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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 925/89**of 11 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⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2401/88⁽⁵⁾ and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on 10 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 12 April 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 11 April 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 11 April 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	(ECU/tonne)	
	Levies	
	Portugal	Third country
0709 90 60	23,43	130,00
0712 90 19	23,43	130,00
1001 10 10	57,12	188,94 ⁽¹⁾ ⁽²⁾
1001 10 90	57,12	188,94 ⁽¹⁾ ⁽²⁾
1001 90 91	33,89	124,63
1001 90 99	33,89	124,63
1002 00 00	61,56	115,60 ⁽⁴⁾
1003 00 10	52,12	118,53
1003 00 90	52,12	118,53
1004 00 10	43,18	84,44
1004 00 90	43,18	84,44
1005 10 90	23,43	130,00 ⁽²⁾ ⁽³⁾
1005 90 00	23,43	130,00 ⁽²⁾ ⁽³⁾
1007 00 90	46,77	139,10 ⁽⁴⁾
1008 10 00	52,12	24,45
1008 20 00	52,12	35,34 ⁽⁴⁾
1008 30 00	52,12	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	52,12	0,00
1101 00 00	61,97	188,17
1102 10 00	100,71	176,37
1103 11 10	102,11	306,43
1103 11 90	65,30	201,59

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

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

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 926/89

of 11 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⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,Having regard to the opinion of the Monetary Committee, Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2402/88⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 10 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 12 April 1989.

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

Done at Brussels, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 11 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 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 927/89

of 7 April 1989

on arrangements for imports into the Community of certain textile products
(category 73) originating in the Philippines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries⁽¹⁾, as last amended by Regulation (EEC) No 718/89⁽²⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of textile products of category 73 specified in the Annex hereto and originating in the Philippines exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, the Philippines was notified on 31 January 1989 of a request for consultations; whereas, as a result of these consultations, it was agreed to make the textile products in question subject to quantitative limits for the years 1989 to 1991;

Whereas paragraph 13 of the said Article 11 provides for compliance with the quantitative limits to be ensured by means of a double-checking system in accordance with Annex VI to that Regulation;

Whereas the products in question exported from the Philippines between 7 February 1989 and the date of entry into force of this Regulation must be set off against the quantitative limit for the year 1989;

Whereas this quantitative limit should not prevent the importation of products covered by it but shipped from the Philippines to the Community before the date of entry into force of this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into the Community of the category of products originating in the Philippines and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

1. Products as referred to in Article 1, shipped from the Philippines to the Community before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place before that date.

2. Imports of such products shipped from the Philippines to the Community after the entry into force of this Regulation shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of products shipped from the Philippines to the Community on or after 7 February 1989 and released for free circulation shall be deducted from the quantitative limit laid down. This limit shall not, however, prevent the importation of products covered by it but shipped from the Philippines before the date of entry into force of this Regulation.

*Article 3*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1991.

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

Done at Brussels, 7 April 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.⁽²⁾ OJ No L 79, 22. 3. 1989, p. 6.

ANNEX

Category	CN code	Description	Third country	Unit	Member States	Quantitative limits from 7 February to 31 December 1989	
73	6112 11 00 6112 12 00 6112 19 00	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres	Philippines ⁽¹⁾	1 000 pieces	D F I BNL UK IRL DK GR ES PT EEC	1 781 1 574 200 1 739 1 645 42 231 23 111 23 7 369	
			Philippines ⁽¹⁾	1 000 pieces	D F I BNL UK IRL DK GR ES PT EEC	Quantitative limits from 1 January to 31 December 1990 1991 2 132 2 255 1 794 1 841 285 365 1 945 1 955 1 913 2 004 53 59 266 277 32 41 158 203 32 41 8 610 9 041	

⁽¹⁾ For the purpose of setting off exports against the agreed quantitative limits a conversion rate of five garments (other than babies' garments) of a maximum commercial size of 130 cm for three garments whose commercial size exceeds 130 cm may be applied for up to 5 % of the quantitative limits.

The export licence concerning these products must bear, in box 9, the words "The conversion rate for garments of a commercial size of not more than 130 cm must be applied".

COMMISSION REGULATION (EEC) No 928/89**of 11 April 1989****re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia**

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

Having regard to the Cooperation Agreement between the
European Economic Community and the Socialist Federal
Republic of Yugoslavia ⁽¹⁾, and in particular Protocol 1
thereto,

Having regard to Council Regulation (EEC) No 4234/88
of 19 December 1988 establishing ceilings and
Community surveillance for imports of certain products
originating in Yugoslavia (1989) ⁽²⁾, and in particular
Article 1 thereof,

Whereas the abovementioned Protocol 1 and Article 15 of
the Cooperation Agreement provide that the products
listed in Article 1 hereto are imported exempt of customs
duty into the Community, subject to the ceiling shown,
above which the customs duties applicable to third
countries may be re-established;

Whereas imports into the Community of those products,
originating in Yugoslavia, have reached that ceiling;

whereas the situation on the Community market requires
that customs duties applicable to third countries on the
products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 15 April to 31 December 1989, the levying of
customs duties applicable to third countries shall be
re-established on imports into the Community of the
products listed in the Annex, originating in Yugoslavia.

Article 2

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

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

Done at Brussels, 11 April 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 372, 31. 12. 1988, p. 15.

ANNEX

Order No	CN code	Description	(tonnes) Ceiling
01.0160	7304	Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel :	
	7304 10	– Line pipe of a kind used for oil or gas pipelines :	
	7304 10 10	– – Of an external diameter not exceeding 168,3 mm	
	7304 10 30	– – Of an external diameter exceeding 168,3 mm, but not exceeding 406,4 mm	
	7304 10 90	– – Of an external diameter exceeding 406,4 mm	
	7304 20	– Casing, tubing and drill pipe, of a kind used in drilling for oil or gas :	
		– – Other :	
	7304 20 91	– – – Of an external diameter not exceeding 406,4 mm	
	7304 20 99	– – – Of an external diameter exceeding 406,4 mm	
		– Other, of circular cross-section, of iron or non-alloy steel :	
	7304 31	– – Cold-drawn or cold-rolled (cold-reduced) :	
		– – – Other	
	7304 31 91	– – – – Precision tubes	
	7304 31 99	– – – – Other	
	7304 39	– – Other :	
	7304 39 10	– – – Unworked, straight and of uniform wall-thickness, for use solely in the manufacture of tubes and pipes with other cross-sections and wall-thicknesses ⁽¹⁾	
		– – – Other :	
		– – – – Other	
		– – – – – Other :	
		– – – – – – Threaded or threadable tubes (gas pipe) :	
	7304 39 51	– – – – – – Plated or coated with zinc	
	7304 39 59	– – – – – – Other	
		– – – – – – Other, of an external diameter :	
	7304 39 91	– – – – – – Not exceeding 168,3 mm	
	7304 39 93	– – – – – – Exceeding 168,3 mm, but not exceeding 406,4 mm	
	7304 39 99	– – – – – – Exceeding 406,4 mm	
		– Other, of circular cross-section, of stainless steel :	
	7304 41	– – Cold-drawn or cold-rolled (cold-reduced) :	
	7304 41 90	– – – Other	
	7304 49	– – Other :	
	7304 49 10	– – – Unworked, straight and of uniform wall-thickness, for use solely in the manufacture of tubes and pipes with other cross-sections and wall-thicknesses ⁽¹⁾	
		– – – Other :	
		– – – – Other :	
	7304 49 91	– – – – – Of an external diameter not exceeding 406,4 mm	
	7304 49 99	– – – – – Of an external diameter exceeding 406,4 mm	
		– Other, of circular cross-section, of other alloy steel :	
	7304 51	– – Cold-drawn or cold-rolled (cold-reduced) :	
		– – – Straight and of uniform wall-thickness, of alloy steel containing by weight not less than 0,9 % but not more than 1,15 % of carbon, not less than 0,5 % but not more than 2 % of chromium and not more than 0,5 % of molybdenum, of a length :	

⁽¹⁾ Entry under this code is subject to conditions laid down in the relevant Community provisions. See also Section II, paragraph B, of the preliminary provisions (combined nomenclature).

Order No	CN code	Description	(tonnes) Ceiling
01.0160 (cont'd)	7304 51 11	— — — — Not exceeding 4,5 m	
	7304 51 19	— — — — Exceeding 4,5 m	
		— — — — Other :	
		— — — — Other :	
	7304 51 91	— — — — Precision tubes	
	7304 51 99	— — — — Other	
	7304 59	— — Other :	
	7304 59 10	— — — — Unworked, straight and of uniform wall-thickness, for use solely in the manufacture of tubes and pipes with other cross-sections and wall-thicknesses (!)	
		— — — — Other, straight and of uniform wall-thickness, of alloy steel containing by weight not less than 0,9 % but not more than 1,15 % of carbon, not less than 0,5 % but not more than 2 % of chromium and not more than 0,5 % of molybdenum, of a length :	
	7304 59 31	— — — — Not exceeding 4,5 m	
	7304 59 39	— — — — Exceeding 4,5 m	
		— — — — Other :	
		— — — — Other :	
	7304 59 91	— — — — Of an external diameter not exceeding 168,3 mm	
	7304 59 93	— — — — Of an external diameter exceeding 168,3 mm, but not exceeding 406,4 mm	
	7304 59 99	— — — — Of an external diameter exceeding 406,4 mm	
	7304 90	— Other :	
	7304 90 90	— — Other	
	7305	Other tubes and pipes (for example, welded, riveted or similarly closed), having internal and external circular cross-sections, the external diameter of which exceeds 406,4 mm, of iron or steel	13 594 (cont'd)
	7306	Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel :	
	7306 10	— Line pipe of a kind used for oil or gas pipelines : — — Longitudinally welded, of an external diameter of :	
	7306 10 11	— — — — Not more than 168,3 mm	
	7306 10 19	— — — — More than 168,3 mm, but not more than 406,4 mm	
	7306 10 90	— — — — Spirally welded	
	7306 20 00	— Casing and tubing of a kind used in drilling for oil or gas	
	7306 30	— Other, welded, of circular cross-section, of iron or non-alloy steel : — — Other :	
		— — — — Precision tubes, with a wall thickness :	
	7306 30 21	— — — — Not exceeding 2 mm	
	7306 30 29	— — — — Exceeding 2 mm — — — — Other :	
		— — — — Electrical conduit tubes	
		— — — — Threaded or threadable tubes (gas pipe) :	
	7306 30 51	— — — — Plated or coated with zinc	
	7306 30 59	— — — — Other — — — — Other, of an external diameter :	
		— — — — Not exceeding 168,3 mm :	
	7306 39 71	— — — — Plated or coated with zinc	
	7306 30 79	— — — — Other	
	7306 30 90	— — — — Exceeding 168,3 mm, but not exceeding 406,4 mm	

(!) Entry under this code is subject to conditions laid down in the relevant Community provisions. See also Section II, paragraph B, of the preliminary provisions (combined nomenclature).

Order No.	CN code	Description	(tonnes) Ceiling
01.0160 (cont'd)	7306 40	— Other, welded, of circular cross-section, of stainless steel :	
		— — Other :	
	7306 40 91	— — — Cold-drawn or cold-rolled (cold-reduced)	
	7306 40 99	— — — Other	
	7306 50	— Other, welded, of circular cross-section, of other alloy steel :	
		— — Other :	
	7306 50 91	— — — Precision tubes	
	7306 50 99	— — — Other	
	7306 60	— Other, welded, of non-circular cross-section :	
		— — Other :	
		— — — Of rectangular (including square) cross-section, with a wall thickness :	
	7306 60 31	— — — — Not exceeding 2 mm	
	7306 60 39	— — — — Exceeding 2 mm	
	7306 60 90	— — — Of other sections	
	7306 90 00	— Other	13 594 (cont'd)

COMMISSION REGULATION (EEC) No 929/89

of 11 April 1989

on the issuing of a standing invitation to tender for the resale on the internal market of 70 000 tonnes of barley held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾, as amended by Regulation (EEC) No 195/89⁽⁴⁾, provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 2418/87⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 70 000 tonnes of barley held by the French intervention agency should be issued;

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

HAS ADOPTED THIS REGULATION:

Article 1

The French intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 70 000 tonnes of barley held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 20 April 1989.

2. The final date for the submission of tenders for the last partial invitation to tender shall be 25 May 1989.

3. Tenders must be lodged with the French intervention agency:

Office national interprofessionnel des céréales,
21, avenue Bosquet,
F-75326 Paris Cedex 07,
(telex: OFIBLE A 200490F).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the French intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

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, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

**COMMISSION REGULATION (EEC) No 930/89
of 11 April 1989**

**on the issuing of a standing invitation to tender for the resale on the internal
market of 15 000 tonnes of common wheat held by the French intervention
agency**

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

Having regard to Regulation (EEC) No 2727/75 of the
Council of 29 October 1975 on the common organization
of the market in cereals ⁽¹⁾, as last amended by Regulation
(EEC) No 166/89 ⁽²⁾, and in particular Article 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No
1581/86 of 23 May 1986 laying down general rules for
intervention on the market in cereals ⁽³⁾, as amended by
Regulation (EEC) No 195/89 ⁽⁴⁾, provides that cereals held
by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾,
as last amended by Regulation (EEC) No 2418/87 ⁽⁶⁾, lays
down the procedure and conditions for the disposal of
cereals held by intervention agencies;

Whereas, in the present market situation, a standing in-
vitation to tender for the resale on the internal market of
15 000 tonnes of common wheat held by the French
intervention agency should be issued;

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

HAS ADOPTED THIS REGULATION:

Article 1

The French intervention agency shall issue a standing
invitation to tender for the resale on the internal market

of 15 000 tonnes of common wheat held by it in accord-
ance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the
first partial invitation to tender shall be 20 April 1989.
2. The final date for the submission of tenders for the
last partial invitation to tender shall be 25 May 1989.
3. Tenders must be lodged with the French interven-
tion agency:

Office national interprofessionnel des céréales,
21, avenue Bosquet,
F-75326 Paris Cedex 07,
(telex: OFIBLE A 200490F).

Article 3

Not later than Tuesday of the week following the final
date for the submission of tenders, the French interven-
tion agency shall notify the Commission of the quantities
and average prices of the various lots sold.

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, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

**COMMISSION REGULATION (EEC) No 931/89
of 11 April 1989**

**fixing the amounts to be levied in the beef sector on products which left the
United Kingdom during the week 20 to 26 March 1989**

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

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

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

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

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

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

Whereas, accordingly, the amounts to be levied on
products which left the United Kingdom during the week
20 to 26 March 1989 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No
1347/86, the amounts to be levied on the products
referred to in Article 7 (1) of Regulation (EEC) No
1695/86 which left the territory of the United Kingdom
during the week 20 to 26 March 1989 shall be those set
out in the Annex.

Article 2

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

It shall apply with effect from 20 March 1989.

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

Done at Brussels, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

ANNEX

to the Commission Regulation of 11 April 1989 fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 20 to 26 March 1989

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

⁽¹⁾ Containing 80 % or more by weight of beef meat.
⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 932/89
of 11 April 1989
fixing the export refunds on pigmeat

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 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of pigs falling within subheadings 0103 91 10 and 0103 92 19 of the combined nomenclature and certain products falling within heading No 0203; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas, in the case of products falling within subheadings 0210 1951 and 0210 1981, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these subheadings and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within subheading 02 10 91 81;

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within subheadings 1601 00 and 1602,

the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

Whereas Article 4 of Regulation (EEC) No 2768/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

Whereas Commission Regulation (EEC) No 617/86 of 28 February 1986 laying down specific rules on export refunds in the pigmeat sector following the accession of Portugal and amending Regulation (EEC) No 150/86⁽⁴⁾ established the principle that no Community refund should be granted on pigmeat products originating in Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which the export refund specified in Article 15 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.
2. The refund referred to in paragraph 1 shall not be granted on exports of products to Portugal.
3. The refund referred to in paragraph 1 shall not be granted on exports of products that originated in Portugal.

Article 2

This Regulation shall enter into force on 12 April 1989.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

⁽⁴⁾ OJ No L 58, 1. 3. 1986, p. 46.

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

Done at Brussels, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 11 April 1989 fixing the export refunds on pigmeat

(ECU/100 kg net weight)		
Product code	Destination of refund (1)	Amount of refund
0103 91 10 000	01	30,00
0103 92 19 000	01	30,00
0203 11 10 000	01	40,00
0203 12 11 000	02	25,00
	03	45,00
0203 12 19 000	02	25,00
	03	42,00
0203 19 11 000	02	25,00
	03	42,00
0203 19 13 000	02	25,00
	03	45,00
0203 19 15 000	02	20,00
	03	35,00
0203 19 55 110	02	25,00
	03	50,00
0203 19 55 130	02	25,00
	03	45,00
0203 19 55 190	02	25,00
	03	45,00
0203 19 55 310	02	20,00
	03	40,00
0203 19 55 390	02	20,00
	03	35,00
0203 19 55 900	01	—
0203 21 10 000	01	40,00
0203 22 11 000	02	25,00
	03	45,00
0203 22 19 000	02	25,00
	03	42,00
0203 29 11 000	02	25,00
	03	42,00
0203 29 13 000	02	25,00
	03	45,00
0203 29 15 000	02	20,00
	03	35,00
0203 29 55 110	02	25,00
	03	50,00
0203 29 55 130	02	25,00
	03	45,00
0203 29 55 190	02	25,00
	03	45,00
0203 29 55 310	02	20,00
	03	40,00
0203 29 55 390	02	20,00
	03	35,00
0203 29 55 900	01	—
0210 11 11 000	01	52,00
0210 11 31 100	01	70,00
0210 11 31 900	01	52,00
0210 12 11 000	01	35,00
0210 12 19 000	01	35,00
0210 19 40 000	01	52,00
0210 19 51 100	01	52,00

<i>(ECU/100 kg net weight)</i>		
Product code	Destination of refund (1)	Amount of refund
0210 19 51 300	01	35,00
0210 19 51 900	01	—
0210 19 81 100	01	70,00
0210 19 81 300	01	52,00
0210 19 81 900	01	—
1601 00 10 100	01	35,00
1601 00 10 900	01	—
1601 00 91 100	01	58,00
1601 00 91 900	01	—
1601 00 99 100	01	40,00
1601 00 99 900	01	—
1602 10 00 000	01	16,00
1602 20 90 100	01	30,00
1602 20 90 900	01	—
1602 41 10 100	01	35,00
1602 41 10 210	04	57,00
	05	60,00
1602 41 10 290	02	26,00
	03	28,00
1602 41 10 900	01	—
1602 42 10 100	01	35,00
1602 42 10 210	02	51,00
	03	54,00
1602 42 10 290	02	26,00
	03	28,00
1602 42 10 900	01	—
1602 49 11 110	01	35,00
1602 49 11 190	02	57,00
	03	60,00
1602 49 11 900	01	—
1602 49 13 110	01	35,00
1602 49 13 190	02	51,00
	03	54,00
1602 49 13 900	01	—
1602 49 15 110	01	35,00
1602 49 15 190	02	51,00
	03	54,00
1602 49 15 900	01	—
1602 49 19 110	01	28,00
1602 49 19 190	02	36,00
	03	38,00
1602 49 19 900	01	—
1602 49 30 100	02	26,00
	03	28,00
1602 49 30 900	01	—
1602 49 50 100	01	16,00
1602 49 50 900	01	—
1602 90 10 100	01	28,00
1602 90 10 900	01	—
1902 20 30 100	01	16,00
1902 20 30 900	01	—

(¹) The destinations are as follows :

- 01 All destinations,
- 02 The United States of America and Canada,
- 03 All destinations except the United States of America and Canada,
- 04 The United States of America, Canada and Australia,
- 05 All destinations except the United States of America, Canada and Australia.

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

COMMISSION REGULATION (EEC) No 933/89**of 11 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EEC) No 909/89 ⁽⁴⁾;

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 12 April 1989.

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

Done at Brussels, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 89, 1. 4. 1989, p. 30.

⁽⁴⁾ OJ No L 95, 8. 4. 1989, p. 24.

ANNEX

to the Commission Regulation of 11 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 of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3960	—
1702 20 90	0,3960	—
1702 30 10	—	50,30
1702 40 10	—	50,30
1702 60 10	—	50,30
1702 60 90	0,3960	—
1702 90 30	—	50,30
1702 90 60	0,3960	—
1702 90 71	0,3960	—
1702 90 90	0,3960	—
2106 90 30	—	50,30
2106 90 59	0,3960	—

COMMISSION REGULATION (EEC) No 934/89
of 11 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 924/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 April 1989.

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

Done at Brussels, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 97, 11. 4. 1989, p. 44.

ANNEX

to the Commission Regulation of 11 April 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,86 ⁽¹⁾
1701 11 90	32,86 ⁽¹⁾
1701 12 10	32,86 ⁽¹⁾
1701 12 90	32,86 ⁽¹⁾
1701 91 00	39,60
1701 99 10	39,60
1701 99 90	39,60 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 935/89

of 11 April 1989

introducing a countervailing charge on fresh lemons originating in Cyprus

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

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

Whereas Commission Regulation (EEC) No 1386/88 of 20 May 1988 fixing for the 1386/88 marketing year the reference prices for fresh lemons ⁽³⁾ fixed the reference price for products of class I for the period November to April 1989 at ECU 47,15 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74 ⁽⁴⁾, as last amended by Regulation

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 6,12 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Cyprus.

Article 2

This Regulation shall enter into force on 13 April 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 11 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 March 1989

authorizing certain Member States to provide for exceptions from certain provisions of Directive 77/93/EEC in respect of potatoes for human consumption originating in Turkey

(Only the French, German and Dutch texts are authentic)

(89/244/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 89/83/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by Belgium, the Federal Republic of Germany, Luxembourg and the Netherlands,

Whereas under the provisions of Directive 77/93/EEC, potato tubers originating in Turkey may in principle not be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas, however, Article 14 (3) of the said Directive permits exceptions from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas the early growing in Turkey of potatoes for human consumption from seed potatoes supplied by Member States has become an established practice;

Whereas information supplied by Turkey and collected in that country has shown that there are good reasons to

believe that, in Turkey, potatoes can be grown under adequate health conditions and that, at present, there are no sources for the introduction of exotic potato diseases, in particular in certain parts of the province of Adana, where potato growing started only in 1987; whereas Turkey has moreover implemented adequate health and quality standards in the potato production of that province; whereas, taking into account that the potatoes have derived from seed potatoes supplied by the Community, exotic potato diseases unknown in the Community are not likely to occur;

Whereas it can therefore be established, on the basis of the information available at present, that there is no risk of harmful organisms spreading, provided that certain special technical conditions are complied with; whereas the Commission will ensure that the Turkish authorities make available all technical information which is necessary to monitor the functioning of the protective measures required under these technical conditions; whereas the potatoes are introduced at a time when they cannot influence the health status of potatoes produced in the Community;

Whereas the requesting Member States should therefore be authorized to provide for derogations in respect of potatoes for human consumption originating in Turkey, under the aforementioned special technical conditions, for the forthcoming early potato season; whereas this system will be reconsidered, on the basis of an assessment of the technical information to be provided by the Turkish authorities and of the results of monitoring to be carried out on potatoes introduced into the Community pursuant to this Decision;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 32, 3. 2. 1989, p. 29.

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION :

Article 1

1. Belgium, the Federal Republic of Germany, Luxembourg and the Netherlands are hereby authorized to provide, under the conditions laid down in paragraph 2, for exceptions from Article 4 (1) of Directive 77/93/EEC, with regard to the prohibitions referred to in Part A (9a) of Annex III thereto for potatoes for human consumption originating in Turkey; with a view to marketing them in their respective territories or between them.

2. The following specific conditions shall be satisfied :

- (a) the potatoes shall be potatoes for human consumption ;
- (b) they shall either be immature potatoes, i.e. 'unsuberized' potatoes with loose skin, or they shall have been treated for the suppression of their faculty of germination ;
- (c) they shall have been grown in the province of Adana, south of the line Kransali-Duzici ;
- (d) they shall belong to varieties the seed potatoes of which were imported into Turkey only from Member States ;
- (e) they shall be the direct progeny of seed potatoes officially certified in 1988 as 'basic seed' or 'certified seed' in Member States ;
- (f) they shall have been handled by machinery which is reserved for them or which has been disinfected in an appropriate manner after each use for other purposes ;
- (g) they shall not have been in store-houses where potatoes of varieties other than those specified in (d) have been stored ;
- (h) they shall be free from soil, subject to a tolerance of 0,5 % by weight, and free from leaves and other plant debris ;
- (i) they shall have been sampled, by the Turkish plant protection organization, in accordance with international standards, and found, in official examination carried out by that plant protection organization, to meet the tolerances for tubers with defects as specified in Annex I, up to a maximum total of 4,5 % by number of tubers for all defects and to a maximum total of 2 % by number of tubers for all defects other than potato greening, size-off types and mixing of varieties, provided that the potatoes are free from live larvae, pupae or adults of boring insects ; they shall have met these tolerances also in any other

examination carried out by other bodies for other purposes ;

(k) they shall be packed :

- either in new bags,
- or in containers which have been disinfected in an appropriate manner,

an official label, bearing the information specified in Annex II, shall be applied to each bag or container ;

(l) the official health certificate required pursuant to Article 12 (1) (b) of Directive 77/93/EEC shall indicate :

- under the section 'Disinfection and/or disinfection treatment' all information related to the possible treatments referred to in (b), second option, and/or (k), second indent,
- under the section 'Additional declaration' :
 - name of the variety,
 - identification number or name of the farm where the potatoes have been grown and its location,
 - reference allowing the identification of the seed lot used in accordance with (e),
 - results of the examination for presence of potatoes with defects in accordance with (i) ;

(m) the conditions (b) and (h) to (l) may have been monitored by an inspector dispatched on request of the Commission ; in that case the monitoring shall be confirmed by the inspector on the official plant health certificate referred to in (l) ;

(n) on arrival, the potatoes shall be inspected by the importing Member State for satisfaction of the requirement specified in (i) ; an additional tolerance of 0,5 % by number of tubers for wet rot may be accepted ;

(o) on arrival, at least six samples of 200 tubers each shall be drawn by the importing Member State from each consignment of imported potatoes ; three of the samples shall be tested for the presence of harmful organisms in the official laboratory of the importing Member States ; three of the samples shall be dispatched to other Member States for official testing. However, in the case that a consignment amounts to 45 tonnes or less, only two such samples shall be drawn, one for official testing by the importing Member States and one for dispatch to another Member State for official testing. The harmful organisms concerned and the details of testing shall be determined in agreement with the Commission and with the plant protection organizations of the Member States.

Article 2

1. The authorization granted in Article 1 shall expire on 15 May 1989.

2. The authorization shall be revoked if it is established that the conditions laid down therein are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 3

Belgium, Germany, Luxembourg and the Netherlands shall provide the Commission and the other Member States, before 1 August 1989, with information on the amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (o); copies of each plant health certificate shall be transmitted to the Commission.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

Done at Brussels, 21 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I**Tolerances for tubers with defects***(referred to in Article 1 (2) (i))*

Type of defects	Percentage by number of tubers
<i>Major defects:</i>	
Severe mechanical damage	1,0
Damage caused by diseases (scab)	0,5
Potato greening	2,0
Wet rot	0,0
Dry rot	0,5
<i>Minor defects:</i>	
Presence of soil	0,5 (percentage by weight)
Slight mechanical damage	1,0
Damage caused by insects	1,0
Size-off types by transverse diameter	1,0
Mixing of varieties	0,0

ANNEX II**Information required on the label***(referred to in Article 1 (2) (k))*

1. Name of the authority issuing the label
 2. Name of the exporters' organization
 3. Indication 'Turkish potatoes for human consumption'
 4. Variety
 5. Province of production
 6. Size
 7. Declared net weight
 8. Indication 'In accordance with EEC requirements laid down in Decision 89/244/EEC'
 9. A mark printed or stamped on behalf of the Turkish plant protection organization
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COMMISSION DECISION

of 28 March 1989

authorizing the Kingdom of Belgium, the French Republic and the Kingdom of the Netherlands to permit temporarily the marketing of flax seed not complying with the requirements of Council Directive 69/208/EEC

(89/245/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by Directive 88/380/EEC⁽²⁾, and in particular Article 16 thereof,

Having regard to the requests made by Belgium, France and the Netherlands,

Whereas in Belgium, France and the Netherlands the production of flax seed complying with the requirements of Directive 69/208/EEC has been insufficient in 1988 and is not adequate to supply the needs of these countries;

Whereas it has not been possible to cover these needs sufficiently with seed from Member States, or from third countries, meeting all the requirements laid down in the said Directive;

Whereas Belgium, France and the Netherlands should therefore be authorized to permit, for a period expiring on 31 May 1989, the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas it also appears desirable to authorize other Member States which are able to supply Belgium, France and the Netherlands with such seed not complying with the requirements of the said Directive to permit the marketing of such seed, provided that it is intended for those Member States;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium, the French Republic and the Kingdom of the Netherlands are authorized to permit, for

a period expiring on 31 May 1989, the marketing in their territories of a maximum of 500 tonnes of flax seed (*Linum usitatissimum* L.) of the categories 'certified seed of the first generation', 'certified seed of the second generation' and 'certified seed of the third generation' which does not satisfy the requirements laid down in Annex II to Directive 69/208/EEC with regard to the minimum germination capacity. This maximum applies to all three Member States taken together. The following requirements are satisfied:

- (a) the germination capacity is at least 87 % of pure seed;
- (b) the official label shall bear the following endorsements:
 - 'Minimum germination capacity 87 %',
 - 'Intended exclusively for Belgium, France or the Netherlands'.

Article 2

The other Member States are authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territories of a maximum of 500 tonnes of flax seed, provided that such seed is intended exclusively for Belgium, France or the Netherlands. The official label shall bear the endorsement referred to in Article 1 (b).

Article 3

The Member States shall notify the Commission and the other Member States before 31 July 1989 of the quantities of seed certified and marketed in their territories pursuant to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 28 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 187, 16. 7. 1988, p. 31.

COMMISSION DECISION

of 28 March 1989

authorizing the Federal Republic of Germany to restrict the marketing of seed of
certain varieties of agricultural plant species

(Only the German text is authentic)

(89/246/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Directive 88/380/EEC ⁽²⁾, and in particular Article 15 (2) and (3) thereof,

Having regard to the application lodged by the Federal Republic of Germany,

Whereas, pursuant to Article 15 (1) of Directive 70/457/EEC, seed or propagating material of varieties of agricultural plant species which have been officially accepted during 1986 in at least one of the Member States and which also meet the conditions laid down in Directive 70/457/EEC is, with effect from 31 December 1988, no longer subject to any marketing restrictions relating to the variety in the Community;

Whereas, however, Article 15 (2) of Directive 70/457/EEC provides that, in the cases set out in Article 15 (3), a Member State may be authorized upon application to prohibit the marketing of seed and propagating material of certain varieties;

Whereas the Federal Republic of Germany has applied for such an authorization for a certain number of varieties of different species;

Whereas the varieties 'Ellire' (Italian ryegrass) and 'Aurora' (perennial ryegrass) have been the subject of official trials in Germany;

Whereas, in respect of the variety 'Ellire', the results of the trials show that in the Federal Republic of Germany, when compared with the national rules governing the acceptance of varieties there, which apply within the framework of current Community provisions, it is not distinct from another variety accepted there (Article 15 (3) (a), first case, of Directive 70/457/EEC);

Whereas the examination of this case has led to some doubts concerning the appraisal of its distinctness in the Member State of acceptance, in the terms of Article 12a (1) of Directive 70/457/EEC; whereas these doubts needed to be clarified;

Whereas, in respect of the variety 'Aurora', it was impossible to complete the examination of the application before the time limit specified in Article 15 (1) of Directive 70/457/EEC to assess whether the variety does not, in Germany, produce results corresponding to those obtained from a comparable variety accepted there (Article 15 (3) (c), first case, of Directive 70/457/EEC);

Whereas, therefore, in respect of the aforementioned two varieties, Commission Decision 89/77/EEC ⁽³⁾ extended the time limit in question for the Federal Republic of Germany until 31 March 1989 in order to allow complete clarification and examination;

Whereas doubts concerning the appraisal of the distinctness of the variety 'Ellire' in the Member State of acceptance have now been clarified and it appears that, in that Member State, the variety was accepted in accordance with the provisions of Directive 70/457/EEC and therefore belongs to those varieties to which the abovementioned provision of Article 15 (1) of Directive 70/457/EEC applies;

Whereas, therefore, the application of the Federal Republic of Germany in respect of this variety is relevant and should be granted in full;

Whereas, in respect of the variety 'Aurora' it has appeared that further information is needed to complete the necessary assessment;

Whereas the time limit in question shall therefore, where the Federal Republic of Germany is concerned, be extended for an appropriate period to allow complete examination of the application in respect of this variety (Article 15 (7) of the above Directive);

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seed and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Federal Republic of Germany is hereby authorized to prohibit the marketing in its territory of seed of the

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 187, 16. 7. 1988, p. 31.

⁽³⁾ OJ No L 30, 1. 2. 1989, p. 72.

following variety listed in the 1989 Common Catalogue of Varieties of Agricultural Plants Species :

Fodder plants

Lolium multiflorum

'Ellire'.

Article 2

The authorization given in Article 1 shall be withdrawn as soon as it is established that the conditions thereof are no longer satisfied.

Article 3

The Federal Republic of Germany shall notify the Commission and the other Member States of the date from which it makes use of the authorization under Article 1 and the detailed methods to be followed.

Article 4

The time limit specified in Article 15 (1) of Directive 70/457/EEC is, where the Federal Republic of Germany is concerned, extended from 31 March 1989 to 30 June 1989 in respect of the variety 'Aurora' (*Lolium perenne*).

Article 5

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission
