying this condition would be tantamount to allowing interference in trade between Member States and distortions of competition without any justification on grounds of Community interest, together with undue advantages for certain Member States.

In the case in point, these conditions are not satisfied; the Italian Government has been unable to provide, and the Commission unable to discern, any evidence that the aid satisfies the conditions for any of the exceptions provided for in Article 92 (3) of the Treaty.

The measures are not intended to promote the execution of an important project of common European interest within the meaning of Article 92 (3) (b) since the effects of the scheme on trade may be counter to the common interest.

The measure is not intended to remedy a serious disturbance in the economy of a Member State within the meaning of Article 92 (3) (b).

With regard to the exceptions provided for in Article 92 (3) (a) and (c) in respect of aid to promote or facilitate the economic development of regions, and the development of certain activities referred to in (c), the measure cannot bring a lasting improvement in the situation of the economic sector concerned by the aid since, when the scheme is discontinued, the sector will be in the same structural situation as it was before the scheme came into effect; in the case in point, the effect of the aid might even be to maintain or increase existing problems.

Consequently, the aid should be regarded as operating aid for the undertakings concerned, to which the Commission has always been opposed, as a matter of

principle, because such aid is not subject to conditions qualifying it for one of the exceptions provided for in Article 92 (3) (a) and (c).

Furthermore, the products are subject to a market organization and there are limits to the power of the Member States to intervene directly in the operation of market organizations comprising a system of common prices, for which the Community has exclusive competence.

Consequently, the scheme disregards the principle that Member States no longer have the power to act unilaterally on farmers' incomes.

Even if an exception under Article 92 (3) had been open to consideration, the fact that the scheme infringes the market organization rules out the application of any exception in its respect.

3. Because of the potential effect of the Sicilian scheme on the production of mandarins and products processed from mandarins, it may also have the effect of increasing expenditure from the European Agricultural Guidance and Guarantee Fund; it must therefore be regarded as counter to the common interest.

4. The aid scheme is therefore incompatible with the common market within the meaning of Article 92 of the Treaty and must be discontinued.

5. This Decision is without prejudice to any consequences which the Commission may deduce for the financing of the common agricultural policy by the

European Agricultural Guidance and Guarantee Fund (EAGGF),

HAS ADOPTED THIS DECISION:

Article 1

The aid provided for in Article 9 of the Sicilian Regional Law No 24 of 27 May 1987 for mandarin growers is unlawful under Article 93 (3) of the Treaty. Furthermore, the aid is incompatible with the common market within the meaning of Article 92 of the Treaty and must be discontinued.

Article 2

The Italian Government shall inform the Commission within two months of the notification of this Decision of the measures it has taken to comply with the Decision.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 30 November 1988.

For the Commission

Ray MAC SHARRY

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 542/89 of 23 February 1989 opening and providing for the administration of autonomous Community tariff quotas for certain fishery products (1989)

(Official Journal of the European Communities No L 60 of 3 March 1989)

On page 2 in the table in Article 1 (1), opposite order No 09.2759 in the second column 'CN code':

for: 'ex 0304 80 39',

read: 'ex 0304 90 39'.
