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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1521/89

of 1 June 1989

amending Regulations (EEC) No 2240/88 and (EEC) No 2285/88 in respect of the rules for applying the intervention threshold for lemons

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular Article 16b (3) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2240/88 of 19 July 1988 fixing, for peaches, lemons and oranges, the rules for applying Article 16b of Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables⁽³⁾ establishes an intervention threshold for lemons for the Community as constituted on 31 December 1985;

Whereas the said Regulation lays down that if, during a given marketing year, the quantities of lemons bought in exceed the threshold laid down, the basic price and the buying-in price for the following marketing year are to be reduced; whereas Article 16b (4) of Regulation (EEC) No 1035/72 lays down that the Commission is to establish, in good time before the beginning of the period laid down for withdrawals, whether the threshold has been exceeded;

Whereas the basic and buying-in prices for lemons apply from 1 June to 31 May; whereas withdrawals may be made throughout that period;

Whereas it is necessary to have sufficient time to establish whether the intervention threshold for lemons has been exceeded and to draw the consequences thereof for the basic and buying-in prices applicable during the following marketing year; whereas, pursuant to the first subparagraph of Article 16b (1) of Regulation (EEC) No 1035/72, any overrun of the threshold should consequently be established over a period of 12 consecutive months overlapping with the marketing year;

Whereas Council Regulation (EEC) No 2285/88 of 19 July 1988 fixing an intervention threshold for the 1988/89 marketing year for lemons in Spain⁽⁴⁾ follows the criteria applied to the Community of Ten for the purposes of determining the consequences of any overrun of the threshold; whereas, therefore, that Regulation should also be amended along the same lines,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 2240/88 is hereby amended as follows:

1. the existing text becomes paragraph 1;
2. the following paragraph is added:
'2. However, for lemons, any overrun of the intervention threshold shall be established, for a given marketing year, on the basis of the quantities bought in during a consecutive 12 month period overlapping with the marketing year.'

Article 2

Article 2 of Regulation (EEC) No 2285/88 is replaced by the following:

Article 2

Should the quantities of lemons offered for intervention in Spain during a consecutive 12 month period exceed the threshold laid down in Article 1, the institutional prices applying in Spain for the 1989/90 marketing year shall be reduced by 1 % for each 4 300 tonnes by which that threshold is exceeded.'

Article 3

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 9.

⁽⁴⁾ OJ No L 201, 27. 7. 1988, p. 1.

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

Done at Luxembourg, 1 June 1989.

For the Council

The President

J. GARCIA VARGAS

COUNCIL REGULATION (EEC) No 1522/89**of 30 May 1989****temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas in certain cases it is in the interest of the Community to suspend the autonomous Common Customs Tariff duties only partially, particularly since the goods in question are produced in the Community and in the other cases to suspend them totally;

Whereas, in view of the difficulty of assessing accurately short-term trends in the economic situation in the

relevant sectors, suspension measures should be taken only temporarily by fixing their period of validity by reference to the interests of Community production,

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties for the products listed in the Annex hereto shall be suspended at the level indicated against each of them.

These suspensions shall be valid:

- from 1 July to 31 December 1989 for the products listed in Table I of the Annex,
- from 1 July 1989 to 30 June 1990 for the products listed in Table II of the Annex.

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 May 1989.

For the Council

The President

C. ROMERO HERRERA

ANNEX

TABLE I

CN code	Description of goods	Autonomous duties (%)
ex 0302 21 10 ex 0303 31 10	Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>), fresh, chilled or frozen for processing (a)(b)	0
ex 0302 65 10 ex 0303 75 10 ex 0304 10 99 ex 0304 90 99	Piked dogfish (<i>Squalus acanthias</i>), fresh, chilled or frozen	6
ex 0302 69 95 ex 0303 79 99	Red Snapper (<i>Lutjanus Purpureus</i>), fresh chilled or frozen	0
ex 0713 33 90	Beans, white, dried, of the species <i>Phaseolus vulgaris</i> , of which not more than 2 % by weight are retained by a screen with apertures of 8 mm in diameter, for use in the food-canning industry (a)	0
ex 1212 20 00	Seaweeds and other algae, for the processing industry, other than for the production of animal fodder (a)	0

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

(b) The suspension shall apply to fish intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations:

- cleaning, gutting, tailing, heading,
- cutting (excluding, filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (or operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.

TABLE II

CN code	Description of goods	Autonomous duties (%)
ex 0302 69 95	Lump fish (<i>Cyclopterus lumpus</i>) with roe, fresh or chilled, for processing (a)	0
ex 0302 69 95 ex 0303 79 99	Sturgeons, fresh, chilled or frozen, for processing (a)(b)	0
ex 0302 70 00 ex 0303 80 00	Hard fish roes, fresh, chilled or frozen	0
ex 0303 10 00 ex 0303 22 00	Salmon, frozen and headless, for the processing industry for manufacture into pastes or spreads (a)	0
ex 0303 80 00	Soft roes, frozen, for the manufacture of deoxyribonucleic acid (a)	0
ex 0305 20 00	Hard fish roes, salted or in brine	0
ex 0306 19 90 ex 0306 29 90	Krill for processing (a)	0
ex 0711 90 50	Mushrooms, excluding cultivated mushrooms within the meaning of CN code 0709 51 10, in salted or sulphur water, or to which other substances ensuring their temporary preservation have been added, but not specially prepared for immediate consumption	3
ex 0712 30 00	Mushrooms, excluding cultivated mushrooms within the meaning of CN code 0709 51 10, dried, whole or in identifiable slices or pieces, for treatment other than simple repacking for retail sale (a)(c)	3
ex 0804 10 00	Dates, fresh or dried, for the processing industry, other than for the production of alcohol (a)	0

CN code	Description of goods	Autonomous duties (%)
ex 0804 10 00	Dates, fresh or dried, for packing for retail sale into immediate packings of a net capacity not exceeding 11 kg (a)	0
ex 0810 40 50	Fruit of the species <i>Vaccinium macrocarpon</i> , fresh	0
ex 0810 90 90	Rose-hips, fresh	0
0811 90 50	Fruit of the genus <i>Vaccinium</i> , whether or not cooked, frozen, not containing added sugar or other sweetening matter	0
0811 90 70		
ex 0811 90 90		
ex 0811 90 90	Rose-hips, whether or not cooked, frozen, not containing added sugar or other sweetening matter	0
ex 0811 90 90	Dates, frozen, in immediate packings of a net capacity of 5 kg or more, not intended for the production of alcohol (a)	0
ex 1507 90 10	Purified soya-bean oil in glass bottles. Each bottle holds 10 litres of purified soya-bean oil containing by weight : — a minimum of 8,5 % and a maximum of 12 % of palmitic acid esters, — a minimum of 2,5 % and a maximum of 4,7 % of stearic acid esters, — a minimum of 22,4 % and a maximum of 29 % of oleic acid esters, — a minimum of 46,6 % and a maximum of 53,7 % of linoleic acid esters, — a minimum of 7,4 % and a maximum of 11 % of linolenic acid esters and containing : — not more than 5 millimoles of free fatty acid per kilogram of oil, — phospholipids corresponding to a nitrogen content not exceeding 0,04 mg per gram of oil, The soya-bean oil covered by this description is destined for the preparation of emulsions for injections (a)	8 maximum ECU 125/100 kilograms net plus a compensatory amount in certain conditions
ex 1604 11 00	Salmon for the processing industry for manufacture into pastes or spreads (a)	0
ex 1604 20 10		
ex 1604 30 90	Hard fish roes, washed, cleaned of adherent organs and simply salted or in brine	0
ex 1605 10 00	Crabs of the species 'King' (<i>Paralithodes camebaticus</i>) 'Hanasaki' (<i>Paralithodes brevipes</i>), 'Kegani' (<i>Erimacrus isenbecki</i>) 'Queen' and 'Snow' (<i>Chionoecetes spp.</i>), 'Red' (<i>Geryon quinquedens</i>), 'Rough stone' (<i>Neolithodes asperrimus</i>), <i>Lithodes antarctica</i> , 'Mud' (<i>Scylla serrata</i>), 'Blue' (<i>Portunus spp.</i>), simply boiled in water and shelled, whether or not frozen, in immediate packings of a net capacity of 2 kg or more	0
ex 1605 30 00	Lobster flesh, cooked, for the processing industry for the manufacture of butters based on lobster, or of pastes, pâtés, soups or sauces (a) (c)	10
2309 90 10	Fish or marine mammal solubles	0

(a) Checks on their use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The suspension shall apply to fish intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations :

- cleaning, gutting, tailing, heading,
- cutting (excluding, filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The suspension is not allowed for products intended, in addition, to undergo treatment (or operations) qualifying for suspension where such treatment (for operations) is (are) carried out at retail or catering level. The suspension of customs duties shall apply only to fish intended for human consumption.

(c) However, the suspension is not allowed where the treatment is carried out by retail sale or catering undertakings.

COMMISSION REGULATION (EEC) No 1523/89

of 1 June 1989

fixing the consequences to the basic and buying-in prices for the 1989/90 marketing year of an overrun in the intervention threshold for lemons in Spain for the 1988/89 marketing year

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 2285/88 of 19 July 1988 fixing an intervention threshold for the 1988/89 marketing year for lemons in Spain⁽¹⁾, as amended by Regulation (EEC) No 1521/89⁽²⁾ and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3139/88⁽³⁾ set the intervention threshold for the 1988/89 marketing year for lemons in Spain at 69 590 tonnes;

Whereas Article 2 of Regulation (EEC) No 2285/88 provides that if the quantities of lemons offered for intervention in Spain over a period of 12 consecutive months exceeds the threshold fixed for the 1988/89 marketing year institutional prices applicable in Spain for the 1989/90 marketing year are to be reduced by 1 % for every 4 300 tonnes by which the threshold is exceeded;

Whereas the institutional prices for lemons for the 1989/90 marketing year enter into force on 1 June 1989; whereas it is consequently necessary to refer to the period of 12 consecutive months from 1 March 1988 to 28 February 1989; whereas Spain has indicated that 97 911 tonnes of lemons were brought in by intervention during that period; whereas an overrun of 28 321 tonnes of the intervention threshold set for the 1988/89 marketing year has been recorded by the Commission;

Whereas the institutional prices applicable in Spain for the 1989/90 marketing year must consequently be reduced by 6 %;

Whereas institutional prices for lemons applicable in Spain for the period 1 January to 31 May 1990 will be set at a later date by the Council, as provided for in Article 148 (1) of the Act of Accession; whereas this Regulation accordingly covers only institutional prices applicable from 1 June to 31 December 1989;

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

An overrun of the intervention threshold fixed for the 1988/89 marketing year for lemons in Spain is hereby recorded based on intervention carried out during the period 1 March 1988 to 28 February 1989.

Article 2

The institutional prices applicable in Spain for lemons as provided for in Article 135 of the Act of Accession shall for the period 1 June to 31 December 1989 be reduced by 6 %.

Article 3

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

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

Done at Brussels, 1 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 201, 27. 7. 1988, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 280, 13. 10. 1988, p. 15.