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## Legislation

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## I

*(Acts whose publication is obligatory)*

## COMMISSION REGULATION (EEC) No 900/89

of 7 April 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 166/89 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(4)</sup>, 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 <sup>(5)</sup> and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 6 April 1989;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2401/88 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 April 1989.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 20, 25. 1. 1989, p. 16.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX

to the Commission Regulation of 7 April 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 | 23,43    | 130,98                               |
| 0712 90 19 | 23,43    | 130,98                               |
| 1001 10 10 | 57,12    | 188,94 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 57,12    | 188,94 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 33,89    | 121,21                               |
| 1001 90 99 | 33,89    | 121,21                               |
| 1002 00 00 | 61,56    | 111,92 <sup>(3)</sup>                |
| 1003 00 10 | 52,12    | 112,73                               |
| 1003 00 90 | 52,12    | 112,73                               |
| 1004 00 10 | 43,18    | 84,44                                |
| 1004 00 90 | 43,18    | 84,44                                |
| 1005 10 90 | 23,43    | 130,98 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 23,43    | 130,98 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 46,77    | 139,10 <sup>(4)</sup>                |
| 1008 10 00 | 52,12    | 24,45                                |
| 1008 20 00 | 52,12    | 35,34 <sup>(5)</sup>                 |
| 1008 30 00 | 52,12    | 0,00 <sup>(7)</sup>                  |
| 1008 90 10 | (7)      | (7)                                  |
| 1008 90 90 | 52,12    | 0,00                                 |
| 1101 00 00 | 61,97    | 184,22                               |
| 1102 10 00 | 100,71   | 171,22                               |
| 1103 11 10 | 102,11   | 306,43                               |
| 1103 11 90 | 65,30    | 197,33                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

<sup>(2)</sup> 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'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

<sup>(7)</sup> 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 901/89

of 7 April 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 166/89<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 6 April 1989;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.

2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 April 1989.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 20, 25. 1. 1989, p. 16.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 99.

## ANNEX

to the Commission Regulation of 7 April 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<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 |
| 0709 90 60 | 0            | 0               | 0               | 0               |
| 0712 90 19 | 0            | 0               | 0               | 0               |
| 1001 10 10 | 0            | 3,02            | 3,02            | 3,02            |
| 1001 10 90 | 0            | 3,02            | 3,02            | 3,02            |
| 1001 90 91 | 0            | 1,61            | 1,61            | 5,02            |
| 1001 90 99 | 0            | 1,61            | 1,61            | 5,02            |
| 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            | 2,25            | 2,25            | 7,03            |

## B. Malt

| CN code    | (ECU/tonne)  |                 |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|-----------------|
|            | Current<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 | 4th period<br>8 |
| 1107 10 11 | 0            | 2,87            | 2,87            | 8,94            | 8,94            |
| 1107 10 19 | 0            | 2,14            | 2,14            | 6,68            | 6,68            |
| 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 902/89**  
**of 7 April 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2229/88<sup>(2)</sup>, 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<sup>(3)</sup>, as amended by Regulation (EEC) No 1546/87<sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88<sup>(5)</sup>, as last amended by Regulation (EEC) No 830/89<sup>(6)</sup>;

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 10 April 1989.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 30.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 144, 4. 6. 1987, p. 10.

<sup>(5)</sup> OJ No L 241, 1. 9. 1988, p. 27.

<sup>(6)</sup> OJ No L 89, 1. 4. 1989, p. 5.

## ANNEX

to the Commission Regulation of 7 April 1989 fixing the import levies on rice and broken rice

| (ECU/tonne) |          |                                                  |                                                     |                                                              |
|-------------|----------|--------------------------------------------------|-----------------------------------------------------|--------------------------------------------------------------|
| CN code     | Portugal | Arrangement<br>in Regulation (EEC)<br>No 3877/86 | ACP or OCT<br>( <sup>(1)</sup> ) ( <sup>(2)</sup> ) | Third countries<br>(except ACP or OCT)<br>( <sup>(3)</sup> ) |
| 1006 10 21  | —        | —                                                | 146,61                                              | 300,43                                                       |
| 1006 10 23  | —        | 223,28                                           | 145,25                                              | 297,70                                                       |
| 1006 10 25  | —        | 223,28                                           | 145,25                                              | 297,70                                                       |
| 1006 10 27  | —        | 223,28                                           | 145,25                                              | 297,70                                                       |
| 1006 10 92  | —        | —                                                | 146,61                                              | 300,43                                                       |
| 1006 10 94  | —        | 223,28                                           | 145,25                                              | 297,70                                                       |
| 1006 10 96  | —        | 223,28                                           | 145,25                                              | 297,70                                                       |
| 1006 10 98  | —        | 223,28                                           | 145,25                                              | 297,70                                                       |
| 1006 20 11  | —        | —                                                | 184,17                                              | 375,54                                                       |
| 1006 20 13  | —        | 279,10                                           | 182,46                                              | 372,13                                                       |
| 1006 20 15  | —        | 279,10                                           | 182,46                                              | 372,13                                                       |
| 1006 20 17  | —        | 279,10                                           | 182,46                                              | 372,13                                                       |
| 1006 20 92  | —        | —                                                | 184,17                                              | 375,54                                                       |
| 1006 20 94  | —        | 279,10                                           | 182,46                                              | 372,13                                                       |
| 1006 20 96  | —        | 279,10                                           | 182,46                                              | 372,13                                                       |
| 1006 20 98  | —        | 279,10                                           | 182,46                                              | 372,13                                                       |
| 1006 30 21  | 13,05    | —                                                | 238,08                                              | 500,01                                                       |
| 1006 30 23  | 12,97    | 437,53                                           | 279,80                                              | 583,37                                                       |
| 1006 30 25  | 12,97    | 437,53                                           | 279,80                                              | 583,37                                                       |
| 1006 30 27  | 12,97    | 437,53                                           | 279,80                                              | 583,37                                                       |
| 1006 30 42  | 13,05    | —                                                | 238,08                                              | 500,01                                                       |
| 1006 30 44  | 12,97    | 437,53                                           | 279,80                                              | 583,37                                                       |
| 1006 30 46  | 12,97    | 437,53                                           | 279,80                                              | 583,37                                                       |
| 1006 30 48  | 12,97    | 437,53                                           | 279,80                                              | 583,37                                                       |
| 1006 30 61  | 13,90    | —                                                | 253,90                                              | 532,51                                                       |
| 1006 30 63  | 13,90    | 469,04                                           | 300,34                                              | 625,38                                                       |
| 1006 30 65  | 13,90    | 469,04                                           | 300,34                                              | 625,38                                                       |
| 1006 30 67  | 13,90    | 469,04                                           | 300,34                                              | 625,38                                                       |
| 1006 30 92  | 13,90    | —                                                | 253,90                                              | 532,51                                                       |
| 1006 30 94  | 13,90    | 469,04                                           | 300,34                                              | 625,38                                                       |
| 1006 30 96  | 13,90    | 469,04                                           | 300,34                                              | 625,38                                                       |
| 1006 30 98  | 13,90    | 469,04                                           | 300,34                                              | 625,38                                                       |
| 1006 40 00  | 0        | —                                                | 47,93                                               | 101,86                                                       |

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

(<sup>(2)</sup>) 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'.

(<sup>(3)</sup>) 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 903/89

of 7 April 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2229/88 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 831/89 <sup>(4)</sup>;

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 10 April 1989.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 30.

<sup>(3)</sup> OJ No L 241, 1. 9. 1988, p. 30.

<sup>(4)</sup> OJ No L 89, 1. 4. 1989, p. 7.

## ANNEX

to the Commission Regulation of 7 April 1989 fixing the premiums to be added to the import levies on rice and broken rice

| CN code    | (ECU/tonne)  |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|
|            | Current<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 |
| 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 904/89**  
**of 6 April 1989**  
**amending Regulation (EEC) No 212/89 on a special intervention measure for**  
**common wheat in Germany**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 166/89 <sup>(2)</sup>, and in particular Article 8 (3) thereof,

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 <sup>(3)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 212/89 <sup>(4)</sup>, as last amended by Regulation (EEC) No 620/89 <sup>(5)</sup>, opens an invitation to tender for the export refund for common wheat;

Whereas, in the present situation, the quantity put up for tender should be increased;

Whereas the quality criteria laid down should be made stricter in order to ensure that the invitation to tender in question proceeds smoothly;

Whereas provision should be made, where the wheat does not correspond to the quality required, for a reduction to be applied to the refund instead of its being totally forfeited;

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

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

Done at Brussels, 6 April 1989.

*Article 1*

Article 1 (1) of Regulation (EEC) No 212/89 is hereby replaced by the following:

'1. A special intervention measure in the form of an export refund shall be applied in respect of 900 000 tonnes of common wheat exported from Germany.'

*Article 2*

Article 6 (3) of Regulation (EEC) No 212/89 is hereby replaced by the following:

'3. A refund awarded shall not be paid unless the common wheat exported is at least of intervention quality as defined in Article 2 (2) of Commission Regulation (EEC) No 1569/77 <sup>(1)</sup>.

— However, as regards the moisture content, Commission Regulation (EEC) No 2469/88 <sup>(2)</sup> shall apply.

— The protein content may not be less than 12,5 %.

Where the quality does not comply with the standards laid down in this paragraph, the refund shall be reduced by ECU 20 per tonne.

<sup>(1)</sup> OJ No L 174, 14. 7. 1977, p. 15.

<sup>(2)</sup> OJ No L 213, 6. 8. 1988, p. 5.'

*Article 3*

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

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 20, 25. 1. 1989, p. 16.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 25, 28. 1. 1989, p. 67.

<sup>(5)</sup> OJ No L 68, 11. 3. 1989, p. 11.

**COMMISSION REGULATION (EEC) No 905/89**  
**of 7 April 1989**  
**on the supply of various lots of white sugar as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/88 <sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management <sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 2 018 tonnes of white sugar;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid <sup>(4)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas given the situation on the sugar market and the special nature of the sector, the supplies should be taken from C-sugar produced outside the production quotas, as defined in Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector <sup>(5)</sup>, as last amended by Regulation (EEC) No 2306/88 <sup>(6)</sup>; whereas under that Regulation refunds and monetary compensatory amounts may not be granted or export levies and monetary compensatory amounts may not be charged on exports of C-sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

C-Sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

*Article 2*

This Regulation shall enter into force on the 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, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 168, 1. 7. 1988, p. 7.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(6)</sup> OJ No L 201, 27. 7. 1988, p. 65.

## ANNEX I

1. **Operation Nos** <sup>(1)</sup>: 632/88 to 650/88, 696/88 to 700/88
2. **Programme**: 1988
3. **Recipient**: Euronaid, Rhijsgeesterstraatweg 40, Postbus 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** <sup>(2)</sup>: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: see Annex IV
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** <sup>(3)</sup>: white sugar of category 2 standard quality [Council Regulation (EEC) No 793/72, (*Official Journal of the European Communities* No L 94 of 21 April 1972, page 1)] meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (*Official Journal of the European Communities* No L 246 of 27 September 1977, page 12)
8. **Total quantity**: 1 200 tonnes
9. **Number of lots**: 2 (A - 1 074 tonnes: 19 parts; B - 126 tonnes: 5 parts): see Annex IV
10. **Packaging and marking** <sup>(4)</sup>: new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 grams, net capacity 50 kilograms.  
Marking on bags at least 5 cm high: see Annex IV
11. **Method of mobilization** <sup>(5)</sup>: C-sugar produced in the Community as defined at (c) in the fourth subparagraph of Article 24 (1) of Regulation (EEC) No 1785/81, as last amended by Regulation (EEC) No 2306/88. (*Official Journal of the European Communities* No L 201 of 27 July 1988, page 65)
12. **Stage of supply**: free at port of shipment
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 marking the goods available at the port of shipment**: 15 to 31. 5. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 25. 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: 22. 5 to 7. 6. 1989
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecu
24. **Address for submission of tenders** <sup>(6)</sup>:

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 Brussels,  
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** <sup>(7)</sup>: —

## ANNEX II

1. **Operation No** (1): 824/88
2. **Programme**: 1988
3. **Recipient**: Euronaid, Rhijsgeesterstraatweg 40, Postbus 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Liberia
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (3): white sugar of category 2 standard quality [Council Regulation (EEC) No 793/72 (*Official Journal of the European Communities* No L 94 of 21 April 1972, page 1)] meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (*Official Journal of the European Communities* No L 246 of 27 September 1977, page 12)
8. **Total quantity**: 18 tonnes
9. **Number of lots**: one (part C: 18 tonnes)
10. **Packaging and marking** (4) (5): new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 grams, net capacity 50 kilograms.  
Marking on bags (at least 5 cm high): see Annex IV
11. **Method of mobilization** (7): C-sugar produced in the Community as defined at (c) in the fourth subparagraph of Article 24 (1) of Regulation (EEC) No 1785/81, as last amended by Regulation (EEC) No 2306/88. (*Official Journal of the European Communities* No L 201 of 27 July 1988, page 65)
12. **Stage of supply**: free at port of shipment
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 marking the goods available at the port of shipment**: 15 to 31. 5. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 25. 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: 22. 5. to 7. 6. 1989
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecu
24. **Address for submission of tenders**: (6)  
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 Brussels,  
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6): —

## ANNEX III

1. **Operation No** (1): 1109/88
2. **Programme**: 1988
3. **Recipient**: Algeria
4. **Representative of the recipient** (2): Croissant rouge algérien, Comité National, 15 bis, Boulevard 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**: white sugar
7. **Characteristics and quality of the goods** (3): white sugar of category 2 standard quality [Council Regulation (EEC) No 793/72, (*Official Journal of the European Communities* No L 94 of 21 April 1972, page 1)] meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (*Official Journal of the European Communities* No L 246 of 27 September 1977, page 12)
8. **Total quantity**: 800 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 grams, net capacity 50 kilograms.  
Marking on bags (at least 5 cm high):  
'ACTION N° 1109/88 / SUCRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE / ALGER'
11. **Method of mobilization** (5): C-sugar produced in the Community as defined at (c) in the fourth subparagraph of Article 24 (1) of Regulation (EEC) No 1785/81, as last amended by Regulation No 2306/88, (*Official Journal of the European Communities* No L 201 of 27 July 1988, page 65)
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 marking the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31. 5. 1989
18. **Deadline for the supply**: 30. 6. 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 25. 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 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: 22. 5. to 7. 6. 1989
  - (c) deadline for the supply: 7. 7. 1989
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecu
24. **Address for submission of tenders** (6):

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 Brussels,  
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (7): —

*Notes:*

(1) The operation number is to be quoted in all correspondence.

(2) Commission delegate to be contacted by the successful tenderer:

see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.

(3) The successful tenderer shall deliver 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. (Sudan: and iodine 131)

Radiation certificate must be issued by official authorities and be legalized for

Actions 645-650: Sudan

Actions 697-698: Egypt

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:

- phytosanitary certificate,
- certificate of origin.

The supplier should send a duplicate of the original invoice to: M. de Keyser and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.

(4) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

(5) 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.

(6) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 of 10 September 1981 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.

(7) The rule provided at the second indent in point (a) of Article 18 (2) of Regulation (EEC) No 2103/77 is binding for determination of the sugar category.

(8) Annex II: shipment is to take place in 20-foot containers; conditions FCL/LCL shippers-count-load and stowage (cls).

The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.

Supply free-at-port-of-shipment, as provided for in Article 13 of Regulation (EEC) No 2200/87, implies that the following costs at the port of shipment shall be borne by the successful tenderer:

- Should containers be used on an FCL/FCL or FCL/LCL basis, all costs to the use of such containers, with the exception of rental costs, up to the terminal stage, including THC (terminal handling charges).

Where, on the basis of the second subparagraph of point 2 of the aforementioned Article 13, the successful tenderer is responsible for loading the containers on board the vessel designated by the recipient, the refund of the costs within the meaning of the said provisions does not include the THC.

- Should containers be used on LCL/FCL or LCL/LCL basis, no costs; the successful tenderer shall deliver the goods to the terminal at a stage where the stuffing of the containers can be immediately done at the recipient's expense.

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

| Designación del lote<br>Parti<br>Bezeichnung der Partie<br>Χαρακτηρισμός της παρτίδας<br>Lot<br>Désignation du lot<br>Designazione della partita<br>Aanduiding van de partij<br>Designação do lote | Cantidad total del lote (en toneladas)<br>Totalmængde (tons)<br>Gesamtmenge der Partie (in Tonnen)<br>Συνολική ποσότητα της παρτίδας (σε τόνους)<br>Total quantity (in tonnes)<br>Quantité totale du lot (en tonnes)<br>Quantità totale della partita (in tonnellate)<br>Totale hoeveelheid van de partij (in ton)<br>Quantidade total (em toneladas) | Cantidades parciales (en toneladas)<br>Delmængde (tons)<br>Teilmengen (in Tonnen)<br>Μερικές ποσότητες (σε τόνους)<br>Partial quantities (in tonnes)<br>Quantités partielles (en tonnes)<br>Quantitativi parziali (in tonnellate)<br>Deelhoeveelheden (in ton)<br>Quantidades parciais (em toneladas) | Beneficiario<br>Modtager<br>Empfänger<br>Δικαιούχος<br>Beneficiary<br>Bénéficiaire<br>Beneficiario<br>Begunstigde<br>Beneficiário | País destinatario<br>Modtagerland<br>Bestimmungsland<br>Χώρα προορισμού<br>Recipient country<br>Pays destinataire<br>Paese destinatario<br>Bestemmingsland<br>País destinatário | Inscripción en el embalaje<br>Emballagens påtegning<br>Aufschrift auf der Verpackung<br>Ένδειξη επί της συσκευασίας<br>Markings on the packaging<br>Inscription sur l'emballage<br>Iscrizione sull'imballaggio<br>Aanduiding op de verpakking<br>Inscrição na embalagem |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                                                                                                                                                                                                | (2)                                                                                                                                                                                                                                                                                                                                                   | (3)                                                                                                                                                                                                                                                                                                   | (4)                                                                                                                               | (5)                                                                                                                                                                             | (6)                                                                                                                                                                                                                                                                     |
| A                                                                                                                                                                                                  | 1 074                                                                                                                                                                                                                                                                                                                                                 | 53                                                                                                                                                                                                                                                                                                    | Caritas G                                                                                                                         | Chile                                                                                                                                                                           | Acción nº 632/88 / Azúcar / Chile / Cáritas Alemana / 80444 / Talcahuano / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                                                            |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 17                                                                                                                                                                                                                                                                                                    | Caritas G                                                                                                                         | Chile                                                                                                                                                                           | Acción nº 633/88 / Azúcar / Chile / Cáritas Alemana / 80445 / Coquimbo / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                                                              |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 19                                                                                                                                                                                                                                                                                                    | Caritas G                                                                                                                         | Chile                                                                                                                                                                           | Acción nº 634/88 / Azúcar / Chile / Cáritas Alemana / 80446 / Antofagasta / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                                                           |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 91                                                                                                                                                                                                                                                                                                    | Caritas G                                                                                                                         | Chile                                                                                                                                                                           | Acción nº 635/88 / Azúcar / Chile / Cáritas Alemana / 80447 / Valparaíso / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                                                            |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 18                                                                                                                                                                                                                                                                                                    | Prosalus                                                                                                                          | Chile                                                                                                                                                                           | Acción nº 636/88 / Azúcar / Chile / Prosalus / 85535 / Calama vía Antofagasta / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                                                       |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 20                                                                                                                                                                                                                                                                                                    | CAM                                                                                                                               | Guatemala                                                                                                                                                                       | Acción nº 637/88 / Azúcar / Guatemala / CAM / 82005 / San Pedro de Carcha vía Santo Tomás de Castilla / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                               |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 288                                                                                                                                                                                                                                                                                                   | DKW                                                                                                                               | Nicaragua                                                                                                                                                                       | Acción nº 638/88 / Azúcar / Nicaragua / DKW / 82320 / Corinto / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita                                                                                                                       |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 36                                                                                                                                                                                                                                                                                                    | WCC                                                                                                                               | Algérie                                                                                                                                                                         | Action nº 639/88 / Sucre / Algérie / WCC / 80711 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite                                                                                                                          |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 36                                                                                                                                                                                                                                                                                                    | Oxfam B                                                                                                                           | Algérie                                                                                                                                                                         | Action nº 640/88 / Sucre / Algérie / Oxfam B / 80813 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite                                                                                                                      |
|                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                       | 18                                                                                                                                                                                                                                                                                                    | Caritas B                                                                                                                         | São. Tomé e Príncipe                                                                                                                                                            | Acção nº 641/88 / Açúcar / São Tomé e Príncipe / Caritas Belgica / 80227 / Asunto via Porto de São Tomé / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita                                                                                 |

| (1) | (2) | (3) | (4)       | (5)      | (6)                                                                                                                                                     |
|-----|-----|-----|-----------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |     | 8   | Caritas G | Ethiopia | Action No 642/88 / Sugar / Ethiopia / Caritas Germany / 80466 / Asmara via Massawa / Gift of the European Economic Community / For free distribution    |
|     |     | 12  | Caritas G | Ethiopia | Action No 643/88 / Sugar / Ethiopia / Caritas Germany / 80467 / Asmara via Massawa / Gift of the European Economic Community / For free distribution    |
|     |     | 20  | Caritas G | Ethiopia | Action No 644/88 / Sugar / Ethiopia / Caritas Germany / 80468 / Addis Abeba via Assab / Gift of the European Economic Community / For free distribution |
|     |     | 40  | Caritas I | Sudan    | Action No 645/88 / Sugar / Sudan / Caritas Italiana / 80620 / El Obeid via Port Sudan / Gift of the European Economic Community / For free distribution |
|     |     | 100 | Oxfam B   | Sudan    | Action No 646/88 / Sudan / 80814 / Port Sudan                                                                                                           |
|     |     | 80  | Oxfam UK  | Sudan    | Action No 647/88 / Sudan / 80901 / Port Sudan                                                                                                           |
|     |     | 100 | DIA       | Sudan    | Action No 648/88 / Sudan / 81106 / Port Sudan                                                                                                           |
|     |     | 100 | DIA       | Sudan    | Action No 649/88 / Sudan / 81107 / Port Sudan                                                                                                           |
|     |     | 18  | DKW       | Sudan    | Action No 650/88 / Sugar / Sudan / DKW / 82322 / Khartoum via Port Sudan / Gift of the European Economic Community / For free distribution              |
| B   | 126 | 36  | Caritas B | Algérie  | Action n° 696/88 / Sucre / Algérie / Caritas Belgica / 80224 / Alger / Don de la Communauté économique européenne / Pour distribution gratuite          |
|     |     | 18  | Caritas G | Egypt    | Action No 697/88 / Sugar / Egypt / Caritas Germany / 80406 / Alexandria / Gift of the European Economic Community / For free distribution               |
|     |     | 36  | Caritas G | Egypt    | Action No 698/88 / Sugar / Egypt / Caritas Germany / 80407 / Cairo via Alexandria / Gift of the European Economic Community / For free distribution     |
|     |     | 18  | Caritas I | Somalia  | Action No 699/88 / Sugar / Somalia / Caritas Italiana / 80613 / Mogadishu / Gift of the European Economic Community / For free distribution             |
|     |     | 18  | Caritas B | Djibouti | Action n° 700/88 / Sucre / Djibouti / Caritas Belgica / 80226 / Djibouti / Don de la Communauté économique européenne / Pour distribution gratuite      |
| C   | 18  | 18  | Prosalus  | Liberia  | Action No 824/88 / Sugar / Liberia / Prosalus / 85514 / Monrovia / Gift of the European Economic Community / For free distribution                      |

**COMMISSION REGULATION (EEC) No 906/89**  
**of 7 April 1989**  
**on the supply of various lots of butteroil as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/88 <sup>(2)</sup>, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid managements <sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 1 000 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid <sup>(4)</sup>; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in Annex I in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

*Article 2*

This Regulation shall enter into force on the 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, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 168, 1. 7. 1988, p. 7.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX I

## LOT A

1. **Operation No** <sup>(1)</sup>: 73/89 : — Commission Decision of 16. 3. 1988
2. **Programme** : 1988
3. **Recipient** : World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome ; Telex 626675 I WFP
4. **Representative of the recipient** <sup>(2)</sup> : See OJ No C 103, 16. 4. 1987
5. **Place or country of destination** : Somalia
6. **Product to be mobilized** : butteroil
7. **Characteristics and quality of the goods** <sup>(3)</sup> <sup>(4)</sup> <sup>(5)</sup> : to be manufactured from intervention butter (OJ No C 216, 14. 8. 1987, p. 7, I.3.1 and I.3.2)
8. **Total quantity** : 1 000 tonnes
9. **Number of lots** : 1
10. **Packaging and marking** : 5 kg and OJ No C 216, 14. 8. 1987, p. 7 and 8. (I.3.3. and I.3.4)  
Supplementary markings on the packaging :  
'ACTION No 73/89 / SOMALIA 0388301 / ACTION OF THE WORLD FOOD PROGRAMME / MOGADISCIO'  
and OJ No 216, 14. 8. 1987, p. 8. (I.3.4.)
11. **Method of mobilization** : Purchase of butter from :  
Intervention Board for Agricultural Produce, Fountain House, 2 Queens Walk, Reading, Berkshire, RG1 7 QW, (Tel. 734/58 36 26 — Telex 847511 +)  
The addresses of the places of storage are given in Annex II  
Selling price determined in accordance with Article 2 of Regulation (EEC) No 2315/76
12. **Stage of supply** : Free at port of shipment
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** : 10 to 31. 5. 1989
18. **Deadline for the supply** : —
19. **Procedure for determining the costs of supply** : Invitation to tender
20. **In the case of invitation to tender, date of expiry of the period allowed for submission of tenders** <sup>(6)</sup> : 24. 4. 1989 at 12 noon
21. **In the case of a second invitation to tender** :
  - (a) deadline for the submission of tenders : 8. 5. 1989 at 12 noon
  - (b) period for making the goods available at the port of shipment : 1 to 20. 6. 1989
  - (c) deadline for the supply : —
22. **Amount of the tendering security** : 20 ECU/tonne
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** :  
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** <sup>(7)</sup> : refund applicable on 31. 3. 1989 fixed by Regulation (EEC) No 818/89 (OJ No L 86, 31. 3. 1989, p. 39).

*Footnotes*

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) At the request of the beneficiary the successful tenderer shall deliver 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.
- (<sup>3</sup>) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (<sup>4</sup>) 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.
- (<sup>5</sup>) Commission 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.
- (<sup>6</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (<sup>7</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
-

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

| Número de la partida<br>Partiets nummer<br>Nummer der Partie<br>Αριθμός παρτίδων<br>Number of lot<br>Numéro du lot<br>Numero della partita<br>Nummer van de partij<br>Número do lote | Cantidad<br>Mængde<br>Menge<br>Τόνοι<br>Quantity<br>Quantité<br>Quantità<br>Hoeveelheid<br>Quantidade | Nombre y dirección del almacenista<br>Lagerindehaverens navn og adresse<br>Name und Adresse des Lagerhalters<br>Όνομα και διεύθυνση εναποθηκευτού<br>Address of store<br>Nom et adresse du stockeur<br>Nome e indirizzo del detentore<br>Naam en adres van de depothouder<br>Nome e direcção do armazenista                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A<br>73/89                                                                                                                                                                           | 1 250 000 kg                                                                                          | <p>— 533 250 kg :<br/>Novacold Ltd<br/>159 Regent Road<br/>Liverpool L5 9TH</p> <p>— 95 000 kg :<br/>Wessex Cold Store<br/>Manor Furlong<br/>Marston Industrial Estate<br/>Frome, Somerset DA11 4RJ</p> <p>— 422 000 kg :<br/>Rochdale Cold Storage<br/>Belfield Hall Farm<br/>Albert Royds Street<br/>Rochdale<br/>Lancs OL16 55A</p> <p>— 199 750 kg :<br/>Armaghdown Creameries Ltd<br/>30 Rathfriland Road<br/>Banbridge<br/>County Down<br/>Northern Ireland BT32 4LH</p> |

**COMMISSION REGULATION (EEC) No 907/89**  
**of 7 April 1989**  
**suspending the issue of STM licences for ornamental plants**

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 643/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal <sup>(1)</sup>, as last amended by Regulation (EEC) No 760/89 <sup>(2)</sup>, fixed the target ceilings provided for in Article 251 (1) of this Act for certain floriculture products;

Whereas Article 252 of the Act of Accession provides that should the examination of developments in intra-Community trade show that a significant increase in imports has taken place or is forecast and if the situation should result in the target import ceiling for the product being reached or exceeded for the current marketing year or a part of it the Commission is to decide, in accordance

with emergency procedures, on the interim protective measures that are necessary;

Whereas the target ceiling for ornamental plants falling within CN codes 0602 99 91 and 0602 99 99 for the period 1 January to 30 June 1989 has been exceeded; whereas the issue of any further licences should be suspended for the products in question, under the interim protective measures; whereas this will involve the rejection of applications already lodged,

HAS ADOPTED THIS REGULATION:

*Article 1*

The issue of STM licences for ornamental plants falling within CN codes 0602 99 91 and 0602 99 99 is hereby suspended until 30 April 1989.

*Article 2*

This Regulation shall enter into force on 8 April 1989.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 60, 1. 3. 1986, p. 39.

<sup>(2)</sup> OJ No L 80, 23. 3. 1989, p. 72.

**COMMISSION REGULATION (EEC) No 908/89**  
**of 7 April 1989**  
**on the buying-in of beef by invitation to tender**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 571/89 <sup>(2)</sup>, and in particular Article 6 (7) thereof,

Whereas Article 6 of Regulation (EEC) No 805/68 lays down the conditions, in particular those relating to prices, under which buying-in of beef may be decided by invitation to tender; whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector <sup>(3)</sup> lays down in particular detailed rules on the invitation to tender and the list of products eligible;

Whereas the abovementioned provisions and in particular those of Article 17 of Regulation (EEC) No 859/89 result in the opening of buying-in by invitation to tender for certain Member States and certain qualities and the fixing of the closing date for the first submission of tenders;

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*

In accordance with the provisions of Regulation (EEC) No 859/89, the intervention agencies in the Member

States or regions of a Member State listed in the Annex hereto shall buy in products in the beef and veal sector belonging to the quality groups set out in that Annex.

*Article 2*

The closing date for the submission of tenders for the first partial invitation to tender shall expire at 12 noon (Brussels time) on 12 April 1989.

The detailed conditions for the invitation to tender shall be laid down by the intervention agencies in the Member States or regions of a Member State listed in the Annex hereto and information about them may be obtained by any interested party established in the Community by applying to one of the addresses in Annex V to Regulation (EEC) No 859/89.

*Article 3*

Commission Regulation (EEC) No 1787/87 <sup>(4)</sup> is hereby repealed.

*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, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 61, 4. 3. 1989, p. 43.

<sup>(3)</sup> OJ No L 91, 4. 4. 1989, p. 5.

<sup>(4)</sup> OJ No L 168, 27. 6. 1987, p. 22.

*ANNEX***Member States or regions of a Member State and quality groups referred to in Article 1**

| Member States or regions<br>of a Member State | Category A |   |   | Category C |   |   |
|-----------------------------------------------|------------|---|---|------------|---|---|
|                                               | U          | R | O | U          | R | O |
| Belgium                                       |            |   | × |            |   |   |
| Germany                                       |            | × |   |            |   |   |
| Spain                                         |            | × | × |            |   |   |
| Ireland                                       |            |   |   | ×          | × |   |
| Luxembourg                                    |            | × | × |            |   | × |
| Netherlands                                   |            | × |   |            |   |   |
| Great Britain                                 |            |   |   | ×          |   |   |
| Northern Ireland                              |            |   |   | ×          |   |   |

**COMMISSION REGULATION (EEC) No 909/89****of 7 April 1989****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 838/89 <sup>(3)</sup>, as amended by Regulation (EEC) No 862/89 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 838/89 to the informa-

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 838/89 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 April 1989.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 89, 1. 4. 1989, p. 30.

<sup>(4)</sup> OJ No L 91, 4. 4. 1989, p. 26.

## ANNEX

to the Commission Regulation of 7 April 1989 altering the basic amount of the import  
levies on syrups and certain other products in the sugar sector

(ECU)

| CN code    | Basic amount per percentage point<br>of sucrose content and per 100 kg net<br>of the product in question | Amount of levy per 100 kg of dry matter |
|------------|----------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1702 20 10 | 0,3863                                                                                                   | —                                       |
| 1702 20 90 | 0,3863                                                                                                   | —                                       |
| 1702 30 10 | —                                                                                                        | 50,30                                   |
| 1702 40 10 | —                                                                                                        | 50,30                                   |
| 1702 60 10 | —                                                                                                        | 50,30                                   |
| 1702 60 90 | 0,3863                                                                                                   | —                                       |
| 1702 90 30 | —                                                                                                        | 50,30                                   |
| 1702 90 60 | 0,3863                                                                                                   | —                                       |
| 1702 90 71 | 0,3863                                                                                                   | —                                       |
| 1702 90 90 | 0,3863                                                                                                   | —                                       |
| 2106 90 30 | —                                                                                                        | 50,30                                   |
| 2106 90 59 | 0,3863                                                                                                   | —                                       |

**COMMISSION REGULATION (EEC) No 910/89**  
**of 7 April 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<sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 2306/88<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No  
897/89<sup>(4)</sup>;

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 Regula-  
tion (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 8 April 1989.

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

Done at Brussels, 7 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 203, 28. 7. 1988, p. 22.

<sup>(4)</sup> OJ No L 94, 7. 4. 1989, p. 28.

## ANNEX

to the Commission Regulation of 7 April 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 31,27 <sup>(1)</sup> |
| 1701 11 90 | 31,27 <sup>(1)</sup> |
| 1701 12 10 | 31,27 <sup>(1)</sup> |
| 1701 12 90 | 31,27 <sup>(1)</sup> |
| 1701 91 00 | 38,63                |
| 1701 99 10 | 38,63                |
| 1701 99 90 | 38,63 <sup>(2)</sup> |

<sup>(1)</sup> 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).

<sup>(2)</sup> 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.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 20 February 1989

concerning the provisional application of the Agreed Minutes modifying the Agreement between the European Economic Community and the Kingdom of Thailand on trade in textile products

(89/231/EEC)

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 pending the completion of the procedures necessary for its conclusion, the Agreement between the European Economic Community and the Kingdom of Thailand on trade in textile products, initialled on 28 June 1986, has been provisionally applied since 1 January 1987 in accordance, having regard to the Community, with Decision 87/460/EEC<sup>(1)</sup>;

Whereas that Agreement provides for the possibility of re-examining quantitative adjustments to the quotas for certain categories, in order to allow for the introduction of the harmonized system;

Whereas, at the end of consultations between the Community and the Kingdom of Thailand an Agreed Minute modifying the quota on category 4 products provided for in the Agreement was initialled on 25 March 1988;

Whereas at the end of further consultations, an Agreed Minute accompanied by an Addendum modifying the quotas on products of categories 4, 5, 6, 7, 8, 21, 74 and 75 provided for in the Agreement was initialled on 21 April 1988;

Whereas pending the completion of the procedures necessary for the conclusion of the Agreement and the

Agreed Minutes, the Agreed Minutes should be applied provisionally, with effect from 1 January 1988, provided that there is a reciprocal provisional application on the part of the Kingdom of Thailand,

HAS DECIDED AS FOLLOWS:

*Article 1*

Pending the completion of the procedures necessary for its conclusion, the Agreed Minutes modifying the Agreement on trade in textile products between the European Economic Community and the Kingdom of Thailand shall be applied provisionally in the Community, with effect from 1 January 1988, provided that there is reciprocal provisional application on the part of the Kingdom of Thailand.

The texts of the Agreed Minutes are attached to this Decision.

*Article 2*

The Commission is invited to seek the agreement of the Government of the Kingdom of Thailand on the provisional application of the Agreed Minutes referred to in Article 1 and to notify the Council thereof.

Done at Brussels, 20 February 1989.

*For the Council*

*The President*

F. FERNANDEZ ORDOÑEZ

<sup>(1)</sup> OJ No L 255, 5. 9. 1987, p. 126.

## AGREED MINUTE

1. Delegations of the European Community and the Kingdom of Thailand met in Brussels on 23 and 24 March 1988, in accordance with the provisions of Article 16 of the Agreement on trade in textiles initialled on 28 June 1986.
2. The two parties discussed Thailand's request that, in order to resolve certain problems of management, the special quantities 4 S (expressed in tonnes) established by the Agreed Minute between the European Economic Community and the Kingdom of Thailand of 10 April 1987 be merged with the category 4 quantitative limits (expressed in pieces).
3. It was agreed that the said special quantities will be merged with the normal category 4 limits, on the basis of the conversion factor of 6,48 pieces per kilogram set out in Annex I of the Agreement, for the years 1988 to 1991.
4. Accordingly, the two sides agreed that the quantitative limits for category 4, as set out in Annex II of the Agreement and as amended by the Agreed Minute of 10 April 1987, are to be modified as follows:

| Category | Unit         | Year | EEC limit |
|----------|--------------|------|-----------|
| 4        | 1 000 pieces | 1988 | 15 394    |
|          |              | 1989 | 16 167    |
|          |              | 1990 | 16 975    |
|          |              | 1991 | 17 824    |

5. The provisions of this Agreed Minute shall enter into force on the first day of the month following the date of its signature. They shall apply with effect from 1 January 1988.

Brussels, 25 March 1988

*Head of Delegation of  
the Kingdom of Thailand*

*Head of Delegation of  
the European Economic Community*

# AGREED MINUTE

1. Delegations of the European Economic Community and the Kingdom of Thailand met in Brussels on 15 January, 23 and 24 March 1988 and in Bangkok on 20 and 21 April 1988, in accordance with the provisions of Article 16 of the Agreement on trade in textiles initialled on 28 June 1986, in order to examine the latter's request for an adjustment of the quantitative restrictions on certain products affected by the new definition of suits and ensembles following the implementation of the harmonized system.
2. The two parties agreed that additional quantities would be reserved, under categories 4 and 5, for the export of the respective individual components of those sets of upper and lower garments, put up together in a package for retail sale, which conformed with the Combined Customs Tariff nomenclature definition of suits and ensembles but which do not comply with the new definition under the combined nomenclature, as follows:

(1 000 pieces)

|                   | EEC   | D     | F     | I  | BNL | UK    | DK | ES |
|-------------------|-------|-------|-------|----|-----|-------|----|----|
| <i>Category 4</i> |       |       |       |    |     |       |    |    |
| 1988              | 2 191 | 1 179 | 210   | 11 | 142 | 633   | 14 | 2  |
| 1989              | 2 322 | 1 250 | 223   | 11 | 151 | 670   | 15 | 2  |
| 1990              | 2 461 | 1 325 | 236   | 12 | 160 | 710   | 16 | 2  |
| 1991              | 2 610 | 1 405 | 250   | 13 | 170 | 753   | 17 | 2  |
| <i>Category 5</i> |       |       |       |    |     |       |    |    |
| 1988              | 3 456 | 828   | 879   | 5  | 178 | 1 535 | 31 | —  |
| 1989              | 3 663 | 877   | 932   | 5  | 189 | 1 627 | 33 | —  |
| 1990              | 3 883 | 930   | 987   | 6  | 200 | 1 725 | 35 | —  |
| 1991              | 4 116 | 986   | 1 046 | 7  | 212 | 1 828 | 37 | —  |

3. Consignments of the abovementioned sets must be accompanied by export licences covering the individual components to be shipped under these additional quantities. For administrative control purposes these licenses shall bear in Box 9 the following wording in capital letters: 'COMPONENT OF COORDINATE SUIT 1987 DEFINITION'.
4. The interim additional quantities for categories 4 and 5, for the year 1988, set out in the Agreed Minute of 25 March 1988 are incorporated in the additional quantitative limits for the same year set out above.
5. There will be no transfer between the additional quantities and the original quota for categories 4 and 5 although inter-category transfers between the additional quantities of the two categories may be carried out. In addition the flexibility provisions foreseen in Article 7 of the Agreement are to be applied as if these quantities belonged to a category of Group III.
6. The quantitative limits set out in Annex II of the Agreement are adjusted as follows:

(1 000 pieces)

|                        | 1988  | 1989  | 1990  | 1991  |
|------------------------|-------|-------|-------|-------|
| <i>EEC limits</i>      |       |       |       |       |
| Category 6             | 3 424 | 3 608 | 3 802 | 4 006 |
| Category 7             | 3 080 | 3 238 | 3 403 | 3 578 |
| Category 8             | 2 342 | 2 426 | 2 512 | 2 601 |
| Category 21            | 5 229 | 5 543 | 5 875 | 6 228 |
| <i>Regional limits</i> |       |       |       |       |
| UK: Category 16        | 135   | 143   | 153   | 162   |
| Category 29            | 164   | 174   | 184   | 195   |
| Category 74            | 12    | 16    | 21    | 26    |
| F: Category 75         | 177   | 187   | 197   | 209   |

7. The Community quantitative limits set out in paragraph 6 are allocated among the regions of the Community as follows :

|                    | (1 000 pieces) |     |     |     |       |     |     |    |     |    |
|--------------------|----------------|-----|-----|-----|-------|-----|-----|----|-----|----|
|                    | D              | F   | I   | BNL | UK    | IRL | DK  | GR | ES  | PT |
| <i>Category 6</i>  |                |     |     |     |       |     |     |    |     |    |
| 1988               | 1 446          | 367 | 263 | 618 | 342   | 21  | 237 | 21 | 89  | 20 |
| 1989               | 1 510          | 400 | 291 | 646 | 361   | 23  | 240 | 23 | 92  | 22 |
| 1990               | 1 581          | 435 | 320 | 673 | 379   | 25  | 243 | 25 | 97  | 24 |
| 1991               | 1 648          | 477 | 351 | 703 | 396   | 27  | 247 | 27 | 104 | 26 |
| <i>Category 7</i>  |                |     |     |     |       |     |     |    |     |    |
| 1988               | 1 198          | 447 | 448 | 344 | 342   | 18  | 190 | 19 | 65  | 9  |
| 1989               | 1 231          | 487 | 484 | 357 | 361   | 20  | 194 | 21 | 72  | 11 |
| 1990               | 1 263          | 530 | 522 | 370 | 379   | 22  | 199 | 23 | 82  | 13 |
| 1991               | 1 294          | 578 | 555 | 386 | 400   | 24  | 203 | 25 | 97  | 16 |
| <i>Category 8</i>  |                |     |     |     |       |     |     |    |     |    |
| 1988               | 526            | 204 | 423 | 313 | 216   | 16  | 526 | 17 | 83  | 18 |
| 1989               | 543            | 223 | 440 | 322 | 228   | 17  | 527 | 18 | 89  | 19 |
| 1990               | 564            | 241 | 459 | 330 | 239   | 18  | 528 | 20 | 92  | 21 |
| 1991               | 577            | 264 | 478 | 338 | 251   | 19  | 530 | 21 | 101 | 22 |
| <i>Category 21</i> |                |     |     |     |       |     |     |    |     |    |
| 1988               | 1 785          | 893 | 508 | 687 | 914   | 40  | 171 | 38 | 161 | 32 |
| 1989               | 1 890          | 920 | 556 | 720 | 968   | 43  | 175 | 44 | 190 | 37 |
| 1990               | 2 003          | 948 | 603 | 759 | 1 025 | 45  | 180 | 51 | 218 | 43 |
| 1991               | 2 121          | 981 | 651 | 798 | 1 086 | 48  | 186 | 59 | 249 | 49 |

8. The adjusted quantitative limits set out in paragraphs 6 and 7 incorporate the interim additional quantities for categories 6, 7, 8 and 21 for the year 1988, set out in the Agreed Minute of 25 March 1988.
9. The provisions of the Agreed Minute shall enter into force on the first day of the month following the date of its signature. They shall apply with effect from 1 January 1988.

Bangkok, 21 April 1988

*Head of Delegation of  
the European Economic Community*

*Head of Delegation of  
the Kingdom of Thailand*

**ADDENDUM**

Further to the provisions included in the Agreed Minute between the European Economic Community and Kingdom of Thailand initialled on 21 April 1988, it has been agreed by both parties that transfers may be carried out, upon notification by the authorities of Thailand, from the reserved additional quantities agreed for categories 4 and 5 for France and the United Kingdom to the adjusted regional quotas for categories 75 and 74 respectively, up to the full amount of the original regional quotas for the latter categories.

*For the  
European Economic Community*

*For the  
Kingdom of Thailand*

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**Information concerning the modification of the Agreement between the Community  
and Thailand on trade in textile products**

In accordance with Article 2 of the Council Decision of 20 February 1989 concerning the provisional application of the Agreed Minutes modifying the Agreement with Thailand on trade in textile products, the Commission has notified the Council of Thailand's agreement, given on 25 March 1988.

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**COUNCIL DECISION**

of 20 February 1989

**concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and the Republic of India on trade in textile products**

(89/232/EEC)

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 pending the completion of the procedures necessary for its conclusion, the Agreement between the European Economic Community and the Republic of India on trade in textile products, initialled on 31 October 1986, has been provisionally applied since 1 January 1987 in accordance, having regard to the Community, with Decision 88/495/EEC<sup>(1)</sup>;

Whereas that Agreement provides for the possibility of re-examining, in the light of recent developments, quantitative adjustments to the quotas for certain categories, in order to allow for the introduction of the harmonized system;

Whereas, at the end of consultations between the Community and the Republic of India, an Agreed Minute amending the quota on category 4 products provided for in the Agreement was initialled on 23 June 1988;

Whereas pending the completion of the procedure necessary for the conclusion of the Agreement and the Agreed Minute, the Agreed Minute should be applied provisionally, with effect from 1 January 1988, provided

that there is a reciprocal provisional application on the part of the Republic of India,

HAS DECIDED AS FOLLOWS:

*Article 1*

Pending the completion of the procedures necessary for its conclusion, the Agreed Minute amending the Agreement on trade in textile products between the European Economic Community and the Republic of India shall be applied provisionally in the Community, with effect from 1 January 1988, provided that there is reciprocal provisional application on the part of the Republic of India.

The texts of the Agreed Minutes are attached to this Decision.

*Article 2*

The Commission is invited to seek the agreement of the Government of the Republic of India on the provisional application of the Agreed Minutes referred to in Article 1 and to notify the Council thereof.

Done at Brussels, 20 February 1989.

*For the Council**The President*

F. FERNANDEZ ORDOÑEZ

<sup>(1)</sup> OJ No L 267, 27. 9. 1988, p. 1.

**AGREED MINUTE**

1. Delegations of the European Community and the Republic of India met in Brussels on 31 May and 1 to 3 June 1988 in accordance with the provisions of Article 16 of the Agreement on trade in textiles initialled on 31 October 1986, in order to examine the latter's request for an adjustment of the quantitative limits of certain products affected by the new definitions following the implementation of the harmonized system.
2. The two parties agreed to delete the quantitative limits for 'special quantity' of category 4 (4 S) in respect of the years 1988 to 1991 established in Annex II of the Agreement as follows :

| Category | Description                                        | Unit         | Year | EEC limit |
|----------|----------------------------------------------------|--------------|------|-----------|
| 4        | Shirts, T-shirts and the like knitted or crocheted | 1 000 pieces | 1988 | 28 500    |
|          |                                                    |              | 1989 | 29 754    |
|          |                                                    |              | 1990 | 31 063    |
|          |                                                    |              | 1991 | 32 430    |

3. These amended figures also take into account migration of certain products from categories 74 and 75, on the basis of the existing available import documentation.
4. The provisions of the Agreed Minute shall enter into force on the first day of the month following the date of its signature. They shall apply with effect from 1 January 1988.
5. India also stated that the definitional changes introduced by the harmonized system might result in 'migration' of some other items from categories 16, 18, 29 and 78 to various restrained categories, namely, categories 6, 7, 8, 15 and 27.

The Community undertook to examine these problems once relevant and complete documentation has been provided by India and in the light of the correct interpretation of the harmonized system.

Brussels,

*Head of Delegation of  
the European Economic Community*

*Head of Delegation of  
the Republic of India*

**Information concerning the amendment of the Agreement between the Community  
and India on trade in textile products**

In accordance with Article 2 of the Council Decision of 20 February 1989 concerning the provisional application of the Agreed Minute amending the Agreement with India on trade in textile products, the Commission has notified the Council of India's agreement, given on 3 June 1988.

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**COUNCIL DECISION**

of 20 February 1989

**concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and the Republic of the Philippines on trade in textile products**

(89/233/EEC)

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 pending completion of the procedures necessary for its conclusion the Agreement between the European Economic Community and the Republic of the Philippines on trade in textile products, initialled on 28 June 1986, has been applied provisionally since 1 January 1987 in accordance with Decision 87/458/EEC<sup>(1)</sup> in so far as the Community is concerned;

Whereas that Agreement provides for the possibility of re-examining, in the light of recent trade developments, the quantitative adjustments to be made to the quotas for certain categories to allow for the introduction of the harmonized system;

Whereas following consultations between the Community and the Republic of the Philippines an Agreed Minute amending the quotas for categories 4, 5, 6, 7, 8, 15, 16, 21 and 74 laid down in the Agreement was initialled on 24 October 1988;

Whereas pending completion of the procedures necessary for the conclusion of the Agreement and the Agreed Minute, the Agreed Minute should be applied provi-

sionally with effect from 1 January 1988, provided it is applied likewise by the Republic of the Philippines,

HAS DECIDED AS FOLLOWS:

*Article 1*

Pending completion of the procedures necessary for its conclusion, the Agreed Minute amending the Agreement between the European Economic Community and the Republic of the Philippines on trade in textile products shall be applied provisionally by the Community with effect from 1 January 1988, provided it is applied likewise by the Philippines.

The text of the Agreed Minute is attached to this Decision.

*Article 2*

The Commission is requested to seek the agreement of the Government of the Republic of the Philippines on the provisional application of the Agreed Minute referred to in Article 1 and to notify the Council thereof.

Done at Brussels, 20 February 1989.

*For the Council**The President*

F. FERNANDEZ ORDOÑEZ

<sup>(1)</sup> OJ No L 255, 5. 9. 1987, p. 43.

# AGREED MINUTE

1. Delegations of the European Economic Community and the Republic of the Philippines met in Brussels on 27 to 29 June and 24 October 1988 in accordance with the provisions of Article 16 of the Agreement on trade in textiles initialled on 28 June 1986, in order to examine the latter's request for an adjustment of the quantitative restrictions on certain products affected by the new definition of suits and ensembles following the implementation of the harmonized system.
2. The two parties agreed that the quantitative limits set out in Annex II of the Agreement are adjusted as follows:

(1 000 pieces)

|                        | 1988   | 1989   | 1990   | 1991   |
|------------------------|--------|--------|--------|--------|
| <i>EEC limits</i>      |        |        |        |        |
| Category 4             | 12 293 | 12 846 | 13 424 | 14 028 |
| Category 5             | 5 639  | 5 921  | 6 217  | 6 528  |
| Category 6             | 4 674  | 4 931  | 5 200  | 5 488  |
| Category 7             | 3 362  | 3 496  | 3 636  | 3 781  |
| Category 8             | 4 173  | 4 319  | 4 470  | 4 626  |
| Category 15            | 1 315  | 1 394  | 1 478  | 1 567  |
| Category 21            | 3 879  | 4 112  | 4 359  | 4 621  |
| <i>Regional limits</i> |        |        |        |        |
| F: Category 16         | 5      | 5      | 6      | 6      |
| UK: Category 74        | 109    | 118    | 127    | 137    |

The Community quantitative limits set out above are allocated among the regions of the Community as follows:

(1 000 pieces)

|                   | D     | F     | I     | BNL   | UK    | IRL | DK  | GR | ES  | PT |
|-------------------|-------|-------|-------|-------|-------|-----|-----|----|-----|----|
| <i>Category 4</i> |       |       |       |       |       |     |     |    |     |    |
| 1988              | 3 128 | 3 842 | 796   | 1 256 | 2 375 | 53  | 624 | 60 | 124 | 35 |
| 1989              | 3 223 | 3 929 | 941   | 1 324 | 2 479 | 61  | 637 | 68 | 140 | 44 |
| 1990              | 3 317 | 4 031 | 1 068 | 1 382 | 2 600 | 70  | 651 | 77 | 171 | 57 |
| 1991              | 3 415 | 4 138 | 1 208 | 1 456 | 2 728 | 80  | 667 | 87 | 182 | 67 |
| <i>Category 5</i> |       |       |       |       |       |     |     |    |     |    |
| 1988              | 1 919 | 842   | 418   | 663   | 1 209 | 42  | 414 | 28 | 84  | 20 |
| 1989              | 1 962 | 933   | 475   | 681   | 1 249 | 46  | 423 | 34 | 92  | 26 |
| 1990              | 2 011 | 1 030 | 536   | 698   | 1 287 | 50  | 432 | 38 | 105 | 30 |
| 1991              | 2 058 | 1 136 | 601   | 715   | 1 323 | 53  | 441 | 42 | 125 | 34 |
| <i>Category 6</i> |       |       |       |       |       |     |     |    |     |    |
| 1988              | 2 152 | 486   | 246   | 879   | 617   | 20  | 116 | 43 | 93  | 22 |
| 1989              | 2 201 | 548   | 305   | 898   | 652   | 23  | 120 | 48 | 110 | 26 |
| 1990              | 2 251 | 616   | 370   | 917   | 695   | 26  | 124 | 53 | 118 | 30 |
| 1991              | 2 309 | 689   | 440   | 935   | 735   | 30  | 129 | 59 | 127 | 35 |
| <i>Category 7</i> |       |       |       |       |       |     |     |    |     |    |
| 1988              | 1 287 | 686   | 272   | 290   | 659   | 15  | 87  | 14 | 44  | 8  |
| 1989              | 1 309 | 725   | 303   | 300   | 675   | 17  | 91  | 17 | 49  | 10 |
| 1990              | 1 333 | 762   | 337   | 310   | 693   | 19  | 95  | 19 | 56  | 12 |
| 1991              | 1 356 | 799   | 374   | 320   | 711   | 21  | 99  | 21 | 66  | 14 |
| <i>Category 8</i> |       |       |       |       |       |     |     |    |     |    |
| 1988              | 1 655 | 783   | 487   | 529   | 451   | 50  | 106 | 18 | 78  | 16 |
| 1989              | 1 688 | 812   | 517   | 542   | 474   | 52  | 109 | 21 | 86  | 18 |
| 1990              | 1 720 | 843   | 549   | 555   | 496   | 54  | 111 | 24 | 97  | 21 |
| 1991              | 1 756 | 876   | 583   | 568   | 520   | 56  | 114 | 27 | 102 | 24 |

(1 000 pieces)

|                    | D     | F   | I   | BNL | UK  | IRL | DK  | GR | ES  | PT |
|--------------------|-------|-----|-----|-----|-----|-----|-----|----|-----|----|
| <i>Category 15</i> |       |     |     |     |     |     |     |    |     |    |
| 1988               | 440   | 116 | 109 | 121 | 431 | 8   | 24  | 13 | 45  | 8  |
| 1989               | 451   | 135 | 126 | 129 | 439 | 9   | 28  | 15 | 53  | 9  |
| 1990               | 462   | 155 | 145 | 138 | 447 | 10  | 32  | 17 | 61  | 11 |
| 1991               | 475   | 178 | 166 | 146 | 454 | 11  | 35  | 19 | 70  | 13 |
| <i>Category 21</i> |       |     |     |     |     |     |     |    |     |    |
| 1988               | 1 593 | 559 | 237 | 373 | 793 | 29  | 111 | 25 | 133 | 26 |
| 1989               | 1 621 | 612 | 279 | 395 | 841 | 31  | 116 | 29 | 157 | 31 |
| 1990               | 1 652 | 665 | 322 | 419 | 893 | 36  | 123 | 34 | 188 | 36 |
| 1991               | 1 682 | 721 | 371 | 444 | 948 | 36  | 131 | 39 | 208 | 41 |

3. The adjusted quantitative limits set out in paragraph 2 incorporate the interim additional quantities for categories 4, 5, 6, 7, 8, 15 and 21 for the year 1988 set out in the Agreed Minute of 29 June 1988.
4. Transfers may be carried out, upon notification by the authorities of the Philippines, from the reserved additional quantities agreed for France and the United Kingdom to the adjusted regional quotas for categories 16 and 74 respectively, up to the full amount of the original regional quotas for the latter categories.
5. The provisions of the Agreed Minute shall enter into force on the first day of the month following the date of its signature. They shall apply with effect from 1 January 1988.

Brussels, 24 October 1988

*Head of Delegation of  
the European Economic Community*

*Head of Delegation of  
the Republic of the Philippines*

**Information concerning the amendment of the Agreement between the Community  
and the Philippines on trade in textile products**

In accordance with Article 2 of the Council Decision of 20 February 1989 concerning the provisional application of the Agreed Minute amending the Agreement with the Philippines on trade in textile products, the Commission has notified the Council of the Philippines' agreement, given on 24 October 1988.

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**COUNCIL DECISION**  
**of 5 April 1989**  
**appointing a Member of the Court of Auditors**

(89/234/EEC, Euratom, ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78e thereof,

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

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180 thereof,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 22 thereof,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Whereas Mr Keld Brixtofte, Member of the Court of Auditors has by his letter of 10 November 1988 addressed

to the Secretary-General of the Council, tendered his resignation with effect from 18 April 1989;

Whereas an appointment should be made of a Member of the Court of Auditors for the remainder of the term of office of Mr Brixtofte,

HAS DECIDED AS FOLLOWS:

*Article 1*

Mr Ole Warberg is hereby appointed Member of the Court of Auditors up to and including 17 October 1993.

*Article 2*

This Decision shall take effect on 18 April 1989.

Done at Luxembourg, 5 April 1989.

*For the Council*

*The President*

M. CHAVES GONZALEZ

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<sup>(1)</sup> Opinion delivered on 17 March 1989 (not yet published in the Official Journal).

**CORRIGENDA**

**Corrigendum to Commission Regulation (EEC) No 773/89 of 28 March 1989 fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

*(Official Journal of the European Communities No L 84 of 20 March 1989)*

On page 20, in the Annex, in the table, in the column headed 'España', against CN code 0201 20 29 :

*for:* '30 425,68',

*read:* '32 586,44'.

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