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Contents

I. Acts whose publication is obligatory

Commission Regulation (EEC) No 1040/89 of 21 April 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1041/89 of 21 April 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1042/89 of 21 April 1989 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 1043/89 of 21 April 1989 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 1044/89 of 20 April 1989 amending Regulation (EEC) No 4103/88 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients and rates required for their application	9
* Commission Regulation (EEC) No 1045/89 of 21 April 1989 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 486/89	12
Commission Regulation (EEC) No 1046/89 of 21 April 1989 on the supply of various lots of skimmed-milk powder as food aid	17
* Commission Regulation (EEC) No 1047/89 of 21 April 1989 fixing the quotas for 1989 to be opened by Portugal for certain wine-sector products from third countries	21
* Commission Regulation (EEC) No 1048/89 of 21 April 1989 amending Regulation (EEC) No 570/88 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs	24

Contents (continued)

Commission Regulation (EEC) No 1049/89 of 21 April 1989 altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty	26
Commission Regulation (EEC) No 1050/89 of 21 April 1989 altering the export refunds on white sugar and raw sugar exported in the natural state	28
Commission Regulation (EEC) No 1051/89 of 21 April 1989 altering the export refunds on syrups and certain other sugar sector products exported in the natural state	30
Commission Regulation (EEC) No 1052/89 of 21 April 1989 fixing the import levies on white sugar and raw sugar	32

II *Acts whose publication is not obligatory*

Council

89/284/EEC:

- * **Council Directive of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers** 34

89/285/EEC:

- * **Council Decision of 13 April 1989 accepting resolution No 46 concerning the compliance of containers with the standards for transport of goods under customs seals** 39
- Resolution No 46 Adopted on 20 November 1987 by the Group of Experts on Customs Questions Affecting Transport** 40

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1040/89**of 21 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 20 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 22 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, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 21 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	128,12
0712 90 19	23,43	128,12
1001 10 10	57,12	190,07 ⁽¹⁾ ⁽²⁾
1001 10 90	57,12	190,07 ⁽¹⁾ ⁽²⁾
1001 90 91	33,89	121,27
1001 90 99	33,89	121,27
1002 00 00	61,56	116,82 ⁽³⁾
1003 00 10	52,12	119,22
1003 00 90	52,12	119,22
1004 00 10	43,18	85,47
1004 00 90	43,18	85,47
1005 10 90	23,43	128,12 ⁽²⁾ ⁽³⁾
1005 90 00	23,43	128,12 ⁽²⁾ ⁽³⁾
1007 00 90	46,77	137,56 ⁽⁴⁾
1008 10 00	52,12	25,90
1008 20 00	52,12	16,77 ⁽⁴⁾
1008 30 00	52,12	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	52,12	0,00
1101 00 00	61,97	184,31
1102 10 00	100,71	178,08
1103 11 10	102,11	307,42
1103 11 90	65,30	197,42

⁽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 1041/89
of 21 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 20 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 22 April 1989.

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

Done at Brussels, 21 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 21 April 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	4	5	6	7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	4,41	4,41	4,41
1001 10 90	0	4,41	4,41	4,41
1001 90 91	0	0	0	4,75
1001 90 99	0	0	0	4,75
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	6,65

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	4	5	6	7	8
1107 10 11	0	0	0	8,46	8,46
1107 10 19	0	0	0	6,32	6,32
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 1042/89
of 21 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 ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 970/89 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 April 1989.

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

Done at Brussels, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.
⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.
⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.
⁽⁶⁾ OJ No L 103, 15. 4. 1989, p. 7.

ANNEX

to the Commission Regulation of 21 April 1989 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	146,61	300,43
1006 10 23	—	215,84	140,29	287,78
1006 10 25	—	215,84	140,29	287,78
1006 10 27	—	215,84	140,29	287,78
1006 10 92	—	—	146,61	300,43
1006 10 94	—	215,84	140,29	287,78
1006 10 96	—	215,84	140,29	287,78
1006 10 98	—	215,84	140,29	287,78
1006 20 11	—	—	184,17	375,54
1006 20 13	—	269,79	176,26	359,72
1006 20 15	—	269,79	176,26	359,72
1006 20 17	—	269,79	176,26	359,72
1006 20 92	—	—	184,17	375,54
1006 20 94	—	269,79	176,26	359,72
1006 20 96	—	269,79	176,26	359,72
1006 20 98	—	269,79	176,26	359,72
1006 30 21	13,05	—	238,08	500,01
1006 30 23	12,97	431,81	275,98	575,74
1006 30 25	12,97	431,81	275,98	575,74
1006 30 27	12,97	431,81	275,98	575,74
1006 30 42	13,05	—	238,08	500,01
1006 30 44	12,97	431,81	275,98	575,74
1006 30 46	12,97	431,81	275,98	575,74
1006 30 48	12,97	431,81	275,98	575,74
1006 30 61	13,90	—	253,90	532,51
1006 30 63	13,90	462,90	296,25	617,20
1006 30 65	13,90	462,90	296,25	617,20
1006 30 67	13,90	462,90	296,25	617,20
1006 30 92	13,90	—	253,90	532,51
1006 30 94	13,90	462,90	296,25	617,20
1006 30 96	13,90	462,90	296,25	617,20
1006 30 98	13,90	462,90	296,25	617,20
1006 40 00	0	—	41,38	88,77

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

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

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

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

COMMISSION REGULATION (EEC) No 1043/89**of 21 April 1989****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88 ⁽³⁾, as last amended by Regulation (EEC) No 971/89 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

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 24 April 1989.

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

Done at Brussels, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.⁽⁴⁾ OJ No L 103, 15. 4. 1989, p. 9.

ANNEX

to the Commission Regulation of 21 April 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 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 1044/89
of 20 April 1989

amending Regulation (EEC) No 4103/88 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients and rates required for their application

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 9 (2) thereof,

Having regard to Council Regulation (EEC) No 3153/85 of 11 November 1985 laying down detailed rules for the calculation of monetary compensatory amounts ⁽³⁾, as last amended by Regulation (EEC) No 3521/88 ⁽⁴⁾, and in particular Article 6 (3) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 4103/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 952/89 ⁽⁶⁾;

Whereas Regulation (EEC) No 3153/85 lays down the rules for calculating monetary compensatory amounts; whereas the spot market rates recorded as provided for in

Regulation (EEC) No 3153/85 in the period 12 to 18 April 1989 for the Portuguese escudo lead, pursuant to Article 5 (3) of Regulation (EEC) No 1677/85, to an adjustment of the monetary compensatory amounts applicable for Portugal in respect of the sugar sector,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 4103/88 is hereby amended as follows:

1. The column 'Portugal' in Part 7 of Annex I is replaced by that given in Annex I hereto.
2. Annexes II and III are replaced by Annexes II and III hereto.

Article 2

This Regulation shall enter into force on 24 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁴⁾ OJ No L 307, 12. 11. 1988, p. 28.

⁽⁵⁾ OJ No L 364, 30. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 104, 17. 4. 1989, p. 1.

ANNEX I

PART 7

SUGAR SECTOR

Monetary compensatory amounts

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Netherlands	Spain	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ IrI	Esc
1701 11 10	17-5	7334	(¹)											— 100 kg — 80,97
	17-5	7335												80,97
1701 11 90	17-5	7334	(¹)											80,97
	17-5	7335												80,97
1701 12 10	17-5	7334	(¹)											80,97
	17-5	7335												80,97
1701 12 90	17-5	7334	(¹)											80,97
	17-5	7335												80,97
1701 91 00	17-6	7337	(²)											104,12
1701 99 10	17-7	7340												104,12
1701 99 90	17-7	7340												104,12
1702 30 10	17-7	7340												— 100 kg of dry matter — 108,44
1702 40 10	17-7	7340												108,44
1702 60 10	17-7	7340												108,44
1702 60 90	17-10	7345	(³)											— % sucrose content and 100 kg net — 1,041
	17-10	7346	(³)											1,041
	17-10	7347	(³)											1,041
1702 90 30	17-7	7340												— 100 kg of dry matter — 108,44
1702 90 60	17-11	7349	(³)											— % sucrose content and 100 kg net — 1,041
	17-11	7350	(³)											1,041
	17-11	7351	(³)											1,041
1702 90 71	17-12	7353	(³)											1,041
1702 90 90	17-10	7345	(³)											1,041
	17-10	7346	(³)											1,041
	17-8	7347	(³)											1,041
2106 90 30	21-5	7419												— 100 kg of dry matter — 108,44
2106 90 59	21-6	7423	(³)											— % sucrose content and 100 kg net — 1,041
	21-6	7424	(³)											1,041
	21-6	7425	(³)											1,041

(¹) Where the yield of the raw sugar differs from that of the standard quality defined by Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3) the monetary compensatory amount shall be adjusted in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

(²) For flavoured or coloured sugar the monetary compensatory amount per 100 kg of the product in question shall be equal to the amount indicated multiplied by the sucrose content expressed as a percentage.

(³) The sucrose content, including other sugars expressed as sucrose, shall be determined in accordance with Article 7 (2) of Regulation (EEC) No 837/68 in the case of imports and in accordance with Article 13 of Regulation (EEC) No 394/70 (OJ No L 50, 4. 3. 1970, p. 1) in the case of exports.

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Nether-lands	United Kingdom	BLEU	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beef and veal	—	—	1,011	—	—	1,017	—	1,346	—	0,944	
— Milk and milk products	—	—	1,049	—	—	1,017	1,020	1,346	1,020	0,944	
— Pigmeat	—	—	—	—	—	—	—	1,163	—	—	
— Sugar	—	—	1,065	—	—	1,017	1,020	1,183	1,021	0,953	1,010
— Cereals	—	—	1,065	—	—	1,028	1,020	1,183	1,021	0,953	
— Eggs and poultry and albumins	—	—	1,014	—	—	1,017	—	1,268	—	0,979	
— Wine	—	—	—	—	—	—	—	1,148	—	0,988	
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,049	—	—	1,017	1,020	1,346	1,020	0,944	1,010
— to be applied to refunds:											
— cereals	—	—	1,065	—	—	1,028	1,020	1,183	1,021	0,953	
— milk	—	—	1,049	—	—	1,017	1,020	1,346	1,020	0,944	
— sugar	—	—	1,065	—	—	1,017	1,020	1,183	1,021	0,953	
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	—	—	—	—	—	1,183	—	—	—
— Olive oil sector	—	—	—	—	—	—	—	1,098	—	—	—

ANNEX III

Application of Article 10 of Regulation (EEC) No 1677/85

	100 Lit	1 £	1 £ Irl
Bfrs/Lfrs	2,83267	66,2584	55,2545
Dkr	0,523868	12,2537	10,2187
DM	0,137339	3,21246	2,67895
FF	0,460615	10,7741	8,98483
Fl	0,154745	3,61961	3,01849
£ Irl	0,0512660	1,19915	—
£	0,0427519	—	0,833924
Lit	—	2 339,08	1 950,61
Dr	11,5760	270,771	225,803
Esc	11,2635	263,462	219,707
Pta	8,48877	198,559	165,583

COMMISSION REGULATION (EEC) No 1045/89
of 21 April 1989

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 486/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 1809/87⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold substantial stocks of boned intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question and it is appropriate therefore to offer this meat for sale in accordance with Commission Regulations (EEC) No 2539/84 and (EEC) No 2824/85⁽⁵⁾;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed by taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁶⁾, as last amended by Regulation (EEC) No 3182/88⁽⁷⁾;

Whereas in order to ensure that beef sold is exported the lodging of security, as specified in Article 5 (2) (a) of Regulation (EEC) No 2539/84, should be required;

Whereas it is appropriate to specify that, in view of the prices which have been fixed in the context of this sale in order to permit the disposal of certain cuts, exports of such cuts should not be eligible for the refunds periodically fixed in the beef and veal sector; whereas, for the same reason, the additional code 7034 referred to in Part

3 of the Appendix to Annex I to Commission Regulation (EEC) No 4103/88 of 23 December 1988 fixing the monetary compensatory amounts applicable in the agricultural sector and certain coefficients and rates required for their application⁽⁸⁾, as last amended by Regulation (EEC) No 1044/89⁽⁹⁾;

Whereas Article 2 (1) of Commission Regulation (EEC) No 3155/85 of 11 November 1985 providing for the advance fixing of monetary compensatory amounts⁽¹⁰⁾, as last amended by Regulation (EEC) No 3521/88⁽¹¹⁾, stipulates that monetary compensatory amounts may be fixed in advance only if the export refund is fixed in advance; whereas the absence of refunds for the meat in question means that this requirement cannot be met; whereas for the sake of impartiality it should in this instance be suspended so that advance fixing of the monetary compensatory amounts can be permitted;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88⁽¹²⁾, as last amended by Regulation (EEC) No 1028/89⁽¹³⁾; whereas, however, the Annex to the said Regulation setting out the entries to be made should be expanded;

Whereas Commission Regulation (EEC) No 486/89⁽¹⁴⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Part of the stocks of boned intervention beef held by the intervention agencies of Denmark, France, Ireland, Italy and the United Kingdom shall be sold.

This meat shall be for export.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 268, 10. 10. 1985, p. 14.

⁽⁶⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁷⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁸⁾ OJ No L 364, 30. 12. 1988, p. 1.

⁽⁹⁾ See page 9 of this Official Journal.

⁽¹⁰⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽¹¹⁾ OJ No L 307, 12. 11. 1988, p. 28.

⁽¹²⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽¹³⁾ OJ No L 110, 21. 4. 1989, p. 12.

⁽¹⁴⁾ OJ No L 57, 28. 2. 1989, p. 5.

Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulations (EEC) No 2539/84 and (EEC) No 2824/85. However by way of derogation from Article 3 (2) of Regulation (EEC) No 2824/85 authorization to repack may also be given for meat stored outside the Member State of the intervention agency holding it.

The provisions of Commission Regulation (EEC) No 985/81⁽¹⁾ shall not apply to this sale.

2. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

3. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 27 April 1989.

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

Article 2

The products specified in Article 1 must be exported within six months of the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be:

- ECU 600 per 100 kilograms of the meat referred to under 1 (a), 3 (a) and 4 (a) in Annex I,
- ECU 400 per 100 kilograms of the meat referred to under 1 (b), 2 (b), 3 (b), 4 (b) and 5 (b) in Annex I.

Article 4

In the case of the meat referred to under 1 (b), 2 (b), 3 (b), 4 (b) and 5 (b) in Annex I:

- (a) no export refund shall be granted;
- (b) additional code 7034 referred to in Part 3 of Annex I to Regulation (EEC) No 4103/88 shall apply; and
- (c) by way of derogation from Article 2 (1) of Regulation (EEC) No 3155/85 the monetary compensatory amount may be fixed in advance.

In cases where use is made of the option specified at (c):

- the application for advance fixing must be lodged at the same time as the application for the export licence,

- the application for advance fixing must be accompanied by the contract of sale,
- the export licence may be used for intervention meat only,

— Section 18 (a) of the export licence shall carry the following entry in one of the Community languages:

— Válido únicamente para carnes de intervención vendidas con arreglo al Reglamento (CEE) n° 1045/89

— Kun gyldig for interventionskød solgt i henhold til forordning (EØF) nr. 1045/89

— Nur gültig für Interventionsfleisch — Verkauf gemäß der Verordnung (EWG) Nr. 1045/89

— Ισχύει μόνο για τα κρέατα παρέμβασης που πωλούνται δάσει του κανονισμού (ΕΟΚ) αριθ. 1045/89

— Valid only for intervention meat sold under Regulation (EEC) No 1045/89

— Seulement valable pour les viandes d'intervention vendues sous règlement (CEE) n° 1045/89

— Valido esclusivamente per carni di intervento vendute a norma del regolamento (CEE) n. 1045/89

— Uitsluitend geldig voor vlees uit de interventievoorraden dat wordt verkocht in het kader van Verordening (EEG) nr. 1045/89

— Apenas válido para carne de intervenção vendida nos termos do Regulamento (CEE) n° 1045/89.

Article 5

Regulation (EEC) No 569/88 is hereby amended as follows:

In Part I of the Annex, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item 42 and footnote are added:

'42 Commission Regulation (EEC) No 1045/89 of 21 April 1989 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export⁽⁴²⁾

⁽⁴²⁾ OJ No L 111, 22. 4. 1989, p 12.

Article 6

Regulation (EEC) No 486/89 is hereby repealed.

Article 7

This Regulation shall enter into force on 27 April 1989.

⁽¹⁾ OJ No L 99, 10. 4. 1981, p. 38.

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

Done at Brussels, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

Precio mínimo expresado en ecus por tonelada (1) — Mindestpreise in ECU/Tonne (1) — Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά τόνο (1) — Minimum prices expressed in ECU per tonne (1) — Prix minimaux exprimés en écus par tonne (1) — Prezzi minimi espressi in ECU per tonnellata (1) — Minimumprijzen uitgedrukt in ecu per ton (1) — Preço mínimo expresso em ECU por tonelada (1)

1. DANMARK

a) Mørbrad med bimørbrad	6 000
Filet med entrecôte og tyndsteg	2 300
Inderlår med kappe	2 275
Tykstegsfilet med kappe	2 275
Klump med kappe	2 275
Yderlår med lårtunge	2 275
b) Bryst og slag	850
Øvrigt kød af forfjerdinger	1 200

2. FRANCE

b) Caisse B	850
Jarret	1 100
Caisse A	1 200

3. IRELAND

a) Cube rolls	3 400
b) Shins / shanks	1 100
Plates / flanks	850
Forequarters	1 200
Briskets	1 100

4. ITALIA

a) Roastbeef	2 500
Scamone	2 200
Fesa esterna	2 200
Noce	2 200
b) Geretto pesce	900
Collo sottospalla	1 000
Spalle geretto	900
Panci	800
Petto	900
Sottospalla	1 000
Collo	1 000

5. UNITED KINGDOM

b) Shins and shanks	1 100
Clod and sticking	1 200
Ponies	1 200
Pony parts	1 100
Thin flanks	850
Forequarter flanks	850
Briskets	1 100
Foreribs	1 250
Hindquarter skirt	900
Striploin flank	800

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

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

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

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

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

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

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

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

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

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

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

- DANMARK : Direktoratet for Markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
tlf. 01 15 41 30, telex 15137 DK, telefax 01 926 948
- FRANCE : OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél. 45 38 84 00, télex 26 06 43
- IRELAND : Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118
- ITALIA : Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
via Palestro 81,
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03
- UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302
-

COMMISSION REGULATION (EEC) No 1046/89

of 21 April 1989

on the supply of various lots of skimmed-milk powder 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, 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 ⁽³⁾ 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 decision on the allocation of food aid, the Commission has allocated to WFP 2 500 tonnes of skimmed-milk powder;

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 ⁽⁴⁾; 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 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, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

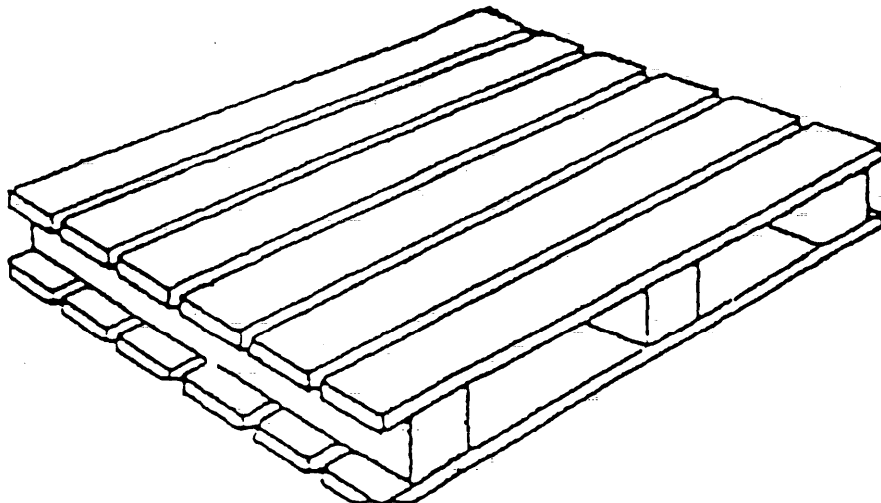
LOTS A, B and C

1. **Operation No** ⁽¹⁾: 89/89; 90/89; 91/89 — Commission Decision of 26. 7. 1988
2. **Programme**: 1988
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, I-00145 Roma; telex: 626675 WFP I
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Pakistan
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾ ⁽⁷⁾: See OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.1 to I.1.A.2)
8. **Total quantity**: 2 500 tonnes
9. **Number of lots**: 3 (A: 1 000 tonnes; B: 1 000 tonnes; C: 500 tonnes)
10. **Packaging and marking** ⁽⁸⁾: 25 kg on pallets and OJ No C 216, 14. 8. 1987, p. 3, I.1.A.3
Supplementary markings on packaging: See Annex II and OJ No C 216, 14. 8. 1987, p. 3, I.1.A.4
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
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**: 25. 5. to 5. 6. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁹⁾: 8. 5. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 22. 5. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 8 to 19. 6. 1989
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per 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** ⁽⁹⁾: Refund applicable on 31. 3. 1989 fixed by Commission Regulation (EEC) No 819/89 (OJ No L 86, 31. 3. 1989, p. 38).

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) 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.
- (³) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7, (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex;
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁵) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary 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.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁷) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (⁸) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁹) The successful tenderer will transmit to the recipients' representatives on delivery a certificate in English stating that the skimmed milk powder contains no lard.
- (¹⁰) Palletization of skimmed-milk powder
- 25 kg bags to be supplied on a two-way double deck non-reversible pallet with protruding slats, as per design, of the following dimensions:
- 1 m × 1,2 m (approximately one-third of the underside of the pallet to consist of wood):
- upper board 22 mm thick
 - bottom board 22 mm thick
 - blocks 95 × 95 mm
- 40 bags to be placed onto the pallets, interlocked and shrink-wrapped with a plastic sheet of 150 micron thickness, with three external nylon straps in each direction to secure the unit-load.



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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	1 000		WFP	Pakistan	Action No 89/89 / Pakistan 0383500 / Action of the World Food Programme / Karachi
B	1 000		WFP	Pakistan	Action No 90/89 / Pakistan 0383500 / Action of the World Food Programme / Karachi
C	500		WFP	Pakistan	Action No 91/89 / Pakistan 0383500 / Action of the World Food Programme / Karachi

COMMISSION REGULATION (EEC) No 1047/89

of 21 April 1989

fixing the quotas for 1989 to be opened by Portugal for certain wine-sector products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic, as amended by Regulation (EEC) No 4007/87⁽¹⁾, and in particular Article 257 (1) thereof,

Having regard to Council Regulation (EEC) No 3797/85 of 20 December 1985 laying down detailed rules concerning quantitative restrictions on imports into Portugal from third countries of certain agricultural products subject to the system of transition by stages⁽²⁾, as last amended by Regulation (EEC) No 222/88⁽³⁾, and in particular Article 3 (1) thereof,

Whereas Article 1 of Regulation (EEC) No 3797/85, provides for the application by Portugal of quantitative restrictions for certain wine-sector products in the form of annual quotas to imports from third countries; whereas the quotas should be fixed for 1989 taking account of the progressive increase in quotas in previous years and in trade recorded; whereas an increase of 10% in the quota fixed by Commission Regulation (EEC) No 911/88⁽⁴⁾ seems adequate for 1988;

Whereas in the period 1 January to 31 December 1989 Portugal may import wine-sector products from third countries in excess of the quotas fixed for 1989 in order to ensure market balance in the wine sector in Portugal following the current shortage in this sector;

Whereas provision should be made for the Commission to be notified of imports of the said products into Portugal under the quotas fixed, of authorized overruns in the latter for 1989 and of the measures adopted by that Member State to apply those quotas;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quotas to be opened by Portugal for wine-sector products from third countries for the period 1 January to 31 December 1989 are hereby fixed as follows:

CN code	Description	Quota for 1989 (hectolitres)
2204	Wine of fresh grapes, including fortified wines; grape must other than that of CN code 2009: — Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:	(Total) 11 330
2204 21	— In containers holding two litres or less:	

⁽¹⁾ OJ No L 378, 31. 12. 1987, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 23.

⁽³⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁴⁾ OJ No L 90, 7. 4. 1988, p. 9.

CN code	Description	(hectolitres) Quota for 1989
ex 2204 21 10	— Wine other than that referred to in CN code 2204 10 in bottles with 'mushroom' stoppers held in place by ties or fastenings: wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:	
ex 2204 21 10	— Wine put up otherwise than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C — Other: — Of actual alcoholic strength by volume not exceeding 13% vol: — Quality wines produced in specified regions: 2204 21 21 — White 2204 21 23 — Other — Other: 2204 21 25 — White 2204 21 29 — Other — Of an actual alcoholic strength by volume exceeding 13% vol but not exceeding 15% vol: — Quality wines produced in specified regions: 2204 21 31 — White 2204 21 33 — Other — Other: 2204 21 35 — White 2204 21 39 — Other — Other:	
ex 2204 29 10	— Wine other than that referred to in CN code 2204 10 in bottles with 'mushroom' stoppers held in place by ties or fastenings: wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C: — Wine put up otherwise than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C: — Other: — Of an actual alcoholic strength by volume not exceeding 13% vol: — Quality wines produced in specified regions: 2204 29 21 — White 2204 29 23 — Other — Other: 2204 29 25 — White	

CN code	Description	(hectolitres) Quota for 1989
2204 29 29	— Other — Of an actual alcoholic strength by volume exceeding 13% vol but not exceeding 15% vol : — Quality wines produced in specified regions :	
2204 29 31	— White	
2204 29 33	— Other	
	— Other :	
2204 29 35	— White	
2204 29 39	— Other	

Article 2

Portugal is hereby authorized to import wine-sector products from third countries in excess of the total quota laid down in Article 1 for the period 1 January to 31 December 1989.

Article 3

The Portuguese authorities shall notify the Commission of the measures they have adopted for the application of Article 1 and of the measures taken pursuant to Article 2.

Every six months they shall forward to the Commission information on the quantities imported during that period.

Article 4

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 1 January 1989.

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

Done at Brussels, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1048/89
of 21 April 1989

**amending Regulation (EEC) No 570/88 on the sale of butter at reduced prices
and the granting of aid for butter and concentrated butter for use in the
manufacture of pastry products, ice-cream and other foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Articles 6 (7) and 12 (3) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 570/88⁽³⁾, as last amended by Regulation (EEC) No 352/89⁽⁴⁾, provides for the packaging of market butter even if, after its manufacture, it is to be traced in the same establishment; whereas this requirement as regards packaging may, in these circumstances, be waived without implications for the control procedure;

Whereas Article 4 of the abovementioned Regulation sets out the end products according to formulae A, B, C and D into which the butter or concentrated butter must be incorporated; whereas the application of formula C gives rise to certain difficulties as regards the total fat content of uncooked dough and powder preparations; whereas these difficulties should be remedied by changing the wording of the relevant provisions and allow for their application for products which have already been manufactured and where the time limit for final incorporation has not expired;

Whereas Article 11 of the abovementioned Regulation lays down different time limits for the addition of tracers to butter, the manufacture of concentrated butter and the incorporation into end-products; whereas, given the current trend of butter prices and in order to ensure that operators using butter are treated in the same way as those using concentrated butter, one period of six months should be set within which tracing, concentration, as necessary, and final incorporation must take place;

Whereas in order to ensure the genuineness of the tenders bearing in mind the market situation, the

tendering security should be raised to ECU 150 per tonne;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 570/88 is hereby amended as follows:

1. Point (a) in the second subparagraph of Article 1 is replaced by:

'(a) butter which, in the Member State of manufacture, meets the definition and grading requirements laid down in Article 1 (3) (b) of Regulation (EEC) No 985/68 and the packaging of which is marked accordingly. Where the butter is manufactured in the same establishment as that in which the tracers are added, the packaging of the butter prior to the addition of tracers shall not be required.'

2. In Article 4, point 3 (a)

— point 1 (i) is replaced by:

'(i) with a flour base of 51 % or more of the weight of the constituents except water, mixed with milk fat and with other ingredients such as sugar (sucrose), eggs or egg yolk, milk powder, salt, etc., and with a milk fat content by weight which exceeds 90 % of the total fat content, not including the fat forming part of the normal composition of the ingredients;'

— point 2 (i) is replaced by:

'(i) with a 40 % higher flour and/or starch base mixed with milk fat and with other ingredients such as sugar (sucrose), powdered egg or powdered egg yolk, milk powder, salt, etc., and with a milk fat content by weight which exceeds 90 % of the total fat content, not including the fat forming part of the normal composition of the ingredients;'

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁴⁾ OJ No L 42, 14. 2. 1989, p. 7.

3. Article 11 is replaced by:

Article 11

The products referred to in Article 1 shall be processed and incorporated into the end products in the Community within a period of six months following the month of the closing date for the submission of tenders in response to the individual invitation to tender fixed in accordance with Article 14 (2).

4. In Article 17 (1), '60 ECU' is replaced by 'ECU 150'.

5. In Article 18

(a) paragraph 3

- the words in the first subparagraph, 'in the third indent of Article 11', are replaced by 'in Article 11';
- the words at the beginning of the sentence in the second subparagraph, 'the periods set in Article 11', are replaced by 'the period set in Article 11';

(b) paragraph 4, the words 'within the periods laid down in Article 11' are replaced by 'within the period laid down in Article 11'.

6. In Article 22

(a) paragraph 3

- the words at the beginning of the sentence, 'in the third indent of Article 11', are replaced by 'in Article 11';

— under (a), second indent, the words 'in the third indent of Article 11' are replaced by 'in Article 11';

— under (b)

— first indent, the words 'within the period specified in the first indent of Article 11' are deleted;

— second indent, the words 'in the third indent of Article 11' are replaced by 'in Article 11';

(b) paragraph 4, third subparagraph, the words 'the periods specified in the first and third indents of Article 11' are replaced by 'the period specified in Article 11'.

Article 2

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

However, at the request of the interested party the provisions of point 2 of Article 1 shall be applicable to final products manufactured before the date of entry into force of this Regulation if the time limit for final incorporation has not expired.

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

Done at Brussels, 21 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1049/89
of 21 April 1989

altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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

Having regard to 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 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 April 1989 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 844/89 ⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 844/89 to the informa-

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 844/89 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1989.

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

Done at Brussels, 21 April 1989.

For the Commission

Christiane SCRIVENER

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. 42.

ANNEX

to the Commission Regulation of 21 April 1989 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar :	32,06	
Raw sugar :	28,09	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$32,06 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	The rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses :	—	
Isoglucose ⁽²⁾ :	32,06 ⁽³⁾	

(¹) 'S' represents per 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1050/89

of 21 April 1989

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

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

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 939/89 ⁽³⁾, as amended by Regulation (EEC) No 1021/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 939/89 to the informa-

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 939/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1989.

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

Done at Brussels, 21 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 101, 13. 4. 1989, p. 8.

⁽⁴⁾ OJ No L 109, 20. 4. 1989, p. 22.

ANNEX

to the Commission Regulation of 21 April 1989 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	29,50 ⁽¹⁾	
1701 11 90 910	28,34 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	29,50 ⁽¹⁾	
1701 12 90 910	28,34 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3206
1701 99 10 100	32,06	
1701 99 10 910	32,75	
1701 99 10 950	32,75	
1701 99 90 100		0,3206

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

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

COMMISSION REGULATION (EEC) No 1051/89

of 21 April 1989

altering the export refunds on syrups and certain other sugar sector products
exported in the natural state

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

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

Having regard to Council Regulation (EEC) No 1785/81
of 18 June 1981 on the common organization of the
markets in the sugar sector ⁽¹⁾, as last amended by Regula-
tion (EEC) No 2306/88 ⁽²⁾, and in particular Article 19 (4)
thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No 839/89 ⁽³⁾;

Whereas it follows from applying the rules, criteria and
other provisions contained in Regulation (EEC) No
839/89 to the information at present available to the

Commission that the export refunds at present in force
should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 839/89 are hereby altered
to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1989.

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

Done at Brussels, 21 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. 32.

ANNEX

to the Commission Regulation of 21 April 1989 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		32,06
1702 60 10 000		32,06
1702 60 90 000	0,3206	
1702 90 30 000		32,06
1702 90 60 000	0,3206	
1702 90 71 000	0,3206	
1702 90 90 900	0,3206	
2106 90 30 000		32,06
2106 90 59 000	0,3206	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 1052/89
of 21 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 1035/89 ⁽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 22 April 1989.

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

Done at Brussels, 21 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 110, 21. 4. 1989, p. 35.

ANNEX

to the Commission Regulation of 21 April 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,61 ⁽¹⁾
1701 11 90	31,61 ⁽¹⁾
1701 12 10	31,61 ⁽¹⁾
1701 12 90	31,61 ⁽¹⁾
1701 91 00	38,64
1701 99 10	38,64
1701 99 90	38,64 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 13 April 1989

supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilizers

(89/284/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas measures need to be adopted for the progressive completion of the internal market by 31 December 1992; whereas the internal market is an area without internal frontiers in which the free movement of goods, persons, services and capital is guaranteed;

Whereas Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers ⁽⁴⁾, as last amended by Directive 88/183/EEC ⁽⁵⁾, laid down rules for the marketing of solid EEC fertilizers; whereas it has proved necessary to extend the said Directive to include the calcium, magnesium, sodium and sulphur contents of such fertilizers;

Whereas Directive 76/116/EEC may henceforth be applicable to fertilizers containing only calcium, magnesium and sulphur,

Article 1

A declaration of the magnesium, sodium and sulphur content of the EEC fertilizers listed in Annex I to Directive 76/116/EEC may be made provided that these elements are present in at least the minimum quantities specified in Article 2 of this Directive and that the EEC fertilizers continue to satisfy the requirements of Annex I to Directive 76/116/EEC. In such cases, the marking specified in point (b) of Article 6 of this Directive shall be added to the type designation.

Article 2

A declaration of the magnesium, sodium and sulphur content of the EEC fertilizers referred to in Article 1 may be made only if they contain not less than:

- 2 % of magnesium oxide (MgO), i.e. 1,2 % Mg,
- 3 % of sodium oxide (Na₂O), i.e. 2,2 % Na,
- 5 % of sulphur trioxide (SO₃), i.e. 2 % S.

Article 3

1. Within the meaning of this Directive, a declaration of the calcium content considered to be a nutrient shall be made, without prejudice to paragraph 2, only for fertilizers of types 1 and 2 as listed in Annex I.

Member States may stipulate that the calcium content of fertilizers marketed in their territories be expressed in the oxide form (CaO), in the elemental form (Ca), or in both of these forms.

⁽¹⁾ OJ No C 20, 26. 1. 1988, p. 5.

⁽²⁾ OJ No C 262, 10. 10. 1986, p. 82 and OJ No C 47, 27. 2. 1989.

⁽³⁾ OJ No C 134, 24. 5. 1988, p. 6.

⁽⁴⁾ OJ No L 24, 30. 1. 1976, p. 21.

⁽⁵⁾ OJ No L 83, 29. 3. 1988, p. 33.

The following formula shall be used to convert the calcium oxide content into a calcium content:

$$\text{calcium (Ca)} = \text{calcium oxide (CaO)} \times 0,715$$

2. The soluble calcium content of the liquid fertilizers referred to in Part C of Annex I to Directive 76/116/EEC, which are intended for foliage spraying, may be stipulated when the content reaches a minimum of 8 % calcium oxide (= 5,7 % Ca).

Article 4

Fertilizers meeting the provisions of this Directive and the Annexes thereto may be marked 'EEC FERTILIZER'.

Article 5

Member States may stipulate that the magnesium, sodium and sulphur contents of fertilizers marketed in their territories shall be expressed:

- in the oxide form (MgO, Na₂O, SO₃),
- or in the elemental form (Mg, Na, S),
- or in both of these forms.

The following formulae shall be used to convert the sodium oxide and sulphur trioxide contents into sodium and sulphur contents:

- sodium (Na) = sodium oxide (Na₂O) × 0,742,
- sulphur (S) = sulphur trioxide (SO₃) × 0,400.

If the oxide content is calculated, the figure declared shall be rounded to the nearest decimal place.

Article 6

Compulsory marking for identification purposes:

- (a) 'EEC FERTILIZER' in capital letters;
- (b) the designation of the type of fertilizer:
 - either in accordance with Annex I to Directive 76/116/EEC, with the designation of the type being followed by 'containing ...' and the names or chemical symbols of the elements referred to in this Directive which the fertilizer contains. The figures indicating the contents of the elements referred to in Directive 76/116/EEC may be followed by figures in brackets for the elements referred to in Annex I to this Directive,
 - or in accordance with Annex I to this Directive;
- (c) the guaranteed content in respect of each nutrient and the guaranteed content expressed as forms and/or solubilities, where these are specified in the Annexes to the Directives on fertilizers.

The nutrient content of straight and compound fertilizers shall be given as a percentage by weight in whole numbers, or where necessary, to one decimal place.

If a fertilizer contains several declarable elements, their contents shall be indicated in the following order:

N, P₂O₅ and/or P, K₂O and/or K, CaO or Ca, MgO and/or Mg, Na₂O and/or Na, SO₃ and/or S.

The forms and solubilities of the nutrients shall also be expressed as a percentage by weight of fertilizer, except where Annex I to Directive 76/116/EEC explicitly provides that this content shall be otherwise expressed.

Nutrients shall be indicated both in words and by appropriate chemical symbols, e.g. nitrogen (N), phosphorus (P), phosphorus pentoxide (P₂O₅), potassium (K), potassium oxide (K₂O), magnesium (Mg), magnesium oxide (MgO), sodium (Na), sodium oxide (Na₂O), sulphur (S), sulphur trioxide (SO₃), calcium (Ca) and calcium oxide (CaO).

Article 7

The declaration of the magnesium, sodium and sulphur content of the fertilizers referred to in Article 1 shall be expressed in one of the following ways:

- the total content expressed as a percentage of the fertilizer by weight,
- where an element is totally soluble in water, only the content soluble in water shall be declared,
- the total content and the content soluble in water, expressed as a percentage of the fertilizer by weight when the soluble content is at least a quarter of the total content.

The contents shall be determined under the conditions specified in the analytical methods referred to in Article 8 of Directive 76/116/EEC.

Article 8

The tolerances allowed in respect of the declared calcium, magnesium, sodium and sulphur contents shall be a quarter of the declared contents of these elements up to a maximum of 0,9 % in absolute terms for CaO, MgO, Na₂O and SO₃, i.e. 0,64 for Ca, 0,55 for Mg, 0,67 for Na and 0,36 for S.

Article 9

Annex I to Directive 76/116/EEC shall be amended as follows:

1. the EEC fertilizer kieserite with potassium sulphate mentioned in Annex II to this Directive shall be added to Part A — Straight fertilizers, III. Potassic fertilizers — as No 7;

2. the EEC fertilizer calcium nitrate solution, mentioned in Annex II to this Directive, shall be added to Part C — Liquid fertilizers 1 — Straight fertilizers — as No 3, for liquid fertilizers.

Article 11

This Directive is addressed to the Member States.

Article 10

1. Member States shall adopt the measures necessary to comply with this Directive within 12 months of its notification⁽¹⁾. They shall forthwith inform the Commission thereof.

Done at Luxembourg, 13 April 1989.

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

For the Council

The President

P. SOLBES

⁽¹⁾ This Directive was notified to Member States on 17 April 1989.

ANNEXE I

LIST OF FERTILIZERS CONTAINING MAINLY CALCIUM, MAGNESIUM OR SULPHUR AS NUTRIENTS

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight) Data on the expression of nutrients Other requirements	Other data on the type designation	Nutrient content to be declared Solubilities of the nutrients Other criteria
1	2	3	4	5	6
1	Calcium sulphate	Product of natural or industrial origin containing calcium sulphate at various degrees of hydration	25 % CaO 35 % SO ₃ Calcium and sulphur expressed as total CaO + SO ₃ Fineness of grind: — at least 80 % to pass through a sieve with a 2 mm mesh width, — at least 99 % to pass through a sieve with a 10 mm mesh width	Usual trade names may be added	Total sulphur trioxide <i>Optional</i> : total CaO
2	Calcium chloride solution	Calcium chloride solution of industrial origin	12 % CaO Calcium expressed as water-soluble CaO		Calcium oxide <i>Optional</i> : for plant spraying
3	Elemental sulphur	Comparatively refined natural or industrial product	98 % S (245 % : SO ₃) Sulphur expressed as total SO ₃		Total sulphur trioxide
4	Kieserite	Product of mineral origin containing monohydrated magnesium sulphate as main component	24 % MgO 45 % SO ₃ Magnesium and sulphur expressed as water-soluble magnesium oxide and sulphur trioxide	Usual trade names may be added	Water soluble magnesium oxide <i>Optional</i> : water-soluble sulphur trioxide
5	Magnesium sulphate	Product containing heptahydrated magnesium sulphate as main component	15 % MgO 28 % SO ₃ Magnesium and sulphur expressed as water-soluble magnesium oxide and sulphur trioxide	Usual trade names may be added	Water-soluble magnesium oxide <i>Optional</i> : water-soluble sulphur trioxide
6	Magnesium chloride solution	Product obtained by dissolving magnesium chloride of industrial origin	13 % MgO Magnesium expressed as magnesium oxide Maximum calcium content : 3 % CaO		Magnesium oxide

ANNEX II

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight) Data on the expression of nutrients Other requirements	Other data on the type designation	Nutrient content to be declared Forms and solubilities of the nutrients Other criteria
1	2	3	4	5	6
7	Kieserite with potassium sulphate	Product obtained from Kieserite with potassium sulphate added	8 % MgO Magnesium expressed as water-soluble MgO 6 % K ₂ O Potassium expressed as water-soluble K ₂ O Total MgO + K ₂ O : 20 % Maximum chlorine content : 3 % Cl	Usual trade names may be added	Water-soluble magnesium oxide Water-soluble potassium oxide <i>Optional</i> mention of the chlorine content where lower than 3 % Cl
3	Calcium nitrate solution	Product obtained by dissolving calcium nitrate in water	8 % N Nitrogen expressed as nitrogen in nitric form with a maximum 1 % nitrogen as ammonia	The type designation may be followed, as appropriate, by one of the following indications: — for foliar application — for making nutrient solutions — for ferti-irrigation	Total nitrogen <i>Optionally</i> : — nitrogen in nitric form — nitrogen as ammonia — calcium in the case of one of the uses stipulated in column 5

COUNCIL DECISION**of 13 April 1989****accepting resolution No 46 concerning the compliance of containers with the standards for transport of goods under customs seals****(89/285/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 resolution No 46 adopted on 20 November 1987 by the Group of Experts on Customs Questions Affecting Transport of the Economic Commission for Europe (ECE) contains measures the effect of which, on the one hand, is to ensure correct application of the Customs Convention on the International Transport of Goods under cover of TIR Carnets 1975 (TIR Convention) and, on the other hand, to enable any fraud which might be committed owing to the non-compliance of containers with the standards applicable to the transport of goods under customs seal to be prevented or detected;

Whereas the said resolution may be accepted by the Community with immediate effect,

HAS DECIDED AS FOLLOWS:

Article 1

Resolution No 46 concerning the compliance of containers with the standards for transport of goods under

customs seals is hereby accepted on behalf of the Community with immediate effect.

The text of the resolution is attached to this Decision.

Article 2

The President of the Council shall designate the person empowered to notify the Executive Secretary of the Economic Commission for Europe of the acceptance by the Community, with immediate effect, of resolution No 46.

Done at Luxembourg, 13 April 1989.

For the Council

The President

P. SOLBES

MEASURES TO ENSURE THE CONTINUED COMPLIANCE OF CONTAINERS WITH THE STANDARDS FOR TRANSPORT OF GOODS UNDER CUSTOMS SEALS

RESOLUTION No 46

Adopted on 20 November 1987

by the Group of Experts on Customs Questions Affecting Transport

THE GROUP OF EXPERTS ON CUSTOMS QUESTIONS AFFECTING TRANSPORT,

Bearing in mind the provisions of Articles 13 and 14 of the Customs Convention on the International Transport of Goods under cover of TIR Carnets (TIR Convention (1975)) and Annex 7 thereto,

Considering the need for continued compliance of containers with the standards for transport of goods under customs seals;

RECOMMENDS to the contracting parties to the TIR Convention (1975) the following measures to ensure the continued compliance of containers with the standards for transport of goods under customs seal (Articles 13 and 14 and Annex 7 of the TIR Convention (1975)):

1. When a container has a serious defect and consequently no longer complies with the standards under which it was approved for transport under customs seal, the customs should notify the party responsible for the container and afford him the opportunity to restore the container to the condition which had justified its approval if this can be accomplished expeditiously. After the appropriate repairs to the container, it can continue its trip under customs seal. If the container is not properly repaired or if the party concerned prefers to have the container repaired in another country where the approval of the container was given, the customs should either:
 - (a) refuse sealing and transport approval if sealing is considered necessary; or
 - (b) remove the container from circulation and have the contents transhipped to another means of transport; or
 - (c) allow the container to go forward under appropriate procedures which do not involve any risk of smug-

gling or loss or damage to the container's contents, the defect being annotated on transit documents.

If deemed necessary in order to ensure that the container will be properly repaired, the customs should cause the approval plate to be removed.

2. When the customs causes the approval plate to be removed or when a serious defect is discovered in a series of containers which renders them no longer in compliance with the standards under which they were approved for transport under customs seal, the approval authority or, where appropriate, the customs administration responsible for the approval should be notified accordingly. The original certifying authority should be invited to participate in the recertification process when it is conducted outside the territory of that contracting party.

Note:

A container shall be considered to have a serious defect if:

- (a) goods can be removed from, or introduced into, the sealed part of the container without leaving obvious traces of tampering or without breaking the customs seal;
- (b) customs seals cannot be simply and effectively affixed to the container;
- (c) it contains concealed spaces where goods may be hidden;
- (d) spaces capable of holding goods are not readily accessible for customs inspection.

REQUESTS the contracting parties to notify the Executive Secretary of the Economic Commission for Europe, if possible by 1 July 1988, whether they accept this resolution;

REQUESTS the Executive Secretary to circulate the replies received from governments.