

Official Journal

of the European Communities

ISSN 0378-6978

L 148

Volume 32

1 June 1989

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1495/89**of 29 May 1989****amending Regulation (EEC) No 3796/81 on the common organization of the market in fishery products and Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 3468/88⁽²⁾, and in particular Article 30 thereof,

Having regard to the proposal from the Commission,

Whereas, up to 31 December 1987, a GATT-bound customs duty exemption applied to fresh, chilled and frozen herring from 15 February to 15 June each year; whereas a new customs tariff based on the harmonized commodity description and coding system has been applied since 1 January 1988; whereas, when the change was made from the old nomenclature to the harmonized system, the abovementioned exemption was not applied to fresh and chilled herring flaps and whereas a customs duty of 15 % is levied on these;

Whereas, in the intervening period, significant imports of herring flaps have been recorded on the Community market; whereas the customs duty exemption should therefore be reintroduced for them;

Whereas Annex VII to Regulation (EEC) No 3796/81 should therefore be amended accordingly;

Whereas Annex VII to Regulation (EEC) No 3796/81 appears in the Common Customs Tariff; whereas the Common Customs Tariff adopted by Regulation (EEC) No 2658/87⁽³⁾, as last amended by Regulation (EEC) No 20/89⁽⁴⁾, should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex VII to Regulation (EEC) No 3796/81 and Annex I to Regulation (EEC) No 2658/87 are hereby amended as indicated in the Annex to this Regulation.

2. Changes made in CN subheadings by this Regulation shall be applicable as Taric subheadings pending their insertion in the combined nomenclature as provided for in Article 12 of Regulation (EEC) No 2658/87.

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 from 15 February 1989.

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

Done at Brussels, 29 May 1989.

For the Council

The President

C. ROMERO HERRERA

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 305, 10. 10. 1988, p. 1.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 4, 6. 1. 1989, p. 19.

ANNEX

CN code	Description	Zollsatz		Supplementary unit
		Autonomous (%) or levy (AGR)	Conventional (%)	
1	2	3	4	5
0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen :			
0304 10	— Fresh or chilled :			
0304 10 11 to 0304 10 91	} unchanged			
	— — — Other :			
	— — — — Herring flaps :			
0304 10 92	— — — — — from 15 February to 15 June ⁽¹⁾	Free	Free	
0304 10 93	— — — — — from 16 June to 14 February ⁽²⁾	20	15 ⁽⁴⁾	
0304 10 98	— — — — — Other ⁽³⁾	18	15 ⁽⁴⁾	
0304 20 11 to 0304 90 99	} unchanged			

⁽¹⁾ Taric code for 1989 : 0304 10 99*13.

⁽²⁾ Taric code for 1989 : 0304 10 99*11 and 12.

⁽³⁾ Taric code for 1989 : 0304 10 99* other than 11, 12 and 13.

⁽⁴⁾ Duty exemption for herring falling within subheadings 0302 40 90, 0303 50 90, 0304 10 93, 0304 10 98 and 0304 90 25 within the limits of a global annual tariff quota of 34 000 tonnes to be granted by the competent Community authorities and subject to compliance with the reference price.

COUNCIL REGULATION (EEC) No 1496/89

of 29 May 1989

laying down general rules for granting aid for hemp seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3698/88 of 24 November 1988 laying down special measures for hemp seed⁽¹⁾, and in particular Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 2 (2) of Regulation (EEC) No 3698/88, general rules should be laid down in accordance with which aid is to be granted, together with rules for verifying areas sown and harvested within the Community with a view to establishing eligibility for aid;

Whereas Article 1 (2) of Regulation (EEC) No 3698/88 provides that aid is to be granted only for hemp seed grown from seed of varieties providing certain safeguards to be determined in respect of the content of intoxicating substances in the product harvested; whereas this applies also as regards the grant of the aid for hemp referred to in Article 4 (1) of Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp⁽²⁾, as last amended by Regulation (EEC) No 3995/87⁽³⁾; whereas the characteristics required for the grant of aid for hemp are laid down in Article 3 (1) of Regulation (EEC) No 619/71⁽⁴⁾, as last amended by Regulation (EEC) No 2059/84⁽⁵⁾; whereas those characteristics have enabled the objective to be attained; whereas they should therefore also be adopted for the grant of aid for hemp seed;

Whereas, in accordance with Article 3 of Regulation (EEC) No 619/71, the list of varieties of hemp eligible for aid was laid down in Regulation (EEC) No 771/74 of the Commission of 29 March 1974 laying down detailed rules for granting aid for flax and hemp⁽⁶⁾, as last amended by Regulation (EEC) No 2117/88⁽⁷⁾;

Whereas provision should be made for the producer Member States to adopt the verification measures necessary to ensure the proper operation of the aid scheme;

Whereas, in accordance with Article 2 (1) of Regulation (EEC) No 3698/88, aid is to be granted for a production

figure obtained by applying an indicative yield to the surface areas sown and harvested which may be differentiated taking into account the yield ascertained in the major production areas in the Community; whereas, in order to ensure that the aid scheme is properly applied, account should be taken, when the indicative yield is being determined, of the yields recorded by sampling in the main production areas.

HAS ADOPTED THIS REGULATION:

Article 1

The aid provided for in Article 1 (1) of Regulation (EEC) No 3698/88 shall be granted only for hemp seed having the characteristics laid down in Regulation (EEC) No 619/71.

Article 2

The producer Member States shall introduce arrangements for verifying, in cases where aid is granted pursuant to Article 1 (1) of Regulation (EEC) No 3698/88, for each hemp seed producer:

- that the area the hemp seed production of which is the subject of an aid application corresponds to the area in which the seed has been sown and harvested;
- compliance with the conditions laid down in Article 1 of this Regulation,
- compliance with the conditions laid down in Article 5 (1) of Regulation (EEC) No 3698/88.

The producer Member States shall notify the Commission forthwith of the provisions introduced pursuant to this Article.

Article 3

For fixing the indicative yield referred to in Article 2 (1) of Regulation (EEC) No 3698/88, account shall be taken, in particular, of the yields per hectare recorded by sampling in the main production areas of the Community.

Article 4

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

⁽¹⁾ OJ No L 325, 29. 11. 1988, p. 2.

⁽²⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽³⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽⁴⁾ OJ No L 72, 26. 3. 1971, p. 2.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 6.

⁽⁶⁾ OJ No L 92, 3. 4. 1974, p. 13.

⁽⁷⁾ OJ No L 186, 16. 3. 1988, p. 20.

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

Done at Brussels, 29 May 1989.

For the Council
The President
C. ROMERO HERRERA

COUNCIL REGULATION (EEC) No 1497/89

of 29 May 1989

amending Regulation (EEC) No 3667/83 relating to the continuing of the import
of New Zealand butter into the United Kingdom on special terms

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the 1972 Act of Accession, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 3667/83 ⁽¹⁾, as last amended by Regulation (EEC) No 770/89 ⁽²⁾, gave the United Kingdom temporary authorization to import a quantity of New Zealand butter on special terms during the period from 1 January 1984 to 31 December 1988;

Whereas the Council was unable to agree in good time on new import arrangements for a longer term; whereas, in order to prevent an interruption of the imports, a further temporary authorization was granted for the period from 1 January to 31 May 1989;

Whereas for the same reasons it is appropriate to extend the temporary authorization up to 30 June 1989,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3667/83 is hereby amended as follows:

1. Article 2 (1) is replaced by the following:

'1. These arrangements shall apply during the period 1 January 1984 to 30 June 1989.'

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

Done at Brussels, 29 May 1989.

The quantities which may be imported shall be as follows:

- 83 000 tonnes in 1984,
- 81 000 tonnes in 1985,
- 79 000 tonnes in 1986,
- 76 500 tonnes in 1987,
- 74 500 tonnes in 1988,
- 37 250 tonnes for the period 1 January to 30 June 1989.

2. Article 2 (3) is replaced by the following:

'3. Before 30 June 1989 the Council, acting unanimously on a proposal from the Commission, shall take a decision on the maintenance of exceptional arrangements.'

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.*For the Council**The President*

C. ROMERO HERRERA

⁽¹⁾ OJ No L 366, 28. 12. 1983, p. 16.⁽²⁾ OJ No L 84, 29. 3. 1989, p. 4.

COMMISSION REGULATION (EEC) No 1498/89

of 31 May 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 1213/89 ⁽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 30 May 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 1 June 1989.

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

Done at Brussels, 31 May 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 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

ANNEX

to the Commission Regulation of 31 May 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	25,25	123,98
0712 90 19	25,25	123,98
1001 10 10	59,60	184,94 ⁽¹⁾ ⁽²⁾
1001 10 90	59,60	184,94 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	115,53
1001 90 99	35,73	115,53
1002 00 00	63,32	114,66 ⁽³⁾
1003 00 10	53,90	118,98
1003 00 90	53,90	118,98
1004 00 10	44,96	86,71
1004 00 90	44,96	86,71
1005 10 90	25,25	123,98 ⁽²⁾ ⁽³⁾
1005 90 00	25,25	123,98 ⁽²⁾ ⁽³⁾
1007 00 90	48,56	131,80 ⁽⁴⁾
1008 10 00	53,90	11,23
1008 20 00	53,90	4,81 ⁽⁵⁾
1008 30 00	53,90	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	53,90	0,00
1101 00 00	64,72	176,44
1102 10 00	103,35	175,22
1103 11 10	106,02	300,29
1103 11 90	68,09	188,74

⁽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 1499/89

of 31 May 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 1213/89⁽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 30 May 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 1 June 1989.

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

Done at Brussels, 31 May 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 128, 11. 5. 1989, p. 1.⁽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 31 May 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 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	1,35
0712 90 19	0	0	0	1,35
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	6,49	6,49	1,73
1001 90 99	0	6,49	6,49	1,73
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	1,35
1005 90 00	0	0	0	1,35
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	9,09	9,09	2,42

B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	11,55	11,55	3,08	3,08
1107 10 19	0	8,63	8,63	2,30	2,30
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 1500/89

of 31 May 1989

fixing 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 1069/89⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Regulation (EEC) No 2727/75 of the Council⁽⁵⁾, as last amended by Regulation (EEC) No 166/89⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1989 fixing 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	0,3617	—
1702 20 90	0,3617	—
1702 30 10	—	45,84
1702 40 10	—	45,84
1702 60 10	—	45,84
1702 60 90	0,3617	—
1702 90 30	—	45,84
1702 90 60	0,3617	—
1702 90 71	0,3617	—
1702 90 90	0,3617	—
2106 90 30	—	45,84
2106 90 59	0,3617	—

COMMISSION REGULATION (EEC) No 1501/89

of 31 May 1989

fixing the export refunds on syrups and certain other sugar 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 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Regulation (EEC) No 766/68 of the Council of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Regulation (EEC) No 394/70 of the Commission of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.
⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.
⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.
⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.
⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.
⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of

prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1989 fixing 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		29,04
1702 60 10 000		29,04
1702 60 90 000	0,2904	
1702 90 30 000		29,04
1702 90 60 000	0,2904	
1702 90 71 000	0,2904	
1702 90 90 900	0,2904	
2106 90 30 000		29,04
2106 90 59 000	0,2904	

⁽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.

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 1502/89**of 31 May 1989****fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries**

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 1069/89⁽²⁾ and in particular Article 16 (8) thereof,

Whereas, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86⁽³⁾, as last amended by Regulation (EEC) No 1143/89⁽⁴⁾, fixes

the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 19,87 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 119, 29. 4. 1989, p. 57.

COMMISSION REGULATION (EEC) No 1503/89

of 31 May 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 1069/89 ⁽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 1409/89 ⁽³⁾, as last amended by Regulation (EEC) No 1490/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1409/89 to the infor-

mation 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 1409/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 141, 25. 5. 1989, p. 8.

⁽⁴⁾ OJ No L 147, 31. 5. 1989, p. 27.

ANNEX

to the Commission Regulation of 31 May 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	26,71 ⁽¹⁾	
1701 11 90 910	28,97 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	26,71 ⁽¹⁾	
1701 12 90 910	28,97 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2904
1701 99 10 100	29,04	
1701 99 10 910	31,49	
1701 99 10 950	29,99	
1701 99 90 100		0,2904

⁽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 1504/89

of 31 May 1989

altering the corrective amount applicable to the refund on cereals

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 1213/89⁽²⁾, and in particular the fourth
sentence of the second subparagraph of Article 16(4)
thereof,

Having regard to Regulation (EEC) No 2746/75 of the
Council of 29 October 1975 laying down general rules for
granting export refunds on cereals and criteria for fixing
the amount of such refunds⁽³⁾,

Whereas the corrective amount applicable to the refund
on cereals was fixed by Commission Regulation (EEC) No
1174/89⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the
market into account, the corrective amount at present
applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
Regulation (EEC) No 1174/89, which is applicable to the
export refunds fixed in advance in respect of cereals, is
hereby altered to the amounts set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 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 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 121, 29. 4. 1989, p. 44.

ANNEX

to the Commission Regulation of 31 May 1989 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11	6th period 12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 120	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 200	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 300	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 500	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

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

COMMISSION REGULATION (EEC) No 1505/89**of 31 May 1989****fixing for June 1989 the levy applicable in Spain to products subject to the price control system**

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 3729/88 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 262,826 per tonne of oil for June 1989.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 326, 30. 11. 1988, p. 21.

COMMISSION REGULATION (EEC) No 1506/89

of 31 May 1989

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

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 Article 17 (5) thereof,

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as amended by the Act of Accession ⁽⁶⁾;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 698/86 ⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 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 ⁽⁹⁾, as last amended by Regulation (EEC) No 2951/88 ⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹¹⁾, as last amended by Regulation (EEC) No 1471/88 ⁽¹²⁾, has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 266, 27. 9. 1988, p. 28.

⁽¹¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹²⁾ OJ No L 134, 31. 5. 1988, p. 1.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 May 1989 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 50,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	95,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 163,00 155,00

COMMISSION REGULATION (EEC) No 1507/89

of 31 May 1989

fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1213/89 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1219/89 ⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EEC) No 3209/88 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refunds is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas such production refunds are granted under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors ⁽⁷⁾, as last amended by Regulation (EEC) No 1009/86 ⁽⁸⁾, and Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector;

Whereas account should be taken, for the purposes of Article 4 (3) of Regulation (EEC) No 3035/80, of the production refund provided for in Regulation (EEC) No 2742/75 applicable during the month in which exportation occurs; whereas, moreover, in the absence of evidence that no production refund was granted under Regulation (EEC) No 1009/86 the export refund should be further reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁹⁾, as amended by Regula-

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

tion (EEC) No 2026/83⁽¹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽²⁾ lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽³⁾, it is necessary to differentiate the refund on goods falling within subheadings 1902 11 00 and 1902 19 of the combined nomenclature according to their destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the accept-

ance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 31 May 1989 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
1001 10 90	Durum wheat : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	12,058 12,180
1001 90 99	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	5,222 5,863 5,922
1002 00 00	Rye	6,263
1003 00 90	Barley	6,842
1004 00 90	Oats	2,629
1005 90 00	Maize, other than hybrid maize for sowing : — For the manufacture of starch — Other than for the manufacture of starch	7,583 8,083
1006 20	Round grain husked rice	38,163
	Medium grain husked rice	35,543
	Long grain husked rice	35,543
ex 1006 30	Round grain wholly milled rice	49,243
	Medium grain wholly milled rice	51,512
	Long grain wholly milled rice	51,512
1006 40 00	Broken rice : — For the manufacture of starch — Other than for the manufacture of starch	7,991 8,591
1007 00 90	Sorghum	6,179
1101 00 00	Wheat or meslin flour : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	6,844 6,913
1102 10 00	Rye flour	16,228
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	18,690 18,879
1103 11 90	Common wheat groats and meal : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	6,844 6,913

COMMISSION REGULATION (EEC) No 1508/89

of 31 May 1989

fixing 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 Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾ and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3209/88⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 2306/88⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 471/87⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽¹⁰⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 May 1989 fixing 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 :	29,04	
Raw sugar :	26,71	
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):	$29,04 \times \frac{S^{(1)}}{100}$	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⁾ :	29,04 ⁽³⁾	

(¹) 'S' represents in 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 1509/89

of 31 May 1989

fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1225/89 ⁽²⁾,

Having regard to Regulation No 142/67/EEC of the Council of 21 June 1967 on export refunds on colza, rape and sunflower seeds ⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽⁴⁾, as last amended by Regulation (EEC) No 1132/89 ⁽⁵⁾,

Having regard to Regulation (EEC) No 1569/72 of the Council of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁶⁾, as last amended by Regulation (EEC) No 2216/88 ⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Regulation (EEC) No 2041/75 of the Commission of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats ⁽⁸⁾, as last amended by Regulation (EEC) No 2662/87 ⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1988/89 marketing year were fixed by Council Regulations (EEC) No 2213/88 ⁽¹⁰⁾ and (EEC) No 2214/88 ⁽¹¹⁾;

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1989/90 marketing year were fixed by Regulations (EEC) No 1228/89 ⁽¹²⁾ and (EEC) No 1229/89 ⁽¹³⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86 ⁽¹⁴⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulation (EEC) No 2761/88 ⁽¹⁵⁾;

Whereas the abatement of the refund which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 year, has not, to date, been fixed; whereas the amount of the refund for the 1989/90 year has been provisionally calculated on the basis of an abatement of ECU 3,44 per 100 kilograms for colza and rape seed;

Whereas Article 1 of Regulation (EEC) No 651/71 of the Commission of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds ⁽¹⁶⁾, as last amended by Regulation (EEC) No 1815/84 ⁽¹⁷⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 119, 29. 4. 1989, p. 26.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹⁰⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽¹¹⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽¹²⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽¹³⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽¹⁴⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁵⁾ OJ No L 247, 6. 9. 1988, p. 7.

⁽¹⁶⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁷⁾ OJ No L 170, 29. 6. 1984, p. 46.

weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽²⁾, as last amended by Regulation (EEC) No 431/89⁽³⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate;
- (b) for the other Member States, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be deter-

mined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.
4. However, the amount of the refund in the case of advance fixing for the 1989/90 marketing year for colza and rape seed will be confirmed or replaced as from 1 June 1989 to take into account the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 June 1989.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 50, 22. 2. 1989, p. 7.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1989 fixing the export refunds on oil seeds

<i>(amounts per 100 kilograms)</i>						
	Current 6	1st period 7 (1)	2nd period 8	3rd period 9	4th period 10	5th period 11
1. Gross refunds (ECU):						
— Spain	15,780	14,144	—	—	—	—
— Portugal	19,940	17,714	—	—	—	—
— other Member States	16,500	14,274	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	39,44	34,25	—	—	—	—
— Netherlands (Fl)	43,90	37,90	—	—	—	—
— BLEU (Bfrs/Lfrs)	796,73	689,25	—	—	—	—
— France (FF)	118,67	105,68	—	—	—	—
— Denmark (Dkr)	143,75	127,47	—	—	—	—
— Ireland (£ Irl)	13,195	11,762	—	—	—	—
— United Kingdom (£)	9,798	9,217	—	—	—	—
— Italy (Lit)	25 583	23 344	—	—	—	—
— Greece (Dr)	1 555,07	1 997,86	—	—	—	—
— Spain (Pta)	2 654,47	2 409,36	—	—	—	—
— Portugal (Esc)	3 653,26	3 401,12	—	—	—	—

(1) Subject, in the case of advance fixing for the 1989/90 marketing year to the application of the system maximum guaranteed quantities.

COMMISSION REGULATION (EEC) No 1510/89

of 31 May 1989

fixing the amount of the subsidy on oil seeds

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

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1225/89 ⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1132/89 ⁽⁴⁾,

Having regard to Regulation (EEC) No 1569/72 of the Council of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88 ⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1442/89 ⁽⁷⁾, as amended by Regulation (EEC) No 1465/89 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1442/89 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 year, has not, to date, been

fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of ECU 3,44 per 100 kilograms for colza and rape seed, and of ECU 11,55 per 100 kilograms for sunflower seed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza, rape and sunflower seed will be confirmed or replaced as from 1 June 1989 to take into account the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 119, 29. 4. 1989, p. 26.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 143, 26. 5. 1989, p. 25.

⁽⁸⁾ OJ No L 144, 27. 5. 1989, p. 41.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (¹)	2nd period 8 (¹)	3rd period 9 (¹)	4th period 10 (¹)	5th period 11 (¹)
1. Gross aids (ECU):						
— Spain	0,580	1,170	1,170	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,242	16,304	15,878	15,407	15,022	15,214
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,20	38,39	37,89	36,79	35,89	36,39
— Netherlands (Fl)	53,77	43,01	41,88	40,65	39,63	40,49
— BLEU (Bfrs/Lfrs)	977,42	787,27	766,70	743,96	725,37	734,64
— France (FF)	148,09	122,45	119,10	115,40	112,38	113,85
— Denmark (Dkr)	177,18	145,60	141,79	137,59	134,15	135,86
— Ireland (£ Irl)	16,471	13,628	13,256	12,844	12,508	12,672
— United Kingdom (£)	12,541	10,857	10,546	10,202	9,921	9,992
— Italy (Lit)	32 173	27 128	26 383	25 507	24 858	24 925
— Greece (Dr)	2 303,62	2 515,28	2 391,52	2 261,03	2 182,65	2 111,82
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 172,88	2 605,53	2 533,28	2 451,67	2 394,96	2 385,95
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 372,40	3 790,89	3 696,61	3 589,31	3 514,83	3 447,49

(¹) Subject in the case of advance fixing for the 1989/90 marketing year to the application of the system of maximum guaranteed quantities.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	3,080	3,670	3,670	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	22,742	18,804	18,378	17,907	17,522	17,714
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,10	44,79	43,80	42,69	41,79	42,29
— Netherlands (Fl)	60,39	49,60	48,48	47,24	46,23	47,08
— BLEU (Bfrs/Lfrs)	1 098,14	907,99	887,42	864,67	846,08	855,35
— France (FF)	167,05	141,69	138,35	134,65	131,63	133,10
— Denmark (Dkr)	199,28	167,92	164,12	159,91	156,47	158,19
— Ireland (£ Irl)	18,580	15,770	15,398	14,986	14,650	14,813
— United Kingdom (£)	14,229	12,610	12,299	11,955	11,674	11,745
— Italy (Lit)	36 261	31 310	30 565	29 690	29 041	29 107
— Greece (Dr)	2 693,67	2 963,75	2 839,98	2 709,50	2 631,12	2 560,29
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 558,41	2 987,77	2 915,52	2 833,91	2 777,20	2 768,19
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	4 842,42	4 270,89	4 176,61	4 069,32	3 994,84	3 927,49

(1) Subject in the case of advance fixing for the 1989/90 marketing year to the application of the system of maximum guaranteed quantities.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	5,170	5,170	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	21,645	21,645	18,399	18,399	18,399
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	51,59	51,59	43,89	43,89	43,89
— Netherlands (Fl)	57,52	57,52	48,53	48,54	48,54
— BLEU (Bfrs/Lfrs)	1 045,17	1 045,17	888,43	888,43	888,43
— France (FF)	157,71	157,71	138,20	138,20	138,20
— Denmark (Dkr)	189,25	189,25	164,30	164,30	164,30
— Ireland (£ Irl)	17,540	17,540	15,381	15,381	15,381
— United Kingdom (£)	13,277	13,277	12,255	12,255	12,255
— Italy (Lit)	34 294	34 294	30 582	30 493	30 493
— Greece (Dr)	2 361,79	2 323,39	2 798,28	2 760,25	2 760,25
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 450,42	3 450,42	3 133,49	3 120,17	3 120,17
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 308,42	6 308,42	5 886,77	5 869,36	5 869,36
— in another Member State (Esc)	6 148,10	6 148,10	5 737,17	5 720,20	5 720,20
3. Compensatory aids:					
— in Spain (Pta)	3 402,21	3 402,21	3 085,70	3 072,38	3 072,38
4. Special aid:					
— in Portugal (Esc)	6 148,10	6 148,10	5 737,17	5 720,20	5 720,20

(1) Subject in the case of advance fixing for the 1989/90 marketing year to the application of the system of maximum guaranteed quantities.

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0260760.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,083210	2,080440	2,078080	2,075880	2,075880	2,071010
Fl	2,347720	2,343560	2,339670	2,335720	2,335720	2,320970
Bfrs/Lfrs	43,552800	43,545400	43,543800	43,539800	43,539800	43,509200
FF	7,044890	7,045970	7,047220	7,049780	7,049780	7,053930
Dkr	8,104550	8,107100	8,112660	8,119010	8,119010	8,135240
£Irl	0,778105	0,778025	0,778408	0,778798	0,778798	0,780263
£	0,654328	0,655565	0,656526	0,657449	0,657449	0,660318
Lit	1 512,62	1 517,23	1 521,50	1 525,11	1 525,11	1 535,95
Dr	176,53200	179,21800	181,08800	182,76500	182,76500	187,59500
Esc	171,92300	172,68100	173,34600	174,07600	174,07600	176,26000
Pta	129,90800	130,43300	130,97400	131,48500	131,48500	133,03200

COMMISSION REGULATION (EEC) No 1511/89

of 31 May 1989

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 3870/88⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1105/88⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1988/89 marketing year was fixed by Council Regulation (EEC) No 2255/88⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Regulation (EEC) No 2258/88⁽⁸⁾;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89⁽⁹⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1247/89⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽¹⁵⁾,

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 110, 29. 4. 1988, p. 18.

⁽⁷⁾ OJ No L 199, 26. 7. 1988, p. 1.

⁽⁸⁾ OJ No L 199, 26. 7. 1988, p. 5.

⁽⁹⁾ OJ No L 129, 11. 5. 1989.

⁽¹⁰⁾ OJ No L 129, 11. 5. 1989.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 correcting factor ;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries ; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price ;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1911/88 ⁽¹⁾ ; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year ; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87 ⁽²⁾ for the 1988/1989 market year and by Council Regulation (EEC) No 1247/89 for the 1989/1990 marketing year ;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has been fixed by Commission Regulation (EEC) No 2731/88 ⁽³⁾ ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has not, to date, been fixed ; whereas the amount of the subsidy for the 1989/90 marketing year has been provisionally calculated on the basis of the abatement for the 1988/89 marketing year,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.
2. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 June 1989 to take into account the application of the arrangements for that marketing year.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 168, 1. 7. 1988, p. 112.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 116.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 6 (1)	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
Peas used :							
— in Spain	6,943	5,503	5,503	5,661	5,819	5,977	6,135
— in Portugal	6,985	5,545	5,545	5,703	5,861	6,019	6,177
— in another Member State	7,300	5,860	5,860	6,018	6,176	6,334	6,492
Field beans used :							
— in Spain	7,300	5,860	5,860	6,018	6,176	6,334	6,492
— in Portugal	6,985	5,545	5,545	5,703	5,861	6,019	6,177
— in another Member State	7,300	5,860	5,860	6,018	6,176	6,334	6,492

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

Products used in animal feed :

(ECU per 100 kg)

	Current 6 (1)	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
A. Peas used :							
— in Spain	9,648	8,380	8,380	8,538	8,695	9,025	9,183
— in Portugal	9,345	8,083	8,083	8,240	8,398	8,733	8,891
— in another Member State	9,753	8,483	8,483	8,641	8,798	9,126	9,284
B. Field beans used :							
— in Spain	10,291	8,380	8,380	8,538	8,695	9,025	9,183
— in Portugal	10,008	8,083	8,083	8,240	8,398	8,733	8,891
— in another Member State	10,388	8,483	8,483	8,641	8,798	9,126	9,284
C. Sweet lupins harvested in Spain and used :							
— in Spain	9,374	10,864	10,864	10,864	10,864	11,094	11,094
— in Portugal	8,970	10,468	10,468	10,468	10,468	10,705	10,705
— in another Member State	9,514	11,002	11,002	11,002	11,002	11,229	11,229
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,524	10,754	10,754	10,754	10,754	10,984	10,984
— in Portugal	10,120	10,358	10,358	10,358	10,358	10,595	10,595
— in another Member State	10,664	10,892	10,892	10,892	10,892	11,119	11,119

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 6 (1)	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	352,49	282,96	282,96	290,59	298,22	305,85	313,48
— Denmark (Dkr)	64,54	52,33	52,33	53,74	55,15	56,56	57,97
— Federal Republic of Germany (DM)	17,24	13,84	13,84	14,21	14,58	14,96	15,33
— Greece (Dr)	492,18	861,13	861,13	889,57	918,00	946,44	974,87
— Spain (Pta)	1 145,68	923,70	923,70	948,06	972,41	996,77	1 021,13
— France (FF)	55,32	45,07	45,07	46,28	47,50	48,72	49,93
— Ireland (£ Irl)	6,141	5,002	5,002	5,137	5,272	5,408	5,543
— Italy (Lit)	12 060	9 857	9 857	10 122	10 388	10 654	10 920
— Netherlands (Fl)	19,32	15,46	15,46	15,87	16,29	16,71	17,12
— Portugal (Esc)	1 372,45	1 125,13	1 125,13	1 155,47	1 185,80	1 216,14	1 246,48
— United Kingdom (£)	4,613	4,110	4,110	4,221	4,332	4,443	4,553

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

Amounts to be deducted in the case of :

- Peas used in Spain (Pta) : 55,05,
- Peas, and field beans used in Portugal (Esc) : 59,22.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 6 (1)	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	470,94	409,62	409,62	417,25	424,83	440,67	448,30
— Denmark (Dkr)	86,23	75,75	75,75	77,16	78,57	81,50	82,91
— Federal Republic of Germany (DM)	23,03	20,03	20,03	20,40	20,77	21,55	21,92
— Greece (Dr)	957,09	1 357,38	1 357,38	1 385,81	1 414,06	1 474,66	1 503,09
— Spain (Pta)	1 521,43	1 325,50	1 325,50	1 349,85	1 374,05	1 424,45	1 448,81
— France (FF)	73,93	65,26	65,26	66,48	67,69	70,21	71,43
— Ireland (£ Irl)	8,213	7,251	7,251	7,387	7,521	7,803	7,938
— Italy (Lit)	16 112	14 268	14 268	14 534	14 798	15 350	15 616
— Netherlands (Fl)	25,82	22,38	22,38	22,79	23,21	24,07	24,49
— Portugal (Esc)	1 833,63	1 628,75	1 628,75	1 659,09	1 689,23	1 752,21	1 782,55
— United Kingdom (£)	6,309	5,950	5,950	6,061	6,171	6,401	6,512
Amounts to be deducted in the case of use :							
— Spain (Pta)	16,19	15,88	15,88	15,88	15,88	15,58	15,58
— Portugal (Esc)	76,71	76,80	76,80	76,99	76,80	75,46	75,46

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	80,04	3,05	0,13	0,52	0,00	0,00	0,00	10,70
— Denmark (Dkr)	0,00	0,00	0,00	14,66	0,56	0,02	0,10	0,00	0,00	0,00	1,96
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,91	0,15	0,01	0,03	0,00	0,00	0,00	0,52
— Greece (Dr)	0,00	0,00	0,00	314,17	11,98	0,52	2,04	0,00	0,00	0,00	41,98
— Spain (Pta)	0,00	0,00	0,00	253,92	9,68	0,42	1,65	0,00	0,00	0,00	33,93
— France (FF)	0,00	0,00	0,00	12,58	0,48	0,02	0,08	0,00	0,00	0,00	1,68
— Ireland (£ Irl)	0,000	0,000	0,000	1,400	0,053	0,002	0,009	0,000	0,000	0,000	0,187
— Italy (Lit)	0	0	0	2738	104	4	18	0	0	0	366
— Netherlands (Fl)	0,00	0,00	0,00	4,39	0,17	0,01	0,03	0,00	0,00	0,00	0,59
— Portugal (Esc)	0,00	0,00	0,00	311,64	11,88	0,51	2,02	0,00	0,00	0,00	41,64
— United Kingdom (£)	0,000	0,000	0,000	1,146	0,044	0,002	0,007	0,000	0,000	0,000	0,153

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 6 (°)	1st period 7 (°)	2nd period 8 (°)	3rd period 9 (°)	4th period 10 (°)	5th period 11 (°)	6th period 12 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	501,60	409,62	409,62	417,25	424,83	440,67	448,30
— Denmark (Dkr)	91,85	75,75	75,75	77,16	78,57	81,50	82,91
— Federal Republic of Germany (DM)	24,53	20,03	20,03	20,40	20,77	21,55	21,92
— Greece (Dr)	1 077,44	1 357,38	1 357,38	1 385,81	1 414,06	1 474,66	1 503,09
— Spain (Pta)	1 618,70	1 325,50	1 325,50	1 349,85	1 374,05	1 424,45	1 448,81
— France (FF)	78,75	65,26	65,26	66,48	67,69	70,21	71,43
— Ireland (£ Irl)	8,750	7,251	7,251	7,387	7,521	7,803	7,938
— Italy (Lit)	17 161	14 268	14 268	14 534	14 798	15 350	15 616
— Netherlands (Fl)	27,50	22,38	22,38	22,79	23,21	24,07	24,49
— Portugal (Esc)	1 953,02	1 628,75	1 628,75	1 659,09	1 689,23	1 752,21	1 782,55
— United Kingdom (£)	6,748	5,950	5,950	6,061	6,171	6,401	6,512
Amounts to be deducted in the case of use :							
— Spain (Pta)	14,96	15,88	15,88	15,88	15,88	15,58	15,58
— Portugal (Esc)	71,44	76,80	76,80	76,99	76,80	75,46	75,46

(°) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	80,04	3,05	0,13	0,52	0,00	0,00	0,00	10,70
— Denmark (Dkr)	0,00	0,00	0,00	14,66	0,56	0,02	0,10	0,00	0,00	0,00	1,96
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,91	0,15	0,01	0,03	0,00	0,00	0,00	0,52
— Greece (Dr)	0,00	0,00	0,00	314,17	11,98	0,52	2,04	0,00	0,00	0,00	41,98
— Spain (Pta)	0,00	0,00	0,00	253,92	9,68	0,42	1,65	0,00	0,00	0,00	33,93
— France (FF)	0,00	0,00	0,00	12,58	0,48	0,02	0,08	0,00	0,00	0,00	1,68
— Ireland (£ Irl)	0,000	0,000	0,000	1,400	0,053	0,002	0,009	0,000	0,000	0,000	0,187
— Italy (Lit)	0	0	0	2 738	104	4	18	0	0	0	366
— Netherlands (Fl)	0,00	0,00	0,00	4,39	0,17	0,01	0,03	0,00	0,00	0,00	0,59
— Portugal (Esc)	0,00	0,00	0,00	311,64	11,88	0,51	2,02	0,00	0,00	0,00	41,64
— United Kingdom (£)	0,000	0,000	0,000	1,146	0,044	0,002	0,007	0,000	0,000	0,000	0,153

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

	Current 6 (1)	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	514,93	525,94	525,94	525,94	525,94	536,90	536,90
— Denmark (Dkr)	94,29	97,27	97,27	97,27	97,27	99,29	99,29
— Federal Republic of Germany (DM)	25,18	25,72	25,72	25,72	25,72	26,25	26,25
— Greece (Dr)	1 085,34	1 786,87	1 786,87	1 786,87	1 786,87	1 829,82	1 829,82
— Spain (Pta)	1 662,35	1 697,27	1 697,27	1 697,27	1 697,27	1 732,05	1 732,05
— France (FF)	80,84	83,81	83,81	83,81	83,81	85,56	85,56
— Ireland (£ Irl)	8,982	9,315	9,315	9,315	9,315	9,510	9,510
— Italy (Lit)	17 617	18 320	18 320	18 320	18 320	18 702	18 702
— Netherlands (Fl)	28,23	28,73	28,73	28,73	28,73	29,33	29,33
— Portugal (Esc)	2 004,91	2 091,29	2 091,29	2 091,29	2 091,29	2 134,87	2 134,87
— United Kingdom (£)	6,917	7,639	7,639	7,639	7,639	7,799	7,799
Amounts to be deducted in the case of use in :							
— Spain (Pta)	21,59	21,28	21,28	21,28	21,28	20,82	20,82
— Portugal (Esc)	102,28	102,53	102,53	102,53	102,53	100,61	100,61

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	58,21	2,22	0,10	0,38	0,00	0,00	0,00	7,78
— Denmark (Dkr)	0,00	0,00	0,00	10,66	0,41	0,02	0,07	0,00	0,00	0,00	1,42
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,85	0,11	0,00	0,02	0,00	0,00	0,00	0,38
— Greece (Dr)	0,00	0,00	0,00	228,48	8,71	0,37	1,48	0,00	0,00	0,00	30,53
— Spain (Pta)	0,00	0,00	0,00	184,67	7,04	0,30	1,20	0,00	0,00	0,00	24,68
— France (FF)	0,00	0,00	0,00	9,15	0,35	0,01	0,06	0,00	0,00	0,00	1,22
— Ireland (£ Irl)	0,000	0,000	0,000	1,018	0,039	0,002	0,007	0,000	0,000	0,000	0,136
— Italy (Lit)	0	0	0	1 992	76	3	13	0	0	0	266
— Netherlands (Fl)	0,00	0,00	0,00	3,19	0,12	0,01	0,02	0,00	0,00	0,00	0,43
— Portugal (Esc)	0,00	0,00	0,00	226,65	8,64	0,37	1,47	0,00	0,00	0,00	30,29
— United Kingdom (£)	0,000	0,000	0,000	0,834	0,032	0,001	0,005	0,000	0,000	0,000	0,111

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4582	7,85212	2,05853	174,240	128,578	6,90403	0,768411	1 477,63	2,31943	168,825	0,642310

COMMISSION REGULATION (EEC) No 1512/89

of 31 May 1989

fixing the aid for cotton

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

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

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

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1353/89 ⁽⁴⁾, as amended by Regulation (EEC) No 1436/89 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1353/89 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 year, has not, to date, been fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of 24,005 ECU per 100 kilograms;

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 36,743 ECU per 100 kilograms.

2. However, the amounts of the aid will be confirmed or replaced with effect from 1 June 1989 to take account of the guide price of cotton adopted in respect of the 1989/90 marketing year and, as the case may be, which appear to have been offered in the largest quantities.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 135, 19. 5. 1989, p. 13.

⁽⁵⁾ OJ No L 143, 26. 5. 1989, p. 13.

COMMISSION REGULATION (EEC) No 1513/89
of 31 May 1989
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans⁽¹⁾, as last amended by Regulation (EEC) No 2217/88⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to Council Regulation 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal⁽³⁾,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 521/89⁽⁴⁾, as last amended by Regulation (EEC) No 1355/89⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 521/89 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 58, 1. 3. 1989, p. 39.

⁽⁵⁾ OJ No L 135, 19. 5. 1989, p. 17.

ANNEX

Aid for soya beans

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	26,298	26,298
— Portugal	15,988	26,298 (*)	26,298
— another Member State	15,988	26,298	26,298
(*) Special aid.			

COMMISSION REGULATION (EEC) No 1514/89
of 31 May 1989
fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3996/87⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1111/89 of 27 April 1989 fixing for the 1989/90 marketing year the guide price for dried fodder⁽³⁾;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded

during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1963/88⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 35.

⁽³⁾ OJ No L 118, 29. 4. 1989, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 173, 5. 7. 1988, p. 9.

Whereas, if the aid system is to operate normally, refunds should be calculated on the following basis;

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a conversion rate 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies a conversion 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 on the aforesaid corrective factor;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these

two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 May 1989 fixing the rate of the aid for dried fodder

Aid applicable from 1 June 1989 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	48,032	59,507	61,272	5,032	16,507	18,272

Aid in case of advance fixing for the month of :

(ECU/tonne)

July 1989	52,147	63,684	65,387	9,147	20,684	22,387
August 1989	52,147	63,684	65,387	9,147	20,684	22,387
September 1989	51,616	63,145	64,856	8,616	20,145	21,856
October 1989	54,155	65,722	67,395	11,155	22,722	24,395
November 1989	54,368	65,938	67,608	11,368	22,938	24,608
December 1989	54,368	65,938	67,608	11,368	22,938	24,608
January 1990 (1)	0,000	0,000	0,000	0,000	0,000	0,000
February 1990 (1)	0,000	0,000	0,000	0,000	0,000	0,000
March 1990 (1)	0,000	0,000	0,000	0,000	0,000	0,000

(1) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1515/89**of 31 May 1989****fixing the import levy on molasses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 2368/88 ⁽³⁾, as last amended by Regulation (EEC) No 1418/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,41 per 100 kg.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 205, 30. 7. 1988, p. 29.

⁽⁴⁾ OJ No L 141, 25. 5. 1989, p. 25.

COMMISSION REGULATION (EEC) No 1516/89
of 31 May 1989

amending Regulation (EEC) No 1751/84 laying down certain provisions for the application of Council Regulation (EEC) No 3599/82 on temporary importation arrangements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3599/82 of 21 December 1982 on temporary importation arrangements⁽¹⁾, hereafter referred to as the basic Regulation, as amended by Regulation (EEC) No 1620/85⁽²⁾, and in particular Article 33 thereof,

Whereas Commission Regulation (EEC) No 1751/84⁽³⁾, as last amended by Regulation (EEC) No 3524/88⁽⁴⁾, laid down certain provisions for the application of Regulation (EEC) No 3599/82, and in particular those relating to goods temporarily imported in particular circumstances which have no economic effect and those concerning the exchange of information on temporary importation of goods by virtue of Articles 23 or 27 of the basic Regulation;

Whereas, as regards the application of Article 23 of the basic Regulation, experience has shown that occasional importation of goods intended to remain in the Community customs territory for a period of not more than three months has no economic effect when their value does not exceed ECU 4 000; whereas, under these conditions, there is good reason to simplify the procedures for temporary importation with total relief from customs duties on the said goods;

Whereas experience has shown that it is also necessary to simplify the exchange of information on certain temporary importation authorizations, by increasing the value above which each Member State communicates to the Commission the list of goods for which it is authorizing temporary importation pursuant to Article 23 of the basic Regulation;

Whereas Council Regulation (EEC) No 2658/87⁽⁵⁾, as last amended by Regulation (EEC) No 20/89⁽⁶⁾, established, with effect from 1 January 1988, a combined nomenclature of goods replacing the nomenclature previously in force; whereas it is necessary therefore to adapt the relevant terminology contained in the legislation on temporary importation arrangements;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for Customs Procedures with Economic Impact,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1751/84 is hereby amended as follows:

1. Article 1 (2) (f) is replaced by the following:

'(f) an indication of the combined nomenclature classification of the goods;

For information purposes. Only the combined nomenclature heading need be given, unless an indication of the subheading is required to enable the authorization to be issued or for the proper conduct of the temporary importation procedure;

2. Article 2 (2) (f) is replaced by the following:

'(f) an indication of the combined nomenclature classification of the goods;'

3. Article 28 is replaced by the following:

Article 28

1. The competent authorities shall grant the benefit of the arrangements when they consider, in view of the application for temporary importation drawn up in accordance with Article 2 (2) which is submitted by virtue of Article 23 of the basic Regulation, that it concerns a particular situation which has no economic effect.

2. The temporary importation of goods which are imported on an occasional basis, which remain in the Community customs territory for a period not exceeding three months, and whose value does not exceed ECU 4 000 shall be considered as one of the particular situations having no economic effect within the meaning of Article 23 of the basic Regulation.

3. Each Member State shall communicate to the Commission a list of goods of a value exceeding ECU 4 000 in respect of which it has authorized temporary importation in application of Article 23 of the basic Regulation. The list shall contain the trade description of the said goods and in addition a reference to their classification in the combined nomenclature referred to in Article (2) (2) (f). It shall also contain a reference to the customs value of the goods and the use to which they will be put in the Member State in question.

⁽¹⁾ OJ No L 376, 31. 12. 1982, p. 1.

⁽²⁾ OJ No L 155, 14. 6. 1985, p. 54.

⁽³⁾ OJ No L 171, 29. 6. 1984, p. 1.

⁽⁴⁾ OJ No L 307, 12. 11. 1988, p. 38.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 4, 6. 1. 1989, p. 19.

4. Communications as referred to in paragraph 3 shall be made on a form conforming to the specimen in Annex VIII. They shall reach the Commission by 15 March and 15 September each year in respect of authorizations issued during the previous half year.
5. The Commission shall communicate each list to the other Member States. The lists shall be examined by the Committee referred to in Article 32 of the basic Regulation ;
4. Article 30 (1) is replaced by the following :
- '1. Each Member State shall communicate to the Commission the list of goods in respect of which it has authorized temporary importation pursuant to Article 27 of the basic Regulation. This list shall contain the trade description of the goods and in addition a reference to their classification in the combined nomenclature referred to in Article (2) (2) (f). It shall also contain a reference to the customs value of the goods and the use to which they will be put in the Member State in question.' ;
5. the text in box 9 of the information sheet INF 6 contained in Annex II is replaced by the following :
'9 CN subheading' ;
6. the heading 'NIMEXE code or tariff subheading' in Annexes VIII and X is replaced by the following :
'CN subheading'.

Article 2

This Regulation shall enter into force on the 21st 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, 31 May 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 1517/89

of 31 May 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables ⁽¹⁾, as last amended by
Regulation (EEC) No 1119/89 ⁽²⁾, and in particular Article
38 (1) thereof,

Whereas Commission Regulation (EEC) No 886/87 ⁽³⁾, as
amended by Regulation (EEC) No 744/89 ⁽⁴⁾, determines
the information which the Member States must notify to
the Commission to monitor imports of dessert apples;
whereas those notification provisions have not applied to
imports into Spain and Portugal on account of the fact
that those two countries applied quantitative restrictions
on imports from third countries for the products in
question; whereas, since then, the Portuguese authorities
have decided, in the framework of economic policy
measures, to abolish all import restrictions still in force in
the fruit and vegetables sector; whereas those notification
provisions should accordingly be extended to include
imports into Portugal of dessert apples from third
countries; whereas their application in Spain as and from
1 January 1990, the date on which quantitative
restrictions will no longer apply in accordance with
Article 144 of the Act of Accession, should be provided
for;

Whereas this opportunity should be taken delete the
reference to the NIMEXE code for the description of the

products as it is no longer warranted since the entry into
force of the new tariff description for products introduced
by Council Regulation (EEC) No 3910/87 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 886/87 is hereby amended as
follows:

1. The first subparagraph of Article 1 is replaced by the
following:

'Member States shall notify to the Commission by
country of origin the quantities and values of dessert
apples covered by CN codes 0808 10 91, 0808 10 93
and 0808 10 99 which have been released for free
circulation.'

2. Article 2 (2) is replaced by the following:

'2. The provisions of this Regulation shall not apply
to Spain until 31 December 1989.'

Article 2

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

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 85, 28. 3. 1987, p. 16.

⁽⁴⁾ OJ No L 80, 23. 3. 1989, p. 40.

⁽⁵⁾ OJ No L 370, 30. 12. 1987, p. 33.

COMMISSION REGULATION (EEC) No 1518/89
of 31 May 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 1069/89 ⁽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 1466/89 ⁽³⁾, as last amended by Regulation (EEC) No 1441/89 ⁽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 1 June 1989.

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

Done at Brussels, 31 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 144, 27. 5. 1989, p. 45.

ANNEX

to the Commission Regulation of 31 May 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	32,94 ⁽¹⁾
1701 11 90	32,94 ⁽¹⁾
1701 12 10	32,94 ⁽¹⁾
1701 12 90	32,94 ⁽¹⁾
1701 91 00	36,17
1701 99 10	36,17
1701 99 90	36,17 ⁽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 1519/89**of 31 May 1989****fixing the maximum export refund for white sugar for the fifth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89**

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 1069/89⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 999/89 of 17 April 1989 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 1381/89⁽⁴⁾; requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 999/89, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the fifth partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 34,240 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 107, 19. 4. 1989, p. 6.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

COMMISSION REGULATION (EEC) No 1520/89**of 31 May 1989****amending for the fifth time Regulation (EEC) No 2310/88 fixing countervailing charges on seeds**

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 2358/71 of 26 October 1971 on the common organization of the market in seeds⁽¹⁾, as last amended by Regulation (EEC) No 1239/89⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Commission Regulation (EEC) No 2310/88⁽³⁾, as last amended by Regulation (EEC) No 1098/89⁽⁴⁾, fixed countervailing charges on seeds in respect of a certain type of hybrid maize and sorghum for sowing;

Whereas, since that time, a significant variation has been recorded in the free-at-frontier offer prices which, under the terms of Article 4 (2) of Commission Regulation

(EEC) No 1665/72⁽⁵⁾, as amended by Regulation (EEC) No 2811/86⁽⁶⁾, requires that these charges be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2310/88 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1989.

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

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 35.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 77.

⁽⁴⁾ OJ No L 116, 28. 4. 1989, p. 21.

⁽⁵⁾ OJ No L 175, 2. 8. 1972, p. 49.

⁽⁶⁾ OJ No L 260, 12. 9. 1986, p. 8.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)		
CN code	Amount of countervailing charge ⁽¹⁾	Country of origin ⁽²⁾
1005 10 11	2,9	512
	9,3	048
	13,8	404
	14,5	064
	41,4	400
	41,4	1
1005 10 13	16,7	062
	21,0	068
	26,2	064
	35,5	066
	35,5	2
1005 10 15	14,1	404
	24,1	048
	38,0	066
	107,4	390
	107,4	3

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value. In the case of Spain and Portugal it may not exceed the rate obtained by alignment on the CCT in accordance with the timetable specified in the Act of Accession.

⁽²⁾ Origin identification :

- 1 Other countries with the exception of Romania and Austria
- 2 Other countries with the exception of Canada, Chile, Japan, Austria, Argentina, the United States and Yugoslavia
- 3 Other countries with the exception of Bulgaria, Austria, Hungary, the United States, Chile and Argentina
- 048 Yugoslavia
- 062 Czechoslovakia
- 064 Hungary
- 066 Romania
- 068 Bulgaria
- 390 South Africa
- 400 the United States
- 404 Canada
- 512 Chile.