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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 727/89**of 20 March 1989****temporarily suspending autonomous Common Customs Tariff duties for two industrial products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas production in the Community of the products specified in this Regulation is currently inadequate or non-existent and whereas products thus cannot meet the needs of Community user industries;

Whereas it is in the Community's interest to suspend the autonomous Common Customs Tariff duties totally for the products concerned;

Whereas, in view of the difficulty of accurately assessing short-term trends in the economic situation in the relevant sectors, this suspension measure should be taken

only temporarily, by fixing its period of validity by reference to the interests of Community production,

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties applicable to the products listed in the Annex shall be suspended at the levels indicated in each case.

The suspensions shall be valid from 1 April to 30 June 1989.

Article 2

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 20 March 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

ANNEX

CN code	Description	Rate of autonomous duty (%)
ex 3004 90 99	Dried purified protein fraction, consisting principally of des-1-alanine-(125-serine) interleukin-2 (human), obtained from genetically manipulated <i>Escherichia coli</i>	0
ex 8471 93 50	Floppy disk storage units for use in the manufacture of automatic data-processing machines and units thereof (a)	0

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions

COUNCIL REGULATION (EEC) No 728/89

of 20 March 1989

opening and providing for the administration of Community tariff quotas for
carrots and aubergines (egg-plants) originating in Cyprus (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus, as supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the said Agreement and adapting certain provisions thereof⁽¹⁾, provides for the opening of two Community tariff quotas of:

- 2 500 tonnes for carrots falling within CN code ex 0706 10 00 from 1 April to 15 May, and
- 300 tonnes for aubergines (egg-plants) falling within CN code ex 0709 30 00 from 1 October to 30 November

originating in Cyprus;

Whereas, pursuant Article 18 of the Protocol in question, these volumes are each year subject to an increase from the entry into force of the Protocol and will therefore be 2 750 and 330 tonnes respectively in 1989; whereas, within the limits of these tariff quotas, the customs duties applicable are to be abolished progressively according to the same timetables and under the same conditions as laid down in Articles 5 and 16 of the said Protocol;

Whereas, however, the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾ lays down that those two Member States will postpone, until 31 December 1989 and 31 December 1990 respectively, implementation of the preferential arrangements for the products covered by Council Regulation (EEC) No 1035/72 of 18 May 1972 on

the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 2238/88⁽⁴⁾; whereas, consequently, the tariff quotas mentioned above apply only to the Community as constituted on 31 December 1985;

Whereas the Community tariff quotas should therefore be opened for the periods as shown in Article 1;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for those quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, in the present case, it would appear advisable not to allocate the quotas among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they need, under the conditions and according to the procedures specified in Article 3; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of quota shares levied by that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

The customs duties applicable to imports into the Community as constituted at 31 December 1985 of the following products originating in Cyprus shall be suspended during the periods, at the levels and within the limits of the Community tariff quotas as shown below for each one:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1403	ex 0706 10 00	Carrots from 1 April to 15 May 1989	2 750	5,5
09.1405	ex 0709 30 00	Aubergines (egg-plants) from 1 October to 30 November 1989	330	5,2

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 198, 26. 7. 1988, p. 1.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if that declaration is accepted by the customs authorities, the Member States concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member States concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a *pro rata* basis with respect to the requests. Member

States shall be informed by the Commission in accordance with the same procedures.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quota volumes so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quotas have been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 20 March 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

COUNCIL REGULATION (EEC) No 729/89
of 20 March 1989

laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2727/75 provides for the introduction of a basic co-responsibility levy and of an additional co-responsibility levy and for the exemption of small producers from those levies under conditions to be determined; whereas, in view of experience gained, a direct aid system for small producers of cereals may be considered a suitable means of offsetting the effect of such co-responsibility levies on their incomes;

Whereas, in order to keep the aid system within acceptable financial limits, provision should be made for it to apply within the framework of an overall amount determined on the basis of the total sum of the co-responsibility levies borne by producers marketing no more than 25 tonnes; whereas that sum may be estimated at ECU 220 million for the forthcoming three marketing years, without prejudice however to any changes in the factors used for the calculation; whereas that overall amount should be apportioned between the Member States on the basis of that criterion; whereas a ceiling for aid granted to each producer should also be fixed;

Whereas objective Community criteria should be drawn up which may serve as a basis for the Member States to define small producers; whereas these criteria should enable differences existing in the Community as regards structures and yields to be taken into account; whereas, in order to ensure the proper application of this Regulation, the Commission should approve, on the basis of the objective criteria listed in Article 3, the envisaged national provisions,

HAS ADOPTED THIS REGULATION:

Article 1

The arrangements for exemption from the co-responsibility levies provided for in Articles 4 and 4b of Regulation (EEC) No 2727/75 for small producers shall

be applied in the form of direct aid in accordance with this Regulation.

Article 2

1. The aid provided for in Article 1 shall be granted within the framework of an overall amount determined for the Community and apportioned between the Member States.

2. For the 1989/90, 1990/91 and 1991/92 marketing years, the overall amount shall be ECU 220 million. However, the Council, acting by a qualified majority on a proposal from the Commission, may alter that amount if the total estimated sum of the co-responsibility levies provided for in Articles 4 and 4b of Regulation (EEC) No 2727/75 applying to quantities of cereals sold by producers marketing no more than 25 tonnes results in a different figure.

3. The overall amount shall be reduced by the amount of the levy provided for in Article 4b of Regulation (EEC) No 2727/75 and reimbursed pursuant to paragraph 2 of that Article.

4. The overall amount shall be apportioned between the Member States in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, taking into account sales made by producers marketing no more than 25 tonnes.

Article 3

Member States shall define which farmers shall be deemed to be small producers, taking into account in particular the area devoted to cereals and/or the utilized agricultural area and/or the significance of cereals in the generation of farm income.

Article 4

The amount of the aid to be granted to small producers shall be established with reference to the co-responsibility levies borne by them.

That amount may be established on a flat-rate basis.

Member States may decide not to grant aid for amounts below a minimum which they shall determine.

In no case may the aid exceed, for any one producer, the equivalent of the levies for 25 tonnes of cereals.

Article 5

1. Member States experiencing particular difficulties of an administrative or technical nature in applying the aid provided for in Article 1 may apply that aid in the form of compensation for levies payable by small producers.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

Such compensation shall be limited for each producer to the first 25 tonnes of cereals marketed.

The overall amount of such compensation for the Member State in question may in no case exceed the amount which would have been paid to it had this paragraphe not been applied.

2. Where this Article applies, the overall amount referred to in Article 2 (2) shall be reduced by the amount which would have been paid under the aid system provided for in this Regulation had this Article not been applied.

Article 6

For each Member State the amount of aid fixed for a marketing year pursuant to Article 2 (4) shall be converted into national currency at the agricultural rate in force on the first day of that marketing year.

Article 7

Member States shall communicate to the Commission, before 1 May 1989:

- the provisions they envisage taking for apportionment of the aid between the small cereals producers. The Commission shall approve such provisions on the basis of the objective criteria referred to in Article 3,
- other national provisions adopted pursuant to this Regulation.

Article 8

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

It shall apply from the 1989/90 marketing year.

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

Done at Brussels, 20 March 1989.

For the Council

The President

C. ROMERO HERRERA

COMMISSION REGULATION (EEC) No 730/89

of 22 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 21 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 23 March 1989.

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

Done at Brussels, 22 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. 96.

ANNEX

to the Commission Regulation of 22 March 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

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	182,55 ⁽¹⁾ ⁽²⁾
1001 10 90	55,14	182,55 ⁽¹⁾ ⁽²⁾
1001 90 91	32,44	117,95
1001 90 99	32,44	117,95
1002 00 00	60,11	110,86 ⁽³⁾
1003 00 10	50,67	111,34
1003 00 90	50,67	111,34
1004 00 10	41,73	76,74
1004 00 90	41,73	76,74
1005 10 90	21,98	126,23 ⁽³⁾ ⁽⁴⁾
1005 90 00	21,98	126,23 ⁽³⁾ ⁽⁴⁾
1007 00 90	45,32	136,97 ⁽⁴⁾
1008 10 00	50,67	22,56
1008 20 00	50,67	33,44 ⁽⁴⁾
1008 30 00	50,67	0,00 ⁽⁴⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	50,67	0,00
1101 00 00	59,77	179,49
1102 10 00	98,51	168,61
1103 11 10	98,98	295,95
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 731/89

of 22 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 21 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 23 March 1989.

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

Done at Brussels, 22 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 22 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	1,21
1001 10 90	0	0	0	1,21
1001 90 91	0	0	0	9,16
1001 90 99	0	0	0	9,16
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	12,82

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	16,30	16,30
1107 10 19	0	0	0	12,18	12,18
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 732/89**of 22 March 1989****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector 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 Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 20 and 21 March 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 23 March 1989.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,00

COMMISSION REGULATION (EEC) No 733/89

of 22 March 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 3939/87 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 27 February 1989, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 27

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 27 February 1989, the level of the premium is fixed at 151,620 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 27 February 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 27 February 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 22 March 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	71,261	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	151,620	0
0204 21 00	151,620	0
0204 50 11		0
0204 22 10	106,134	
0204 22 30	166,782	
0204 22 50	197,106	
0204 22 90	197,106	
0204 23 00	275,948	
0204 30 00	113,715	
0204 41 00	113,715	
0204 42 10	79,601	
0204 42 30	125,087	
0204 42 50	147,830	
0204 42 90	147,830	
0204 43 00	206,961	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	197,106	
0210 90 19	275,948	
1602 90 71 :		
— unboned (bone-in)	197,106	
— boned or boneless	275,948	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 734/89
of 22 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 688/89 ⁽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 27 March 1989.

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

Done at Brussels, 22 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 76, 18. 3. 1989, p. 5.

ANNEX

to the Commission Regulation of 22 March 1989 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾)	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 735/89

of 22 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 689/89 ⁽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 27 March 1989.

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

Done at Brussels, 22 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 76, 18. 3. 1989, p. 7.

ANNEX

to the Commission Regulation of 22 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 736/89
of 16 March 1989
concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 20/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to this

Regulation must be classified within the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas the nomenclature committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature within the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 16 March 1989.

For the Commission

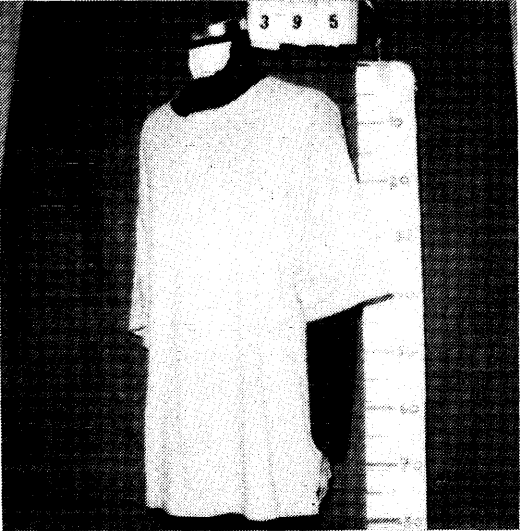
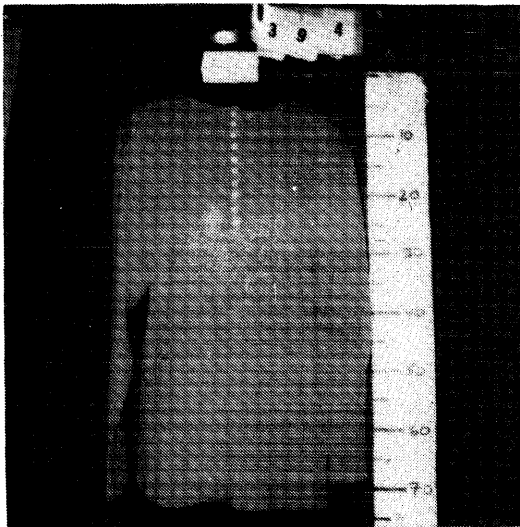
Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 4, 6. 1. 1989, p. 19.

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
1. Lightweight, loose-fitting, knitted garment (100 % cotton) having on average 10 or more stitches per linear centimetre in one direction, intended to cover the upper part of the body, reaching down to below the waist, with a collarless rounded neckline partially opening at the front with a button fastening left over right. It has loose-fitting short sleeves which are hemmed at the sleeve-ends. The base of the garment, which is hemmed, has side slits of approximately 6 centimetres at each side. There is a band of knitted fabric at the neckline. There is also a semi-circular insert at the back extending down from the neckline. (See photograph No 395 (")) 	6105 10 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, legal note 4 to Chapter 61 and by the texts of CN codes 6105 and 6105 10 00
2. Loose-fitting, knitted or crocheted garment (100 % cotton) having on average 10 or more stitches per linear centimetre in one direction, intended to cover the upper part of the body, reaching down to below the waist. It has a collarless rounded neckline partially opening at the front with a button fastening right over left and has long sleeves. It is also hemmed at the neckline, sleeve-ends and at the base of the garment. (See photograph No 394 (")) 	6106 10 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, legal note 4 to Chapter 61 and by the texts of CN codes 6106 and 6106 10 00. See also the explanatory note to CN code 6106 concerning shirts and shirt blouses

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
3. Lightweight, loose-fitting, knitted garment (100 % cotton) of fancy design having on average 10 or more stitches per linear centimetre in one direction, intended to cover the upper part of the body, reaching down to below the waist, with a collarless loose-fitting neckline partially opening at the front with a button fastening right over left. The garment is sleeveless and has knitted fabric sewn on at the neckline and armholes. The base of the garment is hemmed. (See photograph No 396 (*)) 	6106 10 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, legal note 4 to Chapter 61 and by the texts of CN codes 6106 and 6106 10 00. See also the explanatory note to CN code 6106 concerning shirts and shirt blouses

(*) The photographs are merely of an illustrative nature.

**COMMISSION REGULATION (EEC) No 737/89
of 22 March 1989**

**amending Regulation (EEC) No 2444/88 on the opening of an invitation to
tender for the refund for the export of barley**

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 2444/88 ⁽⁴⁾,
as last amended by Regulation (EEC) No 286/89 ⁽⁵⁾,
opened an invitation to tender for the refund for the
export of barley;

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 2444/88 is hereby
amended as follow:

'1. A special intervention measure in the form of an
export refund shall be applied in respect of 1 100 000
tonnes of barley produced in Spain.'

Article 2

This Regulation shall enter into force on the day of
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, 22 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 211, 4. 8. 1988, p. 15.

⁽⁵⁾ OJ No L 33, 4. 2. 1989, p. 21.

COMMISSION REGULATION (EEC) No 738/89**of 22 March 1989****amending Regulation (EEC) No 487/89 on the supply of olive oil to Algeria as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, and in particular Article 6 (1) (c) thereof,Whereas Commission Regulation (EEC) No 487/89 ⁽³⁾, as amended by Regulation (EEC) No 633/89 ⁽⁴⁾, issued an invitation to tender for the supply, as food aid, of 1 200 tonnes of olive oil for Algeria; whereas, following a request by the beneficiary, some of the conditions specified in the Annex to the Regulation should be altered,*Article 1*

The Annex to Regulation (EEC) No 487/89 is hereby replaced by the Annex to this Regulation.

*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, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.⁽³⁾ OJ No L 57, 28. 2. 1989, p. 10.⁽⁴⁾ OJ No L 70, 14. 3. 1989, p. 13.

ANNEX

1. Operation Nos ⁽¹⁾: 17 to 19/89
2. Programme : 1988
3. Recipient : Algeria
4. Representative of the recipient ⁽²⁾: Croissant rouge algérien, Comité National, 15 bis, Bld Mohamed V, Alger, Dr. Mouloud Belaouane; telex 66442 HILAL — ALGER, tel. 61 07 41
5. Place or country of destination : Algeria
6. Product to be mobilized : olive oil
7. Characteristics and quality of the goods ⁽³⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.4)
8. Total quantity : 1 200 tonnes
9. Number of lots : three
 - Lot A : 400 tonnes (operation No 17/89)
 - Lot B : 400 tonnes (operation No 18/89)
 - Lot C : 400 tonnes (operation No 19/89)
10. Packaging and marking : see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of five litres,
 - the cans must be packed in cartons, with four cans per carton,
 - the cans and cartons must bear the following wording in letters at least 2,5 cm high in the case of cans and 5 cm high in the case of cartons :
 - Lot A :
'ACTION N° 17/89 / HUILE D'OLIVE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
 - Lot B :
'ACTION N° 18/89 / HUILE D'OLIVE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
 - Lot C :
'ACTION N° 19/89 / HUILE D'OLIVE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
11. Method of mobilization : the Community market
12. Stage of supply : delivered unloaded at Algiers (the goods will be taken over immediately by the recipient)
13. Port of shipment : —
14. Port of landing specified by the recipient : —
15. Port of landing : —
16. Address of the warehouse and, if appropriate, port of landing : —
17. Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 30. 5. to 13. 6. 1989
18. Deadline for the supply : 11. 7. 1989
19. Procedure for determining the costs of supply : invitation to tender
20. Deadline for submission of tenders : 18. 4. 1989 at 12 noon
21. In the case of a second invitation to tender :
 - (a) deadline for the submission of tenders : 2. 5. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 13. 6. 1989 to 27. 6. 1989
 - (c) deadline for the supply : 25. 7. 1989

22. Amount of the tendering security: ECU 45 per tonne
23. Amount of the delivery security: 10 % of the amount of the tender in ecus
24. Address for submission of tenders ⁽¹⁾:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex: AGREC 22037 B
25. Refund payable on request by the successful tenderer ⁽²⁾: refund applicable on 1. 2. 1989, fixed by Commission Regulation (EEC) No 241/89 (OJ No L 30, 1. 2. 1989, p. 13)

Notes:

- ⁽¹⁾ The operation number is to be quoted in all correspondence.
- ⁽²⁾ Commission delegate to be contacted by the successful tenderer:
M. J-P. Jesse, 36 rue Arezki, Hydra, 16300 Algiers; tel. 59 08 22, telex 66067 EURAL DZ.
- ⁽³⁾ The successful tenderer shall supply to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 levels.
- ⁽⁴⁾ In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
— either by porter at the office referred to in point 24 of this Annex,
— or by telecopier on one of the following numbers in Brussels:
235 01 32
236 10 97
235 01 30
236 20 05.
- ⁽⁵⁾ Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

COMMISSION REGULATION (EEC) No 739/89

of 22 March 1989

on the sale at a price fixed in advance of certain boned beef held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the possibility of permanent intervention in beef and veal has led to the build-up of considerable stocks in the Community; whereas some of the intervention purchases have been stored in the form of boned meat in order to improve the intervention system in accordance with Commission Regulation (EEC) No 2226/78⁽³⁾, as last amended by Regulation (EEC) No 3492/88⁽⁴⁾;

Whereas Article 2 (1) of Council Regulation (EEC) No 98/69⁽⁵⁾, as amended by Regulation (EEC) No 429/77⁽⁶⁾, provides that the selling prices of frozen beef and veal bought in by the intervention agencies may be fixed in advance; whereas it is appropriate to make use of this system of selling;

Whereas it is important to comply with the provisions of Commission Regulation (EEC) No 2173/79⁽⁷⁾, as amended by Regulation (EEC) No 1809/87⁽⁸⁾, with regard to selling at a price fixed in advance;

Whereas Council Regulation (EEC) No 1055/77⁽⁹⁾ provides that, in the case of products held by an intervention agency and stored outside the territory of the Member State within whose jurisdiction that agency falls, a selling price different from that for products stored on that territory may be fixed; whereas Commission Regulation (EEC) No 1805/77⁽¹⁰⁾ laid down the method of calculating the selling prices for those products;

whereas, in order to avoid any confusion, it should be made clear that the prices fixed by this Regulation do not apply as they stand to those products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 27 March to 28 April 1989 the sale shall take place of approximately:

- 500 tonnes of boned beef held by the Danish intervention agency and put into store before 1 September 1988,
- 400 tonnes of boned beef held by the German intervention agency and put into store before 1 January 1988,
- 1 000 tonnes of boned beef and veal held by the Irish intervention agency and put into store before 1 September 1988,
- 1 000 tonnes of boned beef held by the United Kingdom intervention agency and put into store before 1 July 1988,
- 500 tonnes of boned beef held by the Italian intervention agency and put into store before 1 July 1988.

The qualities and prices of this meat are given in Annex I.

2. The intervention agency shall first sell the meat which has been in storage longest.

3. Sales shall take place in accordance with the provisions of Regulation (EEC) No 2173/79, and in particular Articles 2 to 5 thereof.

4. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

This Regulation shall enter into force on 27 March 1989.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁴⁾ OJ No L 306, 11. 11. 1988, p. 20.

⁽⁵⁾ OJ No L 14, 21. 1. 1969, p. 2.

⁽⁶⁾ OJ No L 61, 5. 3. 1977, p. 18.

⁽⁷⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁸⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁹⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽¹⁰⁾ OJ No L 198, 5. 8. 1977, p. 19.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —
ALLEGATO I — BIJLAGE I — ANEXO I

Precio de venta expresado en ecus por tonelada ⁽¹⁾ ⁽²⁾ — Salgspriser i ECU/ton ⁽¹⁾ ⁽²⁾ — Verkaufspreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο ⁽¹⁾ ⁽²⁾ — Selling prices expressed in ecus per tonne ⁽¹⁾ ⁽²⁾ — Prix de vente exprimés en écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi di vendita espressi in ecu per tonnellata ⁽¹⁾ ⁽²⁾ — Verkoopprijzen uitgedrukt in ecu per ton ⁽¹⁾ ⁽²⁾ — Preço de venda expresso em ecus por tonelada ⁽¹⁾ ⁽²⁾

	Kategori A	Kategori C
1. DANMARK		
Inderlår med kappe	3 930	3 700
Tykstegsfilet med kappe	3 385	3 120
Klump med kappe	3 385	3 125
Yderlår med lårtunge	3 610	3 365
Mørbrad med bimørbrad	9 605	8 655
Bryst og slag	2 195	2 195
Øvrigt kød af forfjerdinger	2 700	2 700
2. BUNDESREPUBLIK DEUTSCHLAND	Kategorie A	Kategorie C
Dünnung	1 710	1 710
3. IRELAND	Category C	
Forequarters (excluding cube rolls)	2 800	
Plates and flanks	1 800	
Thin flanks	1 800	
Plates	1 800	
Shins and shanks	2 600	
Shins	2 600	
Shanks	2 600	
Briskets	2 300	

⁽¹⁾ En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención poseedor, estos precios se ajustarán con arreglo a lo dispuesto en el Reglamento (CEE) n° 1805/77.

⁽²⁾ I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽³⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽⁴⁾ Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους-μέλους στο οποίο υπάρχει ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

⁽⁵⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

⁽⁶⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽⁷⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽⁸⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽⁹⁾ No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.

⁽¹⁰⁾ Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

⁽¹¹⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽¹²⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽¹³⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽¹⁴⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽¹⁵⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽¹⁶⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

⁽¹⁷⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽¹⁸⁾ Estes preços aplicam-se a peso líquido, conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

4. UNITED KINGDOM

Category C

Topsides	4 820
Silversides	4 510
Thick flanks	4 200
Rumps	4 855
Foreribs	3 115
Thin flanks	1 800
Flanks (plate)	1 800
Shins and shanks	2 900
Pony parts	2 300
Clod and sticking	2 900
Brisket	2 700
Ponies	2 875
Striploins	6 335
Fillets	9 500

5. ITALIA

Categoria A

Pancia	1 815
Petto	1 950
Roastbeef	6 400
Fesa esterna	3 900
Scamone	4 000
Geretto-Pesce	2 900

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção

DANMARK: Direktoratet for Markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tlf. (01) 92 70 00, telex 151 37 DK

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302

BUNDESREPUBLIK
DEUTSCHLAND: Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 9) 1 56 40 App. 772/773, Telex 411 156

IRELAND: Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

ITALIA: Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
via Palestro, 81, Roma
Tel. 47 49 91
Telex 61 30 03

COMMISSION REGULATION (EEC) No 740/89

of 22 March 1989

amending Regulation (EEC) No 1609/88 as regards the latest time of entry into storage for butter sold under Regulation (EEC) No 3143/85

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1109/88⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, as provided for in Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced price of intervention butter intended for direct consumption in the form of concentrated butter⁽³⁾, as last amended by Regulation (EEC) No 231/89⁽⁴⁾, butter put up for sale must have entered storage before a date to be determined; whereas, in view of the level of butter stocks, the date in the first subparagraph of Article 1 of Commission Regulation (EEC) No 1609/88⁽⁵⁾, as last amended by Regulation (EEC) No 578/89⁽⁶⁾, which fixes the latest time of entry into storage of butter sold under Regulation (EEC) No 3143/85, should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 1 of Regulation (EEC) No 1609/88 is hereby replaced by the following:

'The butter referred to in Article 1 (1) of Regulation (EEC) No 3143/85 must have been taken into storage before 1 April 1987 or between 1 August and 31 December 1987.'

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, 22 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 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 29, 31. 1. 1989, p. 27.

⁽⁵⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽⁶⁾ OJ No L 63, 7. 3. 1989, p. 12.

COMMISSION REGULATION (EEC) No 741/89

of 22 March 1989

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the first and second quarters of 1989

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 14 (4) (a) and (c) thereof,

Whereas the Council, under a special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1989 an estimate of 20 000 tonnes divided into two quantities of 13 000 tonnes and 7 000 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

Whereas, with a view to imports in the first two quarters, the term of validity of the licences referred to in Article 4 (b) of Commission Regulation (EEC) No 2377/80⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, should be extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the first and second quarters of 1989 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 6 000 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 3 000 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import less 55 %.

Article 3

By way of derogation from Article 4 (b) of Regulation (EEC) No 2377/80, the term of validity of licences issued under this Regulation shall extend for five months from their actual date of issue.

Article 4

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, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

COMMISSION REGULATION (EEC) No 742/89

of 22 March 1989

fixing the quantity of young male bovine animals which may be imported on special terms in the first and second quarters of 1989

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has established an estimate of 175 000 head under the new import arrangements for young male bovine animals for fattening, for the period 1 January to 31 December 1989; whereas, under Article 13 (4) (a) of Regulation (EEC) No 805/68, the quantity which may be imported each quarter and the rate of reduction in the import levy on these animals must be determined;

Whereas detailed rules for the practical application of the special arrangements were laid down in Commission Regulation (EEC) No 612/77⁽³⁾, as last amended by Regulation (EEC) No 1121/87⁽⁴⁾, and in Commission Regulation (EEC) No 2377/80⁽⁵⁾, as last amended by Regulation (EEC) No 3182/88⁽⁶⁾;

Whereas, with a view to imports in the first two quarters, the term of validity of the licences referred to in Article 4 (b) of Regulation (EEC) No 2377/80 should be extended;

Whereas the supply requirements of certain regions of the Community which have a serious deficit in bovine animals for fattening must be taken into account; whereas these requirements are apparent in Italy and in Greece and may be estimated for the first and second quarters of 1989 at 68 000 head and 10 400 head head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the first and second quarters of 1989, a higher rate of reduction in the levy for animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia;

Whereas the partial reduction in the levy is intended to help improve cattle rearing and beef and veal production structures in Italy and in Greece; whereas appropriate measures must therefore be taken to ensure that producers can, as far as possible, benefit directly from the

arrangements without traditional trade being excluded; whereas this objective can be achieved by giving agricultural producers and their organizations priority when issuing the licences conferring entitlement to benefit from the arrangements;

Whereas in accordance with Article 9 (1) of Regulation (EEC) No 2377/80, the applicant shall undertake either to carry out himself or to have carried out under his responsibility, the task of fattening; whereas, in the case of agricultural producers or their professional organizations, it appears that the opportunity given to the applicant not to carry out himself the task of fattening could give rise to abuses in certain cases; whereas it seems appropriate consequently to abolish that opportunity for the quarters in question;

Whereas, in the case of import licence applications made by agricultural producers or their professional organizations, or the traditional trade, it is necessary, in order to permit a more equitable distribution of the quantities available, to limit the maximum quantity which each application may cover;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 30 June 1989, the maximum quantity referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 79 050 head of young male bovine animals for fattening, of a live weight of 300 kilograms or less, of which 68 000 head must be imported into and fattened in Italy and 10 400 head must be imported into and fattened in Greece.

2. The levy charged on imports of the young bovine animals referred to in paragraph 1 shall be equal to the levy applicable on the day of import less 60 %.

However, the levy applicable on the day of import shall be reduced by 70 % in respect of a maximum of 20 840 young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia.

This maximum quantity may be imported up to a maximum of:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 283, 18. 10. 1988, p. 13.

- 17 800 head in Italy,
- 2 780 head in Greece, and
- 260 head in the other Member States.

3. Applications for a licence and licences shall, in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80, relate to:

- either young bovine animals of a weight per head not exceeding 300 kilograms, or
- young bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case, Sections 13 and 14 of applications for licences and licences shall include one of the following entries:

- 'Yugoslavia',
- 'Jugoslavien',
- 'Jugoslawien',
- 'Γιουγκοσλαβία',
- 'Yugoslavia',
- 'Yougoslavie',
- 'Jugoslavia',
- 'Joegoslavië',
- 'Jugoslāvia'.

Licences shall make it compulsory to import from the country indicated.

4. Member States shall specify in the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 the category of live weight, and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 3.

5. Within the quantity reserved for Italy, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 45 400 head, including a maximum of 11 900 head originating in and coming from Yugoslavia.

Italy shall, for this purpose, specify the categories of applicants in the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 22 600 head, including a maximum of 5 900 head originating in and coming from Yugoslavia.

6. Within the quantity reserved for Greece, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 6 950 head, including a maximum of 1 840 head originating in and coming from Yugoslavia.

Greece shall, for this purpose, specify the categories of applicants in the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 3 450 head, including a maximum of 940 head originating in and coming from Yugoslavia.

Article 2

1. In the case of the quantity referred to in Article 1 (5) (a) and (6) (a):

- (a) notwithstanding Article 9 (1) (d) of Regulation (EEC) No 2377/80, applications for import licences lodged:

- by agricultural producers, directly or through their professional organizations, shall be acceptable only if the agricultural producers undertake in writing to fatten on their farms the young bovine animals imported under this Regulation,
- by professional organizations, shall be acceptable only if they undertake in writing to have the young bovine animals imported under this Regulation fattened on the farms of those who are members of the said organizations at the time the declaration referred to in Article 1 (1) (d) of Regulation (EEC) No 612/77 is made;

- (b) applications for import licences may not cover more than 100 head when made by individual applicants or more than 100 head per member when made by professional organizations. The total quantity applied for by a professional organization may not, however, exceed 2 500 head.

2. In the case of the quantity referred to in Article 1 (5) (b) and (6) (b), applications for import licences may not cover more than 10 % of that quantity.

3. Without prejudice to Article 1 (3) of Regulation (EEC) No 612/77, the security referred to therein shall not be released, in whole or in part, unless proof is provided to the competent authorities of the Member State in question that the undertaking in paragraph 1 (a) has been complied with.

Article 3

For the purpose of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which relate to the same category of weight and the same rate of reduction in the levy shall be treated as one application.

Article 4

Notwithstanding Article 4 (b) of Regulation (EEC) No 2377/80, the term of validity of the licences issued under this Regulation shall extend for five months from their actual date of issue.

Article 5

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, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 743/89

of 21 March 1989

laying down detailed rules for the application of a direct aid scheme for small producers of cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 4 (5) thereof,

Having regard to Council Regulation (EEC) No 729/89 of 20 March 1989 laying down general rules for the special arrangements applicable to small producers under the co-responsibility arrangements in the cereals sector⁽³⁾,

Whereas Article 2 (4) of Regulation (EEC) No 729/89 defines the criteria according to which the overall amount of aid fixed for the marketing year in question is to be allocated among the Member States; whereas the said allocation among the Member States should be made according to those criteria;

Whereas the conditions for payment of the aid should be provided for; whereas, to that end, small producers must provide proof that they have borne the cost of the co-responsibility levies; whereas that proof, in the form of supporting documents, does not preclude the possibility provided for in Article 4 of Regulation (EEC) No 729/89 of granting the aid on a flat-rate basis;

Whereas Article 5 of Regulation (EEC) No 729/89 provides that Member States which experience particular difficulties of an administrative or technical nature may grant the aid to small producers in the form of compensation for co-responsibility levies, to offset which the aid is not paid; whereas that situation arises for Spain, Greece and Italy;

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

Article 1

1. The direct aid for small producers of cereals as provided for in Article 1 of Regulation (EEC) No 729/89 shall be allocated in accordance with the terms of this Regulation.

2. The overall amount of the aid referred to in Article 2 (2) of Regulation (EEC) No 729/89 shall be allocated among the Member States as set out in the Annex hereto.

Pursuant to Article 5 (2) of that Regulation, no amount shall be fixed for Spain, Greece or Italy.

Article 2

1. Member States shall pay the aid to the producers on presentation of supporting documents certifying that they have borne the co-responsibility levies referred to in Article 4 and 4b of Regulation (EEC) No 2727/75.

Member States may require other supporting documents to be presented.

Article 3

The aid shall be paid to the recipients no later than 31 December following the end of the marketing year in respect of which the aid is granted.

Article 4

In Spain, Greece and Italy, the aid for small producers of cereals shall take the form of compensation for co-responsibility levies payable by the latter for up to :

- an amount corresponding, for each producer, to the levy for 25 tonnes of cereals,
- an overall amount per Member State, equal to :
 - ECU 46,64 million for Spain,
 - ECU 18,28 million for Greece,
 - ECU 61,03 million for Italy.

Article 5

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ See page 5 of this Official Journal.

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

Done at Brussels, 21 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Allocation of the aid for small producers among the Member States

Member State	million ecus
France	50,16
Federal Republic of Germany	29,04
United Kingdom	4,36
Denmark	4,05
Ireland	1,65
Belgium	3,08
Netherlands	1,49
Luxembourg	0,22
Total	94,05

COMMISSION REGULATION (EEC) No 744/89

of 22 March 1989

amending Regulation (EEC) No 886/87 on the notification by the Member States to the Commission of the information relating to imports of dessert apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3910/87 of 22 December 1987 amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables ⁽¹⁾ and in particular Article 2 thereof,Whereas Commission Regulation (EEC) No 886/87 ⁽²⁾ stipulates the notifications which the Member States must forward to the Commission to monitor imports of dessert apples; whereas the tariff description of the products in question should be adapted to take account of the new tariff designation of products introduced by the abovementioned Regulation (EEC) No 3910/87;

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

The words 'falling within heading No 08.06 A II of the Common Customs Tariff' in Article 1 of Regulation (EEC) No 886/87 are hereby replaced by 'covered by CN codes 0808 10 91, 0808 10 93 and 0808 10 99'.

*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, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1987, p. 33.
⁽²⁾ OJ No L 85, 28. 3. 1987, p. 16.

COMMISSION REGULATION (EEC) No 745/89

of 22 March 1989

derogating for the first quarter of 1989 from Regulation (EEC) No 2377/80 in respect of the issue of import licences under certain special arrangements in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾,

Whereas certain special arrangements for products in the beef and veal sector, referred to in Articles 9 to 11 of Commission Regulation (EEC) No 2377/80 ⁽³⁾, as last amended by Regulation (EEC) No 3182/88 ⁽⁴⁾, have only been decided in March 1989 for 1989; whereas consequently it is necessary to derogate from Regulation (EEC) No 2377/80 with regard to the periods for lodging applications and for the granting of licences within the framework of these special systems;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the first quarter of 1989, notwithstanding Article 15 of Regulation (EEC) No 2377/80 and in respect of the

arrangements referred to in Articles 9 to 11 of the said Regulation:

- (a) applications may only be lodged from 1 until 10 April 1989;
- (b) the information provided for in Article 15 (4) (a) and (b) of the said Regulation shall be provided on 14 April 1989;
- (c) the licences provided for in Article 15 (5) (a) of the said Regulations shall be issued on 28 April 1989.

Article 2

Commission Regulation (EEC) No 4143/88 ⁽⁵⁾ is hereby replaced.

Article 3

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

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 362, 30. 12. 1988, p. 29.

COMMISSION REGULATION (EEC) No 746/89

of 22 March 1989

laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EEC) No 574/89 in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 574/89 of 2 March 1989 opening for 1989, as an autonomous measure, a special import tariff quota for high-quality fresh, chilled or frozen beef and veal falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91⁽¹⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 574/89 opened a tariff quota for high-quality beef and veal; whereas the rules for the application of these arrangements must be established;

Whereas the exporting non-member countries have undertaken to issue certificates of authenticity guaranteeing the origin of these products; whereas the form and layout of these certificates and the procedures for using them must be specified;

Whereas the certificate of authenticity must be issued by an appropriate authority in a non-member country, the standing of which is such as to ensure that the special arrangements are properly applied;

Whereas provision must be made for the Member States to transmit relevant information in connection with these special imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

The special tariff quota for fresh, chilled or frozen beef and veal provided for in Article 1 (1) of Regulation (EEC) No 574/89 shall be allocated as follows:

- (a) 2 500 tonnes of chilled boned meat, falling within CN codes 0201 30 and 0206 19 05 and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals, aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef", cuts of which may bear the letters "sc" (special cuts)';

- (b) 680 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and answering the following definition:

'Selected cuts of fresh, chilled or frozen beef derived from bovine animals which do not have more than four permanent incisor teeth, the carcasses of which have a dressed weight of not more than 327 kilograms (720 pounds), a compact appearance with a good eye of meat of light and uniform colour, and adequate but not excessive fat cover. The meat shall be certified "high-quality EEC beef";

- (c) 1 000 tonnes of boned meat, falling within CN codes 0201 30, 0202 30 90, 0206 19 95 and 0206 29 91 and answering the following definition:

'Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as "special boxed beef". These cuts may bear the letters "sc" (special cuts)';

- (d) 1 650 tonnes product weight of boned meat falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition:

'Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements:

meat from B or R class carcasses with rounded to straight conformation and a fat-cover class of 2 or 3; the cuts, bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality, will be boxed in cartons bearing the words "high-quality beef";

⁽¹⁾ OJ No L 63, 7. 3. 1989, p. 5.

- (e) 170 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and answering the following definition :

'Selected chilled or frozen premium beef cuts derived from exclusively pasture-grazed bovine animals which do not have more than four permanent incisor teeth in wear, the carcasses of which have a dressed weight of not more than 325 kilograms, a compact appearance with a good eye of meat of light and uniform colour and adequate but not excessive fat cover. All cuts will be vacuum packaged and referred to as high-quality beef.'

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation, at the time it is put into free circulation, of a certificate of authenticity.

2. The certificate of authenticity shall be made out in one original and not less than one copy on a form corresponding to the model in Annex I.

The form shall measure approximately 210 × 297 mm. The paper shall weigh not less than 40 g/m² and shall be white.

3. The forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language or one of the official languages of the exporting country.

The appropriate definition under Article 1 (1) relative to the meat originating from the exporting country shall be shown on the back of the form.

4. The particulars on the original and the copies shall be either typewritten or handwritten. In the latter case they must be printed in block capitals.

5. Each certificate of authenticity shall bear an individual serial number assigned by the issuing authority referred to in Article 4. The copies shall bear the same serial number as the original.

Article 3

1. The certificate of authenticity shall be valid for three months from the date it was issued.

The original certificate of authenticity shall be valid for three months from the date it was issued.

However, the certificate may not be presented after 31 December of its year of issue.

2. The copy of the certificate of authenticity referred to in paragraph 1 shall be sent by the customs authorities of

the Member State in which the product is placed in free circulation to the designated authorities of that Member State responsible for the communication under Article 6 (1).

Article 4

1. A certificate of authenticity shall be valid only if it is duly completed and endorsed, in accordance with the instruction in Annexes I and II, by one of the issuing authorities listed in Annex II.

2. The certificate of authenticity shall be deemed to have been duly endorsed if it specifies the date and place of issue and if it bears the stamp of the issuing authority and the signature of the person or persons empowered to sign it.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 5

1. The issuing authorities listed in Annex II shall :

- (a) be recognized as competent by the exporting country ;
- (b) undertake to check the particulars set out in the certificates of authenticity ;
- (c) undertake to communicate to the Commission and to the Member States, on request, any useful information enabling the particulars set out in the certificates of authenticity to be evaluated.

2. The list shall be amended if the requirement in paragraph 1 (a) is no longer met or if an issuing authority fails to fulfil one of the obligations incumbent on it.

Article 6

1. The Member States shall communicate to the Commission, in respect of each period of 10 days, not later than 15 days after that period, the quantities of products referred to in Article 1 that have been put into free circulation, broken down by their country of origin and tariff subheading.

2. Under this Regulation the period of 10 days means :

- from the first to the 10th of the month inclusive,
- from the 11th to the 20th of the month inclusive,
- from the 21st to the last day of the month inclusive.

Article 7

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, 22 March 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

1 Exporter	2 Certificate No	ORIGINAL	
4 Consignee	3 Issuing authority		
6 Means of transport	5 CERTIFICATE OF AUTHENTICITY BEEF AND VEAL SPECIAL AUTONOMOUS/QUOTA TARIFF 1989 Commission Regulation (EEC) No 746/89		
7 Marks, numbers, number and kind of packages ; description of goods	8 Gross weight (kg)	9 Net weight (kg)	
10 Net weight (in words)			
11 CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf Place Date Signature and stamp (or printed seal)			

DEFINITION

**High-quality beef originating in
(appropriate definition)**

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY**

- JUNTA NACIONAL DE CARNES
for meat originating in Argentina, answering the definition in Article 1 (a).
 - AUSTRALIAN MEAT AND LIVESTOCK CORPORATION
for meat originating in Australia, answering the definition in Article 1 (b).
 - INSTITUTO NACIONAL DE CARNES (INAC)
for meat originating in Uruguay, answering the definition in Article 1 (c).
 - SECRETARIA DE INSPECAO DO PRODUTO ANIMAL (SIPA)
for meat originating in Brazil, answering the definition in Article 1 (d).
 - NEW ZEALAND MEAT PRODUCERS BOARD
for meat originating in New Zealand, answering the definition in Article 1 (e).
-

COMMISSION REGULATION (EEC) No 747/89

of 22 March 1989

on the adjustment, following a change in prices in the sugar sector, of certain export refunds fixed in advance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 19 (3) and (7) thereof,

Whereas Article 12 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides in particular that if, between the date on which application for an export licence with advance fixing of the refund is lodged and the date of export, there is an alteration in the prices fixed under the common organization of the markets in the sugar sector, an adjustment may be made to the amount of the refund;

Whereas the provisions for adjusting the amount of the refund have now been applicable for several marketing years as regards refunds fixed in advance under a tendering procedure for commitments to export production surpluses; whereas accordingly, with a view to improving the management of the sugar market, systematic use should also be made of those provisions to adjust the refunds in the case of white sugar, raw sugar, sugar syrup and isoglucose exported in the form of goods listed in the Annexes to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 3209/88⁽⁶⁾, such refunds being fixed in advance before the change in the intervention price concerned, with completion of the customs export formalities on or after that date; whereas Article 5 (2) of Regulation (EEC) No 3035/80 provides that the rate of refund under the system of advance fixing is to be adjusted according to the

same rules applying to the advance fixing of refunds on basic products exported in the natural state; whereas that adjustment will therefore be made on the basis of the difference between the intervention price for the sugar in question applicable on the day the application for a licence is lodged and that applicable to the same sugar on the day it is exported, both those prices being increased by the storage levy applicable during the period of validity of the price in question;

Whereas, by reason of the trend of the volume of trade in products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and in white or raw candy sugar, the provisions for adjusting the refunds should be applied to those products under the same conditions and, to ensure equal treatment, should be extended to isoglucose where the products in question are exported in the natural state;

Whereas it is therefore advisable, in the interests of sound management, to lay down certain administrative and technical rules with a view to ensuring that the adjustment of the refund for the basic product in question is applied on a uniform basis;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. If, between the date on which an application is lodged for an export licence with advance fixing of the refund and the date on which the product is exported there is a change in the intervention price for white sugar expressed in ecus in respect of non-deficit areas the export refund in question shall be adjusted in accordance with the conditions set out below.

2. Paragraph 1 shall apply to products listed in Annex I to this Regulation which are exported in the natural state and to products listed in Annex II to this Regulation which are exported in the form of goods listed in the Annexes to Regulation (EEC) No 3035/80.

3. For the purposes of the adjustment referred to in paragraph 1 the competent authority of the Member State of issue shall, when issuing the export licence, mark the document as follows:

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

'To be adjusted in accordance with Commission Regulation (EEC) No 747/89 (OJ No L 80, 23. 3. 1989, p. 48) in the case of goods exported as from the date on which the new intervention price in question takes effect.'

In the case referred to in paragraph 1 the holder of the licence or, where applicable, the person to whom it has been transferred, must submit the licence to the competent authority of the Member State of issue so that the customs export formalities relating to the quantities concerned can be completed. The said authority shall enter the relevant adjustment in section 'Special particulars' of the export licence and shall place its stamp thereon.

Article 2

For white sugar falling within CN code 1701 99 00 as set out in Annexes I and II, the adjustment referred to in Article 1 shall be obtained by increasing or reducing, as the case may be, the export refund by the difference, expressed in ecus per 100 kilograms of sugar, between the intervention price for white sugar in the non-deficit areas, plus the storage levy applicable on the day the application for the export licence was lodged, and the corresponding price for the white sugar plus the storage levy applicable on the day of export.

Article 3

For products listed in Annexes I and II and falling within CN code :

- (a) 1701 91 00, ex 1701 99 90, 1702 60 90, 1702 90 60, 1702 90 71, ex 1702 90 90 or 2106 90 59, the adjustment determined in accordance with Article 2 shall apply for every 1 % of sucrose contained in the product in question; the amount shall be equal to one-hundredth of the difference established in accordance with the said Article;
- (b) 1702 40 10, 1702 60 10, 1702 90 30 or 2106 90 30, the adjustment determined in accordance with Article 2 shall apply per 100 kilograms of dry matter contained in the product in question.

Article 4

1. For standard-quality raw sugar falling within CN code 1701 11 90 or 1701 12 90, as listed in Annexes I and II, the adjustment determined in accordance with Article 1 shall be obtained by increasing or reducing, as the case may be, the export refund by the difference, expressed in ecus per 100 kilograms of sugar, between the intervention price for raw sugar, plus the storage levy applicable on the day the application for an export licence was lodged, and the intervention price for raw sugar plus the storage levy applicable on the day of export.

2. Where the yield of the raw sugar differs from that of the standard quality as defined by Council Regulation (EEC) No 431/68⁽¹⁾, the refund payable adjusted in accordance with paragraph 1 shall be further adjusted in accordance with Article 2 of Commission Regulation (EEC) No 837/68⁽²⁾.

Article 5

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽²⁾ OJ No L 151, 30. 6. 1968, p. 42.

ANNEX I

CN code	Description
	Beet sugar and cane sugar, in solid form :
ex 1701 11 90 } ex 1701 12 90 } ex 1701 99 10 } 1701 91 00 } ex 1701 99 90 }	– Raw candy sugar – White candy sugar – Sugar containing added flavouring or colouring matter or other substances
	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :
	– Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose :
1702 40 10	– – Isoglucose : – Containing, in the dry state, 41 % or more by weight of fructose – Other fructose and fructose syrup, containing in the dry state more than 50 % by weight of fructose :
1702 60 10	– – Isoglucose
1702 60 90	– – Other
	– Other, including invert sugar :
1702 90 30	– – Isoglucose
1702 90 60	– – Artificial honey, whether or not mixed with natural honey
	– – Caramel :
1702 90 71	– – – Containing 50 % or more by weight of sucrose in the dry matter
	– – Other :
ex 1702 90 90	– Other, excluding sorbose
	Food preparations not elsewhere specified or included :
	– Other :
	– – Flavoured or coloured sugar syrups :
2106 90 30	– – – Isoglucose
	– – – Other :
2106 90 59	– – – – Other

ANNEX II

CN code	Description
1701 99 10	White sugar
1701 11 90 } 1701 12 90 }	Raw sugar
1702 40 10 } 1702 60 10 } 1702 90 30 }	Isoglucose
ex 1702 90 90	Beet syrup and cane syrup containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar calculated in terms of sucrose)

COMMISSION REGULATION (EEC) No 748/89

of 22 March 1989

amending Regulation (EEC) No 1729/78 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 9 (6) thereof,

Whereas the term of validity of production refund certificates is such that it may at most cover two quarters in respect of which production refunds are fixed; whereas such certificates must mention the production refunds applying on the day of receipt of the application in accordance with Article 3 (3) (e) of Commission Regulation (EEC) No 1729/78⁽³⁾, as last amended by Regulation (EEC) No 1053/88⁽⁴⁾; whereas, under these circumstances, a change in the intervention price for sugar fixed for non-deficit areas may conceivably occur between the day of receipt of the application for the refund and the day of processing of the basic product in question;

Whereas the production refund is henceforward to be determined on the basis of the Community price of sugar and the trend in the price of sugar on the world market; whereas provision should accordingly be made for a rule on an adjustment of such refunds to take account of any change in the intervention price fixed in ecus for sugar between the day of receipt of the application for the certificate and the day of processing of the basic product in question; whereas, to bring such refunds into line with actual conditions on the Community market for sugar, the adjustment should be made taking into account storage levies applicable before and after the change in the intervention prices fixed for sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1729/78 is hereby amended as follows:

1. In Article 3 (3) (b) and (e) and in Article 10, 'on which the application was lodged' is replaced by 'on which the application was received'.

2. Article 5 is replaced by the following:

Article 5

The refund certificate shall be valid from the day of receipt of the application to the end of the third month following the quarter of fixing during which the application for a production refund was received.

3. The following Article 5a is inserted:

Article 5a

1. If during the period between the day of receipt of an application for a production refund certificate pursuant to this Regulation and the day of processing of the basic product within the meaning of Council Regulation (EEC) No 1010/86⁽¹⁾ a change occurs in the intervention price for white sugar fixed in ecus for non-deficit areas, the production refund in question shall be adjusted for the quantities of basic product processed from the day of such change.

2. For the purposes of applying the adjustment provided for in paragraph 1, the competent authority of the Member State issuing the refund certificate in question shall add the following to the certificate when it is issued:

"To be adjusted in accordance with Commission Regulation (EEC) No 748/89 (OJ No L 80, 23. 3. 1989, p. 51) for processing from the date of application of the new intervention price in question."

The adjustment is to be made at the time of payment of the production refund in question.

3. Where the basic product is white sugar as referred to in Article 1 (1) of Regulation (EEC) No 1010/86, the adjustment provided for in paragraph 1 shall be obtained by increasing or reducing, as the case may be, the production refund by the difference, expressed in ecus per 100 kilograms of sugar, between the intervention price for white sugar for non-deficit areas applicable on the day of receipt of the certificate application plus the storage levy applicable on that day and that price for white sugar applicable on the day of processing of the basic product in question, plus the storage levy applicable on that day.

4. Where the basic product is raw sugar of the standard quality referred to in Article 1 (1) of Regulation (EEC) No 1010/86, the adjustment provided for in paragraph 1 shall be obtained by

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 201, 25. 7. 1978, p. 26.

⁽⁴⁾ OJ No L 103, 22. 4. 1988, p. 25.

increasing or reducing, as the case may be, the production refund by the difference, expressed in ecus per 100 kilograms of sugar, between the intervention price for raw sugar applicable on the day of receipt of the certificate application plus the storage levy applicable on that day and that price applicable on the day of processing of the basic product in question plus the storage levy.

5. If the raw sugar yield differs from that laid down in the definition of the standard quality referred to in Council Regulation (EEC) No 431/68 ⁽¹⁾, the refund, adjusted in accordance with paragraph 4, shall be adjusted for payment in accordance with Article 2 of Commission Regulation (EEC) No 837/68 ⁽²⁾.

6. Where the basic product is sucrose syrup as referred to in Article 1 (1) of Regulation (EEC) No 1010/86, the adjustment shall be determined in

accordance with paragraph 4 above and Article 6 of Regulation (EEC) No 1010/86.

7. Where the basic product is isoglucose as referred to in Article 1 (1) and (2) of Regulation (EEC) No 1010/86, the adjustment shall be determined in accordance with paragraph 4 above and shall apply per 100 kilogram of dry matter of the product concerned.

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽²⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

Article 2

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 749/89

of 22 March 1989

laying down detailed rules for applying Council Regulation (EEC) No 592/89 on the transfer to Italy of 300 000 tonnes of barley held by the Spanish intervention agency

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 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2048/88⁽⁴⁾,

Having regard to Council Regulation (EEC) No 592/89 of 6 March 1989 on the transfer to Italy of 300 000 tonnes of barley held by the Spanish intervention agency⁽⁵⁾, and in particular Article 1 (5) thereof,

Whereas, pursuant to Regulation (EEC) No 592/89, the Spanish intervention agency is to make available to the Italian intervention agency 300 000 tonnes of barley to be moved to specified regions; whereas the detailed rules for applying this measure should be adopted;

Whereas there is a shortage of feed grain in Italy; whereas it should therefore be specified that the barley is to be transferred to port silos in mainland Italy and silos in Sardinia and Sicily;

Whereas the Italian intervention agency must be informed quickly of the storage locations of the barley to be transferred; whereas this information and the storage locations in Italy must be notified to the Commission so that it may in particular assess the cost of the transfer operation;

Whereas an invitation to tender should be organized for the transport of the barley so that it can be done as cheaply as possible;

Whereas the provisions of Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽⁶⁾ and of Commission Regulation (EEC) No 1722/77 of 28 July 1977 laying down common detailed rules for the application of Regulation (EEC) No 1055/77 on the storage and movement of products bought in by an

intervention agency⁽⁷⁾, as last amended by Regulation (EEC) No 3826/85⁽⁸⁾, are to apply to this transfer operation;

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

1. Pursuant to Regulation (EEC) No 592/89, the Spanish intervention agency shall make 300 000 tonnes of barley available to the Italian intervention agency.

2. The Italian intervention agency shall be responsible for the carriage in Italy of the product referred to in paragraph 1 before 31 May 1989.

3. The barley must be transferred:

- to the port silos in the case of continental Italy,
- to the silos in the hinterland in the case of Sardinia and Sicily,

which are indicated in the notice of invitation to tender issued by the Italian authorities.

4. The Spanish and Italian intervention agencies:

- (a) shall agree on the choice of storage locations, places of departure and of destination in order to reduce transport costs as much as possible and on the dates of removal of the product pursuant to Article 1 (2) of Regulation (EEC) No 592/89; the lists of those places shall be forwarded to the Commission immediately;
- (b) shall ascertain, on loading in Spain and on entry into the storage locations in Italy, the loaded and unloaded weight and, by analysing a representative sample, the quality of the product in question.

Article 2

1. The Italian intervention agency shall take delivery of the barley when it is loaded on the means of transport at the storage location of the intervention agency of departure and shall assume responsibility for it from that moment.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 185, 15. 7. 1988, p. 1.

⁽⁵⁾ OJ No L 65, 9. 3. 1989, p. 2.

⁽⁶⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁷⁾ OJ No L 189, 29. 7. 1977, p. 36.

⁽⁸⁾ OJ No L 371, 31. 12. 1985, p. 1.

The Spanish intervention agency shall keep the Italian intervention agency informed as to the quantities of barley removed.

2. The cost of transporting the barley shall be determined by the Italian intervention agency by invitation to tender. The cost shall include :

- (a) that of the actual transport (excluding loading) from the storage location of departure to the storage location of destination (excluding unloading);
- (b) the cost of insurance covering the buying-in price of the goods as referred to in Article 7 (4) Regulation (EEC) No 2727/75.

3. The invitation to tender may relate to one or more lots.

4. The Italian intervention agency shall determine the terms and conditions governing the invitation to tender in accordance with the provisions of this Regulation. These must provide in particular for the lodging of a security guaranteeing successful completion of the operations covered by the invitation to tender and must permit tenders to be submitted by telex. They must also provide for the loss of an appropriate amount of the security for each day over the stipulated date of delivery, except in cases of *force majeure*, in the execution of transport as provided for in the notice of tender.

They must also ensure equality of access and of treatment to all parties concerned, whatever their place of establishment in the Community. To that end, the Italian intervention agency shall, after signing the decision to open the invitation to tender, notify the Commission of the date on which the invitation is to be opened. That information shall be published on receipt in the *Official Journal of the European Communities*. A period of five working days from the date of publication shall be allowed for the submission of tenders to the Italian intervention agency.

Tenders shall be both submitted to the Italian intervention agency and accepted in Italian lire.

5. The contract shall be awarded to the tenderer offering the best terms.

However, if no tender is in line with normal prices and costs, no award shall be made.

6. The Italian intervention agency shall keep the Commission informed of progress in the invitation to tender and shall immediately notify the outcome both to the Commission and to the Spanish intervention agency.

Article 3

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

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 750/89

of 22 March 1989

adopting certain provisions on the issuing of STM licences for olive oil

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, and in particular Article 252 (1) thereof,

Whereas Commission Regulation (EEC) No 3711/88 of 28 November 1988 fixing the target ceiling for imports of olive oil into Portugal in the 1988/89 marketing year⁽¹⁾, as last amended by Regulation (EEC) No 598/89⁽²⁾, fixes the ceiling at 15 000 tonnes;

Whereas Article 252 of the Act of Accession stipulates that should the trend of intra-Community trade show that a significant increase in imports has occurred or is likely to occur and if this results in the target ceiling for imports of the product in question for the marketing year in progress being reached or exceeded, suitable measures may be decided;

Whereas the detailed rules for issuing STM licences are set out in Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM)⁽³⁾, as last amended by Regulation (EEC) No 3296/88⁽⁴⁾;

Whereas applications for licences for olive oil falling within CN codes 1509 and 1510 00 are well over the ceiling; whereas, in view of the situation, imports of the products in question into Portugal should be limited; whereas, pending the adoption of definitive measures

pursuant to Article 252 (3) of the Act of Accession, licences should be issued in proportion to the quantities still available in the framework of the ceiling; whereas the coefficient to be applied to licences to be issued takes account of applications notified up to and including 20 March 1989;

Whereas the issuing of further licences for the product in question should also be suspended; whereas this measure entails rejecting applications submitted on or after 21 March 1989,

HAS ADOPTED THIS REGULATION:

Article 1

1. STM licences applied for and notified to the Commission up to and including 20 March 1989 for olive oil falling within CN codes 1509 and 1510 00 shall be issued in respect of 48,94 % of the quantity applied for.
2. The issuing of STM licences in response to applications submitted from 21 March 1989 onwards is hereby suspended.

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, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 325, 29. 11. 1988, p. 40.

⁽²⁾ OJ No L 65, 9. 3. 1989, p. 13.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁴⁾ OJ No L 293, 27. 10. 1988, p. 7.

COMMISSION REGULATION (EEC) No 751/89
of 22 March 1989
fixing the specific levies on beef and veal from Portugal

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 and in particular Article 272 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 441/89 ⁽⁴⁾, lays

down detailed implementing rules and fixes the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 51, 23. 2. 1989, p. 10.

ANNEX

to the Commission Regulation of 22 March 1989 fixing the specific levies on imports of beef and veal from Portugal

CN code	Amount of the special levies (ECU/100 kg)
0102 90 10	35,21
0102 90 31	35,21
0102 90 33	35,21
0102 90 35	35,21
0102 90 37	35,21
0201 10 10	66,43
0201 10 90	66,43
0201 20 21	66,43
0201 20 29	66,43
0201 20 31	53,14
0201 20 39	53,14
0201 20 51	79,72
0201 20 59	79,72
0201 20 90	99,65
0201 30	114,26
0202 10 00	59,79
0202 20 10	59,79
0202 20 30	47,83
0202 20 50	74,40
0202 20 90	89,68
0202 30 10	74,40
0202 30 50	74,40
0202 30 90	102,97
0206 10 95	114,26
0206 29 91	102,97
0210 20 10	99,65
0210 20 90	114,26
0210 90 41	114,26
0210 90 90	114,26
1602 50 10	114,26
1602 90 61	114,26

COMMISSION REGULATION (EEC) No 752/89
of 22 March 1989
fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 2368/88 ⁽³⁾, as last amended by Regulation (EEC) No 602/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 1,65 per 100 kg.

Article 2

This Regulation shall enter into force on 23 March 1989.

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

Done at Brussels, 22 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 205, 30. 7. 1988, p. 29.

⁽⁴⁾ OJ No L 65, 9. 3. 1989, p. 21.

COMMISSION REGULATION (EEC) No 753/89**of 22 March 1989****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat**

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

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the
first paragraph of Article 11 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 4026/88 ⁽³⁾, as
amended by Regulation (EEC) No 479/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 4026/88 to the quota-

tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 April 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 355, 23. 12. 1988, p. 19.

⁽⁴⁾ OJ No L 53, 25. 2. 1989, p. 44.

ANNEX

to the Commission Regulation of 22 March 1989 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 14 from 3 to 9 April 1989	Week No 15 from 10 to 16 April 1989	Week No 16 from 17 to 23 April 1989	Week No 17 from 24 to 30 April 1989
0104 10 90 ⁽¹⁾	139,585	139,341	138,274	136,676
0104 20 90 ⁽¹⁾	139,585	139,341	138,274	136,676
0204 10 00 ⁽²⁾	296,990	296,470	294,200	290,800
0204 21 00 ⁽²⁾	296,990	296,470	294,200	290,800
0204 22 10 ⁽²⁾	207,893	207,529	205,940	203,560
0204 22 30 ⁽²⁾	326,689	326,117	323,620	319,880
0204 22 50 ⁽²⁾	386,087	385,411	382,460	378,040
0204 22 90 ⁽²⁾	386,087	385,411	382,460	378,040
0204 23 00 ⁽²⁾	540,522	539,575	535,444	529,256
0204 50 11 ⁽²⁾	296,990	296,470	294,200	290,800
0204 50 13 ⁽²⁾	207,893	207,529	205,940	203,560
0204 50 15 ⁽²⁾	326,689	326,117	323,620	319,880
0204 50 19 ⁽²⁾	386,087	385,411	382,460	378,040
0204 50 31 ⁽²⁾	386,087	385,411	382,460	378,040
0204 50 39 ⁽²⁾	540,522	539,575	535,444	529,256
0210 90 11 ⁽³⁾	386,087	385,411	382,460	378,040
0210 90 19 ⁽³⁾	540,522	539,575	535,444	529,256

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 754/89
of 22 March 1989
fixing the import levies on frozen sheepmeat and goatmeat

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

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 4025/88 ⁽³⁾, as amended by Regulation (EEC) No 480/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4025/88 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 April 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 355, 23. 12. 1988, p. 16.

⁽⁴⁾ OJ No L 53, 25. 2. 1989, p. 46.

ANNEX

to the Commission Regulation of 22 March 1989 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 14 from 3 to 9 April 1989	Week No 15 from 10 to 16 April 1989	Week No 16 from 17 to 23 April 1989	Week No 17 from 24 to 30 April 1989
0204 30 00	222,493	222,103	220,400	217,850
0204 41 00	222,493	222,103	220,400	217,850
0204 42 10	155,745	155,472	154,280	152,495
0204 42 30	244,742	244,313	242,440	239,635
0204 42 50	289,241	288,734	286,520	283,205
0204 42 90	289,241	288,734	286,520	283,205
0204 43 00	404,937	404,227	401,128	396,487
0204 50 51	222,493	222,103	220,400	217,850
0204 50 53	155,745	155,472	154,280	152,495
0204 50 55	244,742	244,313	242,440	239,635
0204 50 59	289,241	288,734	286,520	283,205
0204 50 71	289,241	288,734	286,520	283,205
0204 50 79	404,937	404,227	401,128	396,487

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 755/89

of 22 March 1989

introducing a countervailing charge on cucumbers originating in the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 291/89⁽³⁾ fixing for the 1989 marketing year the reference prices for cucumbers fixed the reference price for products of class I for the month of March 1989 at ECU 112,14 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 291/89;

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

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

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

Whereas, in accordance with Article 1 (5) of Protocol 2 to the Act of Accession of Spain and Portugal, the Community must apply in its trade with the Canary Islands, for products covered by Annex II to the EEC Treaty, the general arrangements which it applies in its foreign trade;

Whereas, in accordance with Article 4 of the said Protocol, the products, including cucumbers, specified in Annex A to the Protocol, qualify for preferential arrangements, subject to the tariff quota opened by way of Council Regulation (EEC) No 4092/88⁽⁸⁾;

HAS ADOPTED THIS REGULATION:

Article 1

When cucumbers falling within CN codes 0707 00 11 and 0707 00 19 and originating in the Canary Islands are imported, a countervailing charge shall be levied, the amount of which shall be fixed at:

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 33, 4. 2. 1989, p. 29.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 365, 30. 12. 1988, p. 1.

— ECU 37,67 per 100 kilograms net weight for quantities within the tariff quota laid down by Regulation (EEC) No 4092/88,

However this charge shall not be levied on quantities imported into Spain within the tariff quotas laid down by Regulation (EEC) No 4092/88.

Article 2

— ECU 40,95 per 100 kilograms, for other amounts.

This Regulation shall enter into force on 24 March 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 756/89**of 22 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 723/89 ⁽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 23 March 1989.

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

Done at Brussels, 22 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 79, 22. 3. 1989, p. 18.

ANNEX

to the Commission Regulation of 22 March 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,91 ⁽¹⁾
1701 11 90	32,91 ⁽¹⁾
1701 12 10	32,91 ⁽¹⁾
1701 12 90	32,91 ⁽¹⁾
1701 91 00	39,79
1701 99 10	39,79
1701 99 90	39,79 ⁽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 757/89

of 22 March 1989

altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 663/89⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 663/89 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 663/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 March 1989.

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

Done at Brussels, 22 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 72, 16. 3. 1989, p. 21.

ANNEX

to the Commission Regulation of 22 March 1989 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	30,06 ⁽¹⁾	
1701 11 90 910	28,56 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	30,06 ⁽¹⁾	
1701 12 90 910	28,56 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3268
1701 99 10 100	32,68	
1701 99 10 910	33,02	
1701 99 10 950	33,02	
1701 99 90 100		0,3268

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

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

**COMMISSION REGULATION (EEC) No 758/89
of 22 March 1989**

**fixing the maximum export refund for white sugar for the 46th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EEC) No 1035/88**

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

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

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

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

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

Whereas, following an examination of the tenders
submitted in response to the 46th partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

Whereas the Management Committee for Sugar has not
delivered an opinion within the time limit set by its
chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 46th partial invitation to tender for white sugar
issued pursuant to Regulation (EEC) No 1035/88 the
maximum amount of the export refund is fixed at ECU
35,699 per 100 kilograms.

Article 2

This Regulation shall enter into force on 23 March 1989.

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

Done at Brussels, 22 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 102, 21. 4. 1988, p. 14.

COMMISSION REGULATION (EEC) No 759/89**of 22 March 1989****altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 516/89 ⁽³⁾ has fixed the rates of the refunds applicable from 1 March 1989 to certain dairy products exported in the form of goods not covered by Annex II to the Treaty;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 516/89 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to certain milk products exported in the form of the products which appear in the Annex to Regulation (EEC) No 804/68 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 March 1989.

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

Done at Brussels, 22 March 1989.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 58, 1. 3. 1989, p. 27.

ANNEX

to the Commission Regulation of 22 March 1989 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 55,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	100,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 182,00 170,00

COMMISSION REGULATION (EEC) No 760/89

of 22 March 1989

on the issue of STM licences for rose bushes and amending Regulation (EEC) No 643/86

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, and in particular Article 252 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾,

Whereas Commission Regulation (EEC) No 643/86 ⁽³⁾, as last amended by Regulation (EEC) No 3998/88 ⁽⁴⁾, lays down detailed rules for the application of the supplementary trade mechanism to certain live plants and floricultural products imported into Portugal and in particular the Annex thereto fixes the target ceiling, as provided for in Article 251 (1) of the Act of Accession, applicable to imports of ornamental plants into Portugal from the other Member States of the Community for the year 1989;

Whereas the abovementioned target ceiling has been reached; whereas the continuation of imports at the rate observed would be likely to bring about a serious disturbance of the Portuguese market at the very time that domestic produce is placed on the market; whereas the quantities imported have to a large extent not yet been

marketed but stocks thereof are already depressing the market and compete directly with local production; whereas, by Regulation (EEC) No 595/89 ⁽⁵⁾, the Commission suspended the interim protective measures, the issue of STM licences until 31 March 1989,

Whereas an increase in the target ceiling may however be contemplated for the current year and imports of given quantities may be permitted;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 643/86, under the target ceiling for rose bushes falling within CN codes 0602 40 90, '363 822' is hereby replaced by '472 968' units.

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, 22 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽⁴⁾ OJ No L 354, 22. 12. 1988, p. 29.

⁽⁵⁾ OJ No L 65, 9. 3. 1989, p. 8.

COMMISSION REGULATION (EEC) No 761/89**of 22 March 1989****altering the export refunds 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 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 the fifth subparagraph of Article 16(2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 685/89⁽³⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 685/89 to the information known to the Commission that the

export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to Regulation (EEC) No 685/89 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 23 March 1989.

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

Done at Brussels, 22 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 73, 17. 3. 1989, p. 43.

ANNEX

to the Commission Regulation of 22 March 1989 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	04	21,00 (?)
	02	20,00 (?)
1001 90 91 000	01	0
1001 90 99 000	05	44,00
	06	49,00
	07	22,00
	08	21,00
	09	19,00
	02	20,00
1002 00 00 000	06	49,00
	02	20,00
1003 00 10 000	01	0
1003 00 90 000	05	48,00
	07	22,00
	02	20,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	62,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	75,00
1101 00 00 120	01	75,00
1101 00 00 130	01	67,00
1101 00 00 150	01	57,00
1101 00 00 170	01	47,00
1101 00 00 180	01	37,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	75,00
1102 10 00 200	01	75,00
1102 10 00 300	01	75,00
1102 10 00 500	01	75,00
1102 10 00 900	—	—
1103 11 10 100	01	180,00
1103 11 10 200	01	170,00
1103 11 10 500	01	150,00
1103 11 10 900	01	141,00
1103 11 90 100	01	75,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Algeria,
- 05 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 06 Zone II b),
- 07 Poland,
- 08 China,
- 09 Soviet Union.

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Commission Regulation (EEC) No 1569/77 (OJ No L 174, 14. 7. 1977, p. 15), with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum, of which 5 % of soft wheat or other cereals.

NB : The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

COUNCIL REGULATION (EEC) No 762/89

of 20 March 1989

introducing a specific measure for certain grain legumes

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the maintenance of crops of grain legumes such as lentils, chick-peas and vetches is in the Community economic interest and prevents imbalance on the Community market; whereas a reduction in areas traditionally under such crops would take place as a result of an increase in the production of crops which are already in surplus in the Community;

Whereas the objective of maintaining the said crops may be achieved by granting an aid per hectare; whereas the aid must be fixed at a level enabling the abovementioned objective to be achieved; whereas account must be taken when fixing the aid of measures taken in the framework of other existing arrangements; whereas in particular that aid must not be paid for areas qualifying for aid to encourage the withdrawal of arable land or to encourage the conversion of production pursuant to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽⁴⁾, as last amended by Regulation (EEC) No 1137/88 ⁽⁵⁾;

Whereas, however, the effect of granting the aid must not be to encourage an increase in areas under the said crops; whereas a maximum guaranteed area, which if exceeded will result in a reduction of the aid for the following marketing year, should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

Aid for the production of the following grain legumes is hereby instituted;

⁽¹⁾ OJ No C 6, 7. 1. 1989, p. 8 and OJ No C 60, 9. 3. 1989, p. 13.
⁽²⁾ Opinion delivered on 17 March 1989 (not yet published in the Official Journal).

⁽³⁾ OJ No C 71, 20. 3. 1989.

⁽⁴⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁵⁾ OJ No L 108, 29. 4. 1988, p. 1.

- lentils falling within CN code 0713 40 90 other,
- chick-peas falling within CN code 0713 20 90 other, and
- vetches of the species *Vicia sativa* L. and *Vicia ervilla* Willd. falling within CN code ex 0713 90 90 other.

Article 2

1. The aid shall be granted by marketing year for the production of the grain legumes referred to Article 1. The marketing year shall commence on 1 July and shall end on 30 June.

The aid shall not be granted for areas qualifying for aid to encourage the withdrawal of arable land nor for areas qualifying for aid to encourage conversion of production pursuant to Regulation (EEC) No 797/85.

The aid shall be fixed per hectare of area sown and harvested. It shall be fixed taking account:

- of the need to ensure the maintenance of areas traditionally under the said crops,
- of aids granted for the said crops under other Community rules.

2. Where the areas, on which the grain legumes referred to in Article 1 are grown, exceed a maximum guaranteed Community area, the aid shall be reduced for the following marketing year on the basis of the amount by which the maximum guaranteed area is exceeded. The maximum guaranteed area shall be the average of the areas cultivated in the Community in the 1985/86, 1986/87 and 1987/88 marketing years.

The areas of arable land to which point (b) of the third subparagraph of Article 1a and also Article 1c of Regulation (EEC) No 797/85 apply shall not be included when carrying out the verification provided for in the first subparagraph.

Article 3

The production aid instituted by this Regulation shall be deemed an intervention measure to regulate the agricultural markets within the meaning of Article 3 (3) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2048/88 ⁽⁷⁾.

⁽⁶⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽⁷⁾ OJ No L 185, 15. 7. 1988, p. 1.

Article 4

The Commission shall lay down detailed rules for the application of this Regulation in accordance with the procedure provided for in Article 22 of Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 2247/88 ⁽²⁾. In accordance with that procedure the Commission shall fix the amount of the aid and the maximum guaranteed area. It shall verify if

necessary the extent by which the maximum guaranteed areas is exceed and shall determine the resulting reduction in the aid.

Article 5

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

The specific measure introduced by this Regulation shall apply until the end of the 1991/92 marketing year.

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

Done at Brussels, 20 March 1989.

For the Council

The President

C. ROMERO HERRERA

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 21.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 March 1989

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1987

(89/210/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community ⁽¹⁾, signed at Yaoundé on 29 July 1969,

Having regard to Council Decision 70/549/EEC of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community ⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽³⁾, signed at Yaoundé on 29 July 1969, and in particular Article 22 thereof,

Having regard to the Financial Regulation of the European Development Fund (1969) set up under the Internal Agreement on the financing and administration of Community aid ⁽¹⁾, and in particular Articles 7 and 8 thereof,

Having regard to the Council Decisions of 30 May 1972 and 30 October 1978 on the transfer and utilization of the unexpended balances of the First and Second EDFs,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1969) (Third EDF) as at 31 December 1987,

Having regard to the report of the Court of Auditors for the financial year 1987 together with the Commission's replies ⁽⁴⁾,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1969) (Third EDF), only the Council, acting by a qualified majority, shall give a discharge to the Commission in respect of the financial administration of the Fund;

Whereas, by Decision 80/1184/EEC ⁽⁵⁾, the European unit of account was replaced by the ecu to express the amounts of financial assistance under the Second ACP-EEC Convention and the previous conventions;

Whereas aggregated revenue at the end of the financial year 1987 consisted of the contributions of the Member States, amounting to ECU 905 000 000, and of miscellaneous revenue of the Fund;

Whereas, pursuant to the abovementioned Council Decision of 30 October 1978, an amount of ECU 11 516 474,85 was transferred as the unexpected balance of the First and Second EDF to the Third EDF;

Whereas an amount of ECU 29 198 623,03 was paid to the European Development Fund (1979) (Fifth EDF);

Whereas, after the abovementioned amount was paid, the European Development Fund (1969) (Third EDF) was closed with effect from 31 December 1987;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1969) (Third EDF) during the financial year 1987 was such as to warrant its being given a discharge in respect of the implementation of those operations,

⁽¹⁾ OJ No L 282, 28. 12. 1970, p. 2.

⁽²⁾ OJ No L 282, 28. 12. 1970, p. 83.

⁽³⁾ OJ No L 282, 28. 12. 1970, p. 47.

⁽⁴⁾ OJ No L 31, 8. 2. 1971, p. 1.

⁽⁵⁾ OJ No C 316, 12. 12. 1988, pp. 173 and 303.

⁽⁶⁾ OJ No L 349, 18. 12. 1980, p. 34.

HAS DECIDED AS FOLLOWS:

Article 1

The Council shall close the revenue and expenditure account of the European Development Fund (1969) (Third EDF) as at 31 December 1987 as follows:

- revenue: at the sum of ECU 887 317 851,82,
- expenditure (payments): at the sum of ECU 887 317 851,82.

Article 2

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1987.

Done at Brussels, 20 March 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

COUNCIL RECOMMENDATION**of 20 March 1989****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1975) (Fourth EDF) for the financial year 1987**

(89/211/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed on 11 July 1975, and in particular Article 31 (3) thereof,

Having regard to the Financial Regulation of 27 July 1976 applicable to the Fourth European Development Fund⁽³⁾, and in particular Articles 64 to 67 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1975) (Fourth EDF) as at 31 December 1987 and the Court of Auditors' report relating to the financial year 1987 together with the Commission's replies⁽⁴⁾,

Whereas, pursuant to Article 31 (3) of the Internal Agreement, the discharge for the management of the

European Development Fund (1975) (Fourth EDF) must be given to the Commission according to the procedure provided for in Article 206 of the Treaty;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1975) (Fourth EDF) during the financial year 1987 has been satisfactory.

HEREBY RECOMMENDS

that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1975) (Fourth EDF) for the financial year 1987.

Done at Brussels, 20 March 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 25, 30. 1. 1976, p. 168.

⁽³⁾ OJ No L 229, 20. 8. 1976, p. 9.

⁽⁴⁾ OJ No C 316, 12. 12. 1988, pp. 173 and 303.

COUNCIL RECOMMENDATION**of 20 March 1989****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1987****(89/212/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206 b thereof,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid⁽²⁾, signed on 20 November 1979, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 17 March 1981 applicable to the Fifth European Development Fund⁽³⁾, and in particular Articles 66 to 70 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1979) (Fifth EDF) as at 31 December 1987 and the court of Auditors' report relating to the financial year 1987 together with the Commission's replies⁽⁴⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1979) (Fifth EDF) must be given to the commission by the European Parliament on a recommendation from the council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1979) (Fifth EDF) during the financial year 1987 has been satisfactory,

HEREBY RECOMMENDS

that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the Financial year 1987,

Done at Brussels, 20 March 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽²⁾ OJ No L 347, 22. 12. 1980, p. 210.

⁽³⁾ OJ No L 101, 11. 4. 1981, p. 12.

⁽⁴⁾ OJ No C 316, 12. 12. 1988, pp. 173 and 303.

COUNCIL RECOMMENDATION**of 20 March 1989****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1987**

(89/213/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC⁽³⁾, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund⁽⁴⁾, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at 31 December 1987 and the Court of Auditors' report relating to the financial year 1987 together with the Commission's replies⁽⁵⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 1987 has been satisfactory,

HEREBY RECOMMENDS

that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1987.

Done at Brussels, 20 March 1989.

*For the Council**The President*

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 86, 31. 3. 1986, p. 210.

⁽³⁾ OJ No L 178, 2. 7. 1986, p. 13.

⁽⁴⁾ OJ No L 325, 20. 11. 1986, p. 42.

⁽⁵⁾ OJ No C 316, 12. 12. 1988, pp. 173 and 303.