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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2634/89

of 31 August 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 1834/89 ⁽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 1915/89 ⁽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 August 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 1915/89 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 September 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 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 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 31 August 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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	34,31	137,11
0712 90 19	34,31	137,11
1001 10 10	17,45	152,66 ⁽¹⁾ ⁽²⁾
1001 10 90	17,45	152,66 ⁽¹⁾ ⁽²⁾
1001 90 91	16,30	106,25
1001 90 99	16,30	106,25
1002 00 00	44,06	113,59 ⁽³⁾
1003 00 10	34,73	106,93
1003 00 90	34,73	106,93
1004 00 10	26,13	100,83
1004 00 90	26,13	100,83
1005 10 90	34,31	137,11 ⁽³⁾ ⁽⁴⁾
1005 90 00	34,31	137,11 ⁽³⁾ ⁽⁴⁾
1007 00 90	52,35	140,60 ⁽⁵⁾
1008 10 00	34,73	0,00
1008 20 00	34,73	51,11 ⁽⁶⁾
1008 30 00	34,73	0,00 ⁽⁷⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	34,73	0,00
1101 00 00	36,12	162,05
1102 10 00	74,98	172,32
1103 11 10	41,47	251,05
1103 11 90	38,70	174,70

⁽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 2635/89

of 31 August 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 1834/89⁽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 1916/89⁽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 August 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 September 1989.

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

Done at Brussels, 31 August 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 180, 27. 6. 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 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 31 August 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 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	0,54	0,54	0
0712 90 19	0	0,54	0,54	0
1001 10 10	0	0,83	0,83	2,50
1001 10 90	0	0,83	0,83	2,50
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0,54	0,54	0
1005 90 00	0	0,54	0,54	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	22,91	22,91	22,91
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2636/89

of 31 August 1989

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 28 and 29 August 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 1 September 1989.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 2637/89
of 31 August 1989
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling under CCT No ex 40.06 BI and II⁽³⁾, as amended by Regulation (EEC) No 1546/87⁽⁴⁾, and in particular Article 8 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1989/90 marketing year by Commission Regulation (EEC) No 2120/89⁽⁵⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Regulation (EEC) No 1613/71 of the Commission of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁶⁾, as last amended by Regulation (EEC) No 2325/88⁽⁷⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances

on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76⁽⁸⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Regulation No 467/67/EEC of the Commission of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁹⁾, as last amended by Regulation (EEC) No 2325/88, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 203, 15. 7. 1989, p. 17.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 202, 27. 7. 1988, p. 41.

⁽⁸⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁹⁾ OJ No 204, 24. 8. 1967, p. 1.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them must, pursuant to Council Regulation (EEC) No 486/85⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas the levy must be further reduced in the case of semi-milled and wholly milled rice; whereas the charging of this levy is subject to conditions, some of which are set out in Articles 10 and 11 of Regulation (EEC) No 486/85 and in Commission Regulation (EEC) No 551/85⁽³⁾, as last amended by Regulation (EEC) No 171/88⁽⁴⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁵⁾, as last amended by Commission Regulation (EEC) No 3296/88⁽⁶⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation (EEC) No 1613/71 and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas Council Regulation (EEC) No 3877/86⁽⁷⁾ defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may

not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least ECU 1,21 per tonne in the amount of the levy in force;

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 Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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 it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(¹) OJ No L 61, 1. 3. 1985, p. 4.
 (²) OJ No L 103, 15. 4. 1989, p. 1.
 (³) OJ No L 63, 2. 3. 1985, p. 10.
 (⁴) OJ No L 18, 22. 1. 1988, p. 56.
 (⁵) OJ No L 367, 31. 12. 1985, p. 7.
 (⁶) OJ No L 293, 27. 10. 1988, p. 7.
 (⁷) OJ No L 361, 20. 12. 1986, p. 1.

(⁸) OJ No L 164, 24. 6. 1985, p. 1.
 (⁹) OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1989 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾)(⁽²⁾)(⁽³⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	134,89	276,98
1006 10 23	—	175,01	113,07	233,34
1006 10 25	—	175,01	113,07	233,34
1006 10 27	—	175,01	113,07	233,34
1006 10 92	—	—	134,89	276,98
1006 10 94	—	175,01	113,07	233,34
1006 10 96	—	175,01	113,07	233,34
1006 10 98	—	175,01	113,07	233,34
1006 20 11	—	—	169,51	346,23
1006 20 13	—	218,75	142,23	291,67
1006 20 15	—	218,75	142,23	291,67
1006 20 17	—	218,75	142,23	291,67
1006 20 92	—	—	169,51	346,23
1006 20 94	—	218,75	142,23	291,67
1006 20 96	—	218,75	142,23	291,67
1006 20 98	—	218,75	142,23	291,67
1006 30 21	13,05	—	220,58	465,02
1006 30 23	12,97	369,81	234,65	493,08
1006 30 25	12,97	369,81	234,65	493,08
1006 30 27	12,97	369,81	234,65	493,08
1006 30 42	13,05	—	220,58	465,02
1006 30 44	12,97	369,81	234,65	493,08
1006 30 46	12,97	369,81	234,65	493,08
1006 30 48	12,97	369,81	234,65	493,08
1006 30 61	13,90	—	235,27	495,25
1006 30 63	13,90	396,44	251,94	528,59
1006 30 65	13,90	396,44	251,94	528,59
1006 30 67	13,90	396,44	251,94	528,59
1006 30 92	13,90	—	235,27	495,25
1006 30 94	13,90	396,44	251,94	528,59
1006 30 96	13,90	396,44	251,94	528,59
1006 30 98	13,90	396,44	251,94	528,59
1006 40 00	0	—	50,98	107,96

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

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

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

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

COMMISSION REGULATION (EEC) No 2638/89

of 31 August 1989

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular Article 13 (6) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of Commission Regulation (EEC) No 891/89 of 5 April 1989 on special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾, as last amended by Regulation (EEC) No 990/89⁽⁴⁾;

Whereas Council Regulation (EEC) No 1428/76⁽⁵⁾ lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁶⁾, as last amended by Regulation (EEC) No 2325/88⁽⁷⁾; whereas the cif forward delivery price is also determined in accordance with Article

16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during the month in which importation is expected to take place; whereas in the case of imports to be effected during the remaining months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be ECU 0 if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding ECU 0,30 per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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 Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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 applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than ECU 0,30,

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 106, 18. 4. 1989, p. 26.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁷⁾ OJ No L 202, 27. 7. 1988, p. 41.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 9	1st period 10	2nd period 11	3rd period 12
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

**COMMISSION REGULATION (EEC) No 2639/89
of 31 August 1989**

adjusting the agricultural conversion rates for the pigmeat sector in Italy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽²⁾, as last amended by Regulation (EEC) No 1889/87⁽³⁾, lays down that the agricultural

conversion rates of a Member State should be adjusted so as to avoid the creation of new monetary compensatory amounts;

Whereas the movement of the market rate for the Italian Lira during the reference period 23 to 29 August 1989 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁴⁾, as last amended by Regulation (EEC) No 2568/89⁽⁵⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁶⁾, as last amended by Regulation (EEC) No 3521/88⁽⁷⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Italy effective from 1 September 1989; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex VIII to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following:

Products	Agricultural conversion rates			
	ECU 1 = Lit	Applicable until	ECU 1 = Lit	Applicable from
Pigmeat	1 702,70	31 August 1989	1 702,65	1 September 1989 ⁸

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 249, 25. 8. 1989, p. 8.

⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁷⁾ OJ No L 307, 12. 11. 1988, p. 28.

COMMISSION REGULATION (EEC) No 2640/89

of 31 August 1989

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 1834/89⁽²⁾, and in particular 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 1806/89⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Regulation (EEC) No 2746/75 of the Council⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68⁽⁹⁾, as amended by Regulation (EEC) No 2764/71⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas Commission Regulation (EEC) No 2806/71⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

Whereas, if the refund 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 rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾,
- 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 rela-

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 31 August 1989 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	113,83	1104 22 10 900	—
1102 20 10 300	97,57	1104 22 30 100	102,56
1102 20 10 900	—	1104 22 30 900	—
1102 20 90 100	97,57	1104 22 50 000	—
1102 20 90 900	—	1104 23 10 100	121,97
1102 30 00 000	—	1104 23 10 300	93,51
1102 90 10 100	88,76	1104 23 10 900	—
1102 90 10 900	60,35	1104 29 10 100	—
1102 90 30 100	108,59	1104 29 10 900	—
1102 90 30 900	—	1104 29 91 000	67,67
1103 12 00 100	108,59	1104 29 95 000	67,67
1103 12 00 900	—	1104 30 10 000	11,25
1103 13 11 100	146,36	1104 30 90 000	20,33
1103 13 11 300	113,83	1107 10 11 000	80,06
1103 13 11 500	97,57	1107 10 91 000	105,32
1103 13 11 900	—	1108 11 00 100	86,96
1103 13 19 100	146,36	1108 11 00 900	—
1103 13 19 300	113,83	1108 12 00 100	130,10
1103 13 19 500	97,57	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	130,10
1103 13 90 100	97,57	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	67,67	1108 19 10 100	131,48
1103 19 30 100	91,71	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	45,88	1108 19 90 900	—
1103 29 20 000	60,35	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	82,94	1702 30 51 000	169,94
1104 11 90 100	88,76	1702 30 59 000	130,10
1104 11 90 900	—	1702 30 91 000	169,94
1104 12 90 100	120,66	1702 30 99 000	130,10
1104 12 90 300	96,53	1702 40 90 000	130,10
1104 12 90 900	—	1702 90 50 100	169,94
1104 19 10 000	45,88	1702 90 50 900	130,10
1104 19 50 110	130,10	1702 90 75 000	178,07
1104 19 50 130	105,70	1702 90 79 000	123,59
1104 19 50 150	—	2106 90 55 000	130,10
1104 19 50 190	—	2302 10 10 000	14,84
1104 19 50 900	—	2302 10 90 100	14,84
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	88,76	2302 20 10 000	14,84
1104 21 10 900	—	2302 20 90 100	14,84
1104 21 30 100	88,76	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	14,84
1104 21 50 100	118,34	2302 30 90 000	14,84
1104 21 50 300	94,67	2302 40 10 000	14,84
1104 21 50 900	—	2302 40 90 000	14,84
1104 22 10 100	96,53	2303 10 11 100	65,05
		2303 10 11 900	—

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 2641/89

of 31 August 1989

fixing the export refunds on cereal-based compound feedingstuffs

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 1834/89⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of 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⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Regulation (EEC) No 2743/75 of the Council of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as last amended by Regulation (EEC) No 944/87⁽⁵⁾, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 296/88⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 30, 2. 2. 1988, p. 9.

Whereas, if the refund 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 rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas the refund must be fixed once a month ;
whereas it may be altered in the intervening period ;

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 Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 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 August 1989 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	4,47
	09	—
2309 10 11 190	01	2,64
	09	—
2309 10 11 210	01	8,94
	09	—
2309 10 11 290	01	5,28
	09	—
2309 10 11 310	01	17,89
	09	—
2309 10 11 390	01	10,56
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	4,47
	09	—
2309 10 13 190	01	2,64
	09	—
2309 10 13 210	01	8,94
	09	—
2309 10 13 290	01	5,28
	09	—
2309 10 13 310	01	17,89
	09	—
2309 10 13 390	01	10,56
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	4,47
	09	—
2309 10 31 190	01	2,64
	09	—
2309 10 31 210	01	8,94
	09	—
2309 10 31 290	01	5,28
	09	—
2309 10 31 310	01	17,89
	09	—
2309 10 31 390	01	10,56
	09	—
2309 10 31 410	01	26,83
	09	—
2309 10 31 490	01	15,84
	09	—
2309 10 31 510	01	35,78
	09	—

(ECU / tonne)		
Product code	Destination (°)	Amount of refund
2309 10 31 590	01	21,11
	09	—
2309 10 31 610	01	44,72
	09	—
2309 10 31 690	01	26,39
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	4,47
	09	—
2309 10 33 190	01	2,64
	09	—
2309 10 33 210	01	8,94
	09	—
2309 10 33 290	01	5,28
	09	—
2309 10 33 310	01	17,89
	09	—
2309 10 33 390	01	10,56
	09	—
2309 10 33 410	01	26,83
	09	—
2309 10 33 490	01	15,84
	09	—
2309 10 33 510	01	35,78
	09	—
2309 10 33 590	01	21,11
	09	—
2309 10 33 610	01	44,72
	09	—
2309 10 33 690	01	26,39
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	4,47
	09	—
2309 10 51 190	01	2,64
	09	—
2309 10 51 210	01	8,94
	09	—
2309 10 51 290	01	5,28
	09	—
2309 10 51 310	01	17,89
	09	—
2309 10 51 390	01	10,56
	09	—
2309 10 51 410	01	26,83
	09	—
2309 10 51 490	01	15,84
	09	—
2309 10 51 510	01	35,78
	09	—
2309 10 51 590	01	21,11
	09	—
2309 10 51 610	01	44,72
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 51 690	01	26,39
	09	—
2309 10 51 710	01	53,66
	09	—
2309 10 51 790	01	31,67
	09	—
2309 10 51 810	01	58,54
	09	—
2309 10 51 890	01	34,55
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	4,47
	09	—
2309 10 53 190	01	2,64
	09	—
2309 10 53 210	01	8,94
	09	—
2309 10 53 290	01	5,28
	09	—
2309 10 53 310	01	17,89
	09	—
2309 10 53 390	01	10,56
	09	—
2309 10 53 410	01	26,83
	09	—
2309 10 53 490	01	15,84
	09	—
2309 10 53 510	01	35,78
	09	—
2309 10 53 590	01	21,11
	09	—
2309 10 53 610	01	44,72
	09	—
2309 10 53 690	01	26,39
	09	—
2309 10 53 710	01	53,66
	09	—
2309 10 53 790	01	31,67
	09	—
2309 10 53 810	01	58,54
	09	—
2309 10 53 890	01	34,55
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	4,47
	09	—

(ECU / tonne)		
Product code	Destination (°)	Amount of refund
2309 90 31 190	01	2,64
	09	—
2309 90 31 210	01	8,94
	09	—
2309 90 31 290	01	5,28
	09	—
2309 90 31 310	01	17,89
	09	—
2309 90 31 390	01	10,56
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	4,47
	09	—
2309 90 33 190	01	2,64
	09	—
2309 90 33 210	01	8,94
	09	—
2309 90 33 290	01	5,28
	09	—
2309 90 33 310	01	17,89
	09	—
2309 90 33 390	01	10,56
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	4,47
	09	—
2309 90 41 190	01	2,64
	09	—
2309 90 41 210	01	8,94
	09	—
2309 90 41 290	01	5,28
	09	—
2309 90 41 310	01	17,89
	09	—
2309 90 41 390	01	10,56
	09	—
2309 90 41 410	01	26,83
	09	—
2309 90 41 490	01	15,84
	09	—
2309 90 41 510	01	35,78
	09	—
2309 90 41 590	01	21,11
	09	—
2309 90 41 610	01	44,72
	09	—
2309 90 41 690	01	26,39
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	4,47
	09	—
2309 90 43 190	01	2,64
	09	—

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
2309 90 43 210	01	8,94
	09	—
2309 90 43 290	01	5,28
	09	—
2309 90 43 310	01	17,89
	09	—
2309 90 43 390	01	10,56
	09	—
2309 90 43 410	01	26,83
	09	—
2309 90 43 490	01	10,84
	09	—
2309 90 43 510	01	35,78
	09	—
2309 90 43 590	01	21,11
	09	—
2309 90 43 610	01	44,72
	09	—
2309 90 43 690	01	26,39
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	4,47
	09	—
2309 90 51 190	01	2,64
	09	—
2309 90 51 210	01	8,94
	09	—
2309 90 51 290	01	5,28
	09	—
2309 90 51 310	01	17,89
	09	—
2309 90 51 390	01	10,56
	09	—
2309 90 51 410	01	26,83
	09	—
2309 90 51 490	01	15,84
	09	—
2309 90 51 510	01	35,78
	09	—
2309 90 51 590	01	21,11
	09	—
2309 90 51 610	01	44,72
	09	—
2309 90 51 690	01	26,39
	09	—
2309 90 51 710	01	53,66
	09	—
2309 90 51 790	01	31,67
	09	—
2309 90 51 810	01	58,54
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 90 51 890	01	34,55
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	4,47
	09	—
2309 90 53 190	01	2,64
	09	—
2309 90 53 210	01	8,94
	09	—
2309 90 53 290	01	5,28
	09	—
2309 90 53 310	01	17,89
	09	—
2309 90 53 390	01	10,56
	09	—
2309 90 53 410	01	26,83
	09	—
2309 90 53 490	01	15,84
	09	—
2309 90 53 510	01	35,78
	09	—
2309 90 53 590	01	21,11
	09	—
2309 90 53 610	01	44,72
	09	—
2309 90 53 690	01	26,39
	09	—
2309 90 53 710	01	53,66
	09	—
2309 90 53 790	01	31,67
	09	—
2309 90 53 810	01	58,54
	09	—
2309 90 53 890	01	34,55
	09	—
2309 90 53 900	—	—

(1) The destinations are as follows:

01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,

09 Other destinations.

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 2642/89**of 31 August 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 1834/89 ⁽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 180, 27. 6. 1989, p. 1.

⁽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;

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 September 1989.

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,

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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	0,2423	—
1702 20 90	0,2423	—
1702 30 10	—	33,90
1702 40 10	—	33,90
1702 60 10	—	33,90
1702 60 90	0,2423	—
1702 90 30	—	33,90
1702 90 60	0,2423	—
1702 90 71	0,2423	—
1702 90 90	0,2423	—
2106 90 30	—	33,90
2106 90 59	0,2423	—

COMMISSION REGULATION (EEC) No 2643/89

of 31 August 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 September 1989.

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

Done at Brussels, 31 August 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 August 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		15,77
1702 60 10 000		15,77
1702 60 90 000	0,1577	
1702 90 30 000		15,77
1702 90 60 000	0,1577	
1702 90 71 000	0,1577	
1702 90 90 900	0,1577	
2106 90 30 000		15,77
2106 90 59 000	0,1577	

⁽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 2644/89

of 31 August 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 2340/89 ⁽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 15,43 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 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 222, 1. 8. 1989, p. 19.

COMMISSION REGULATION (EEC) No 2645/89**of 31 August 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⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 2639/89⁽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 Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

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⁽⁷⁾ and (EEC) No 1229/89⁽⁸⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 1228/89;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1988/89 and 1989/90

marketing years; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation (EEC) No 2869/87⁽⁹⁾;

Whereas the abatement of the subsidy for colza and tape seed which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89⁽¹⁰⁾;

Whereas the abatement of the subsidy for sunflower seed 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 an abatement of 11,55 ECU per 100 kilograms;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Regulation No 115/67/EEC of the Council of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹¹⁾, as last amended by Regulation (EEC) No 1983/82⁽¹²⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹³⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

⁽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⁾ See page 14 of this Official Journal.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽⁹⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹⁰⁾ OJ No L 254, 31. 8. 1989, p. 9.

⁽¹¹⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹²⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹³⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by ECU 0,242;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent

known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 2215/88⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 1966/89⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 9.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 187, 1. 7. 1989, p. 130.

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽²⁾, as amended by Regulation (EEC) No 1930/88⁽³⁾, provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain;

Whereas Council Regulation (EEC) No 1920/87⁽⁴⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal; whereas the amount of this subsidy should be fixed;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁵⁾, as last amended by Regulation (EEC) No 431/89⁽⁶⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy 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 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 the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ecus and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ecu in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of the subsidy for sunflower will be confirmed or replaced as from 1 September 1989 to take account of the consequences of the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 September 1989.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 170, 2. 7. 1988, p. 3.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ 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 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

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

(amounts per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross aids (ECU):						
— Spain	1,170	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	23,258	23,037	23,350	23,628	23,662	23,945
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,21	54,69	55,43	56,08	56,17	56,96
— Netherlands (Fl)	61,35	60,77	61,59	62,33	62,42	63,27
— BLEU (Bfrs/Lfrs)	1 123,06	1 112,39	1 127,50	1 140,92	1 142,56	1 156,23
— France (FF)	176,78	175,04	177,46	179,61	179,84	182,02
— Denmark (Dkr)	207,70	205,72	208,52	211,00	211,30	213,83
— Ireland (£ Irl)	19,675	19,482	19,751	19,990	20,016	20,256
— United Kingdom (£)	15,502	15,335	15,534	15,694	15,706	15,882
— Italy (Lit)	38 975	38 607	39 117	39 515	39 572	39 813
— Greece (Dr)	3 867,13	3 812,85	3 845,44	3 864,74	3 865,59	3 822,00
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 335,97	3 303,83	3 340,92	3 374,78	3 381,27	3 394,59
(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)	4 705,61	4 662,74	4 662,56	4 693,08	4 691,38	4 689,12

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross aids (ECU):						
— Spain	3,670	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	25,758	25,537	25,850	26,128	26,162	26,445
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	61,11	60,59	61,33	61,99	62,07	62,86
— Netherlands (Fl)	67,95	67,36	68,19	68,92	69,01	69,86
— BLEU (Bfrs/Lfrs)	1 243,77	1 233,10	1 248,22	1 261,64	1 263,28	1 276,95
— France (FF)	196,02	194,28	196,70	198,85	199,08	201,27
— Denmark (Dkr)	230,02	228,05	230,84	233,32	233,63	236,16
— Ireland (£ Irl)	21,817	21,624	21,893	22,132	22,157	22,398
— United Kingdom (£)	17,256	17,089	17,287	17,448	17,459	17,636
— Italy (Lit)	43 158	42 789	43 299	43 697	43 754	43 995
— Greece (Dr)	4 315,60	4 261,32	4 293,91	4 313,20	4 314,05	4 270,47
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 718,21	3 686,07	3 723,16	3 757,02	3 763,51	3 776,83
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	480,01	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	5 185,62	5 142,75	5 142,56	5 173,09	5 171,38	5 169,12

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 9 (1)	1st period 10 (1)	2nd period 11 (1)	3rd period 12 (1)	4th period 1 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,814	20,945	21,253	21,584	21,915
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	49,54	49,85	50,57	51,36	52,14
— Netherlands (Fl)	54,90	55,25	56,06	56,94	57,81
— BLEU (Bfrs/Lfrs)	1 005,04	1 011,37	1 026,24	1 042,22	1 058,21
— France (FF)	157,16	158,19	160,56	163,12	165,67
— Denmark (Dkr)	185,87	187,04	189,79	192,75	195,70
— Ireland (£ Irl)	17,492	17,606	17,870	18,155	18,439
— United Kingdom (£)	13,501	13,600	13,784	13,970	14,205
— Italy (Lit)	34 909	35 128	35 626	36 090	36 644
— Greece (Dr)	3 320,52	3 333,42	3 355,72	3 374,28	3 434,74
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 513,16	3 532,21	3 565,89	3 605,31	3 655,65
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 338,55	6 364,62	6 351,14	6 387,46	6 443,54
— in another Member State (Esc)	6 177,46	6 202,88	6 189,73	6 225,13	6 279,79
3. Compensatory aids:					
— in Spain (Pta)	3 467,28	3 486,34	3 520,02	3 559,44	3 609,78
4. Special aid:					
— in Portugal (Esc)	6 177,46	6 202,88	6 189,73	6 225,13	6 279,79

(1) Subject to the consequences of 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 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
DM	2,077040	2,073550	2,070090	2,066750	2,066750	2,059590
Fl	2,342370	2,338740	2,335110	2,331590	2,331590	2,324460
Bfrs/Lfrs	43,410600	43,386000	43,361200	43,333300	43,333300	43,294800
FF	7,003540	7,003710	7,003750	7,003810	7,003810	7,010170
Dkr	8,067060	8,068130	8,069570	8,072300	8,072300	8,087410
£Irl	0,777414	0,777101	0,777558	0,777832	0,777832	0,781437
£	0,675448	0,677912	0,680442	0,682809	0,682809	0,684375
Lit	1 488,89	1 493,18	1 497,13	1 501,14	1 501,14	1 514,94
Dr	178,64200	180,20600	181,88900	184,00200	184,00200	190,34700
Esc	173,44900	174,04800	174,74500	175,69600	175,69600	178,69300
Pta	129,75500	130,37900	130,97800	131,45100	131,45100	133,10300

COMMISSION REGULATION (EEC) No 2646/89

of 31 August 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 2639/89 ⁽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 1989/90 marketing year were fixed by Regulations (EEC) NO 1228/89 ⁽¹⁰⁾ and (EEC) No 1229/89 ⁽¹¹⁾;

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 ⁽¹²⁾;

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 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89 ⁽¹³⁾;

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 ⁽¹⁴⁾, as last amended by Regulation (EEC) No 1815/84 ⁽¹⁵⁾, 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⁾ See page 14 of this Official Journal.

⁽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 128, 11. 5. 1989, p. 20.

⁽¹¹⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹³⁾ OJ No L 254, 31. 8. 1989, p. 9.

⁽¹⁴⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁵⁾ 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 determined 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.

Article 2

This Regulation shall enter into force on 1 September 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 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

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

(amounts per 100 kilograms)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1. Gross refunds (ECU):						
— Spain	18,000	18,000	—	—	—	—
— Portugal	20,440	20,440	—	—	—	—
— other Member States	17,000	17,000	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	40,67	40,67	—	—	—	—
— Netherlands (Fl)	44,84	44,84	—	—	—	—
— BLEU (Bfrs/Lfrs)	820,88	820,88	—	—	—	—
— France (FF)	126,77	126,77	—	—	—	—
— Denmark (Dkr)	151,81	151,81	—	—	—	—
— Ireland (£ Irl)	14,109	14,109	—	—	—	—
— United Kingdom (£)	10,455	10,455	—	—	—	—
— Italy (Lit)	28 557	28 557	—	—	—	—
— Greece (Dr)	2 477,09	2 448,35	—	—	—	—
— Spain (Pta)	2 920,45	2 920,45	—	—	—	—
— Portugal (Esc)	3 875,78	3 875,78	—	—	—	—

COMMISSION REGULATION (EEC) No 2647/89

of 31 August 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 1935/89⁽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 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89⁽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 Council Regulation (EEC) No 1247/89⁽⁸⁾;

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⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹⁰⁾, 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⁽¹¹⁾ 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⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,
- 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

⁽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 187, 1. 7. 1989, p. 58.

⁽⁷⁾ OJ No L 129, 11. 5. 1989, p. 7.

⁽⁸⁾ OJ No L 129, 11. 5. 1989, p. 9.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

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 1938/89⁽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, 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 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89⁽²⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 187, 1. 7. 1989, p. 68.

⁽²⁾ See page 71 of this Official Journal.

Gross aid

(ECU per 100 kg)

	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
Peas used :							
— in Spain	5,701	5,859	6,017	6,175	6,333	6,491	6,649
— in Portugal	5,743	5,901	6,059	6,217	6,375	6,533	6,691
— in another Member State	6,058	6,216	6,374	6,532	6,690	6,848	7,006
Field beans used :							
— in Spain	6,058	6,216	6,374	6,532	6,690	6,848	7,006
— in Portugal	5,743	5,901	6,059	6,217	6,375	6,533	6,691
— in another Member State	6,058	6,216	6,374	6,532	6,690	6,848	7,006

(ECU per 100 kg)

[illegible]

[illegible]

[illegible]

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	19,70	2,22	0,00	0,00	0,00	0,00	0,00	8,89
— Denmark (Dkr)	0,00	0,00	0,00	3,64	0,41	0,00	0,00	0,00	0,00	0,00	1,64
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,96	0,11	0,00	0,00	0,00	0,00	0,00	0,43
— Greece (Dr)	0,00	0,00	0,00	78,01	8,81	0,00	0,00	0,00	0,00	0,00	35,22
— Spain (Pta)	0,00	0,00	0,00	62,49	7,05	0,00	0,00	0,00	0,00	0,00	28,21
— France (FF)	0,00	0,00	0,00	3,14	0,35	0,00	0,00	0,00	0,00	0,00	1,42
— Ireland (£ Irl)	0,000	0,000	0,000	0,350	0,039	0,000	0,000	0,000	0,000	0,000	0,158
— Italy (Lit)	0	0	0	686	77	0	0	0	0	0	310
— Netherlands (Fl)	0,00	0,00	0,00	1,08	0,12	0,00	0,00	0,00	0,00	0,00	0,49
— Portugal (Esc)	0,00	0,00	0,00	78,35	8,84	0,00	0,00	0,00	0,00	0,00	35,37
— United Kingdom (£)	0,000	0,000	0,000	0,294	0,033	0,000	0,000	0,000	0,000	0,000	0,133

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	175,991	127,880	6,90403	0,768411	1 467,18	2,31943	170,569	0,665221

COMMISSION REGULATION (EEC) No 2648/89

of 31 August 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 2275/89⁽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 2293/89⁽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 218, 28. 7. 1989, p. 1.

⁽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 218, 28. 7. 1989, p. 30.

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 September 1989.

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

Done at Brussels, 31 August 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 August 1989 fixing the rate of the aid for dried fodder

Aid applicable from 1 September 1989 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States		Portugal	Other Member States
Aid	65,869	77,612	79,109		44,612	46,109

Aid in case of advance fixing for the month of :

(ECU/tonne)

October 1989	66,468	78,220	79,708		45,220	46,708
November 1989	66,193	77,941	79,433		44,941	46,433
December 1989	66,099	77,845	79,339		44,845	46,339
January 1990	64,924	76,653	78,164		43,653	45,164
February 1990	64,843	76,570	78,083		43,570	45,083
March 1990	64,843	76,570	78,083		43,570	45,083

COMMISSION REGULATION (EEC) No 2649/89

of 31 August 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 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (CEE) 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,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginning cotton harvested in the Community when the world market price for unginning cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1241/89 ⁽⁴⁾;

Whereas, under the system of maximum guaranteed quantities, the amount of the aid is subject to the reduction provided for in Commission Regulation (EEC) No 2624/89 ⁽⁵⁾ as regards cotton seed;

Whereas the world market price for unginning cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginning cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginning cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton ⁽⁶⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, under Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- 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 aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

⁽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 129, 11. 5. 1989, p. 1.

⁽⁵⁾ OJ No L 254, 31. 8. 1989, p. 8.

⁽⁶⁾ OJ No L 123, 4. 5. 1989, p. 23.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

Article 2

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 40,468 ECU per 100 kilograms.

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2650/89

of 31 August 1989

fixing for September 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 308,42 per tonne of oil for September 1989.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 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 2651/89

of 31 August 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 (EEC) No 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1232/89 ⁽⁴⁾; whereas, pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal, aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas, pursuant to Article of Regulation (EEC) No 2286/88, soya beans produced and processed in Portugal shall be eligible for special aid equal to the difference between the guide price for such beans in Portugal and the price of imported soya beans;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁵⁾, as last amended by Regulation (EEC) No 1231/89 ⁽⁶⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas

account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the identification day; whereas such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans ⁽⁷⁾;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

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 4,590 per 100 kilograms;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁹⁾,
- 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;

⁽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 128, 11. 5. 1989, p. 26.

⁽⁵⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁶⁾ OJ No L 128, 11. 5. 1989, p. 24.

⁽⁷⁾ OJ No L 245, 22. 8. 1989, p. 8.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

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.

2. However, the amount of the subsidy will be confirmed or replaced as from 1 September 1989 to take into account the consequences of the application of the system of maximum guaranteed quantities.

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the aid provided for in Regulation (EEC) No 1491/85 and the amount of the special aid

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to Commission Regulation of 31 August 1989 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	31,108	31,108
— Portugal	20,798	31,108 (*)	31,108
— another Member State	20,798	31,108	31,108
Seed processed in first period			
— Spain	0,000	31,108	31,108
— Portugal	20,798	31,108 (*)	31,108
— another Member State	20,798	31,108	31,108
Seed processed in second period			
— Spain	0,000	31,108	31,108
— Portugal	20,798	31,108 (*)	31,108
— another Member State	20,798	31,108	31,108
Seed processed in third period			
— Spain	0,000	31,108	31,108
— Portugal	20,798	31,108 (*)	31,108
— another Member State	20,798	31,108	31,108
Seed processed in fourth period			
— Spain	0,000	31,108	31,108
— Portugal	20,798	31,108 (*)	31,108
— another Member State	20,798	31,108	31,108
Seed processed in fifth period			
— Spain	0,000	31,108	31,108
— Portugal	20,798	31,108 (*)	31,108
— another Member State	20,798	31,108	31,108
(*) Special aid.			

COMMISSION REGULATION (EEC) No 2652/89

of 31 August 1989

fixing 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 1834/89⁽²⁾,

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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75 of the Commission⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- 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 preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1989 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

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

(*) 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 2653/89

of 31 August 1989

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 1834/89⁽²⁾,

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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation Commission (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- 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 preceding indent, and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1989 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period 3	7th period 4	8th period 5	9th period 6	10th period 7	11th period 8
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2654/89

of 31 August 1989

altering the specific agricultural conversion rates applicable in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾, and in particular Article 2 (4) thereof,Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1889/87 ⁽⁴⁾, and in particular Article 9 (2) thereof,Whereas by Commission Regulation (EEC) No 3294/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 2473/89 ⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 3521/88 ⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Greek drachma, the Spanish peseta, the Italian lira and the pound sterling, recorded in accordance with Regulation (EEC) No 3153/85 during the period 23 to 29 August 1989, requires the specific agricultural conversion rates applicable for Greece, Spain, Italy and the United Kingdom to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 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.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁶⁾ OJ No L 235, 12. 8. 1989, p. 9.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 307, 12. 11. 1988, p. 28.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

ECU 1	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	200,196
	= Pta	145,404
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 668,54
	= Fl	2,63785
	= £	0,756792

COMMISSION REGULATION (EEC) No 2655/89

of 29 August 1989

fixing the export refunds on beef and veal and amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular the first sentence of Article 18 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68⁽³⁾, as last amended by Regulation (EEC) No 427/77⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;Whereas Regulation (EEC) No 32/82⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87⁽⁶⁾, and Regulations (EEC) No 1964/82⁽⁷⁾, as amended by Regulation (EEC) No 3169/87 and (EEC) No 2388/84⁽⁸⁾, as last amended by Regulation (EEC) No 3988/87⁽⁹⁾ lay down the conditions for granting special export refunds for certain cuts of beef/veal and certain preserved beef and veal products;Whereas Regulations (EEC) No 2908/85⁽¹⁰⁾, (EEC) No 142/86⁽¹¹⁾, (EEC) No 1055/87⁽¹²⁾, as amended by Regulation (EEC) No 1416/87⁽¹³⁾ and (EEC) No 3815/87⁽¹⁴⁾, as last amended by Regulation (EEC) No1199/89⁽¹⁵⁾, lay down the conditions applying to the export of certain beef and veal held by certain intervention agencies and intended for export;

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

Whereas the current market situation in the Community and sales outlets, particularly in non-member countries, leads to the granting of export refunds on adult male bovine animals of a live weight of at least 300 kilograms and other bovines of a live weight of 250 kilograms and over; whereas experience gained in recent years has shown that it is advisable to treat live pedigree breeding animals of a weight of at least 250 kilograms for females and 300 kilograms for males in an identical manner to other bovine animals, while subjecting them to certain special administrative formalities;

Whereas it is necessary to grant refunds for the export to certain destinations of certain fresh or chilled meat listed in Annex I under CN code 0201, of certain frozen meat listed in Annex I under CN code 0202, of certain meat offal listed in Annex I under CN code 0206 and of certain other prepared or preserved meat or meat offal listed in Annex I under CN codes 1602 50 10 and 1602 90 61;

Whereas, in view of the wide differences in products falling within CN codes 0201 20 90 700 and 0202 20 90 100 used for refunds, the refund should only be granted for cuts in which the weight of bone does not exceed one-third;

Whereas refunds should also be granted for fresh or frozen boned or boneless pieces, even where each piece is not individually wrapped, and for minced meat, and the wording of the tariff subheading for fresh boned or boneless pieces specified;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to the extent necessary to allow this trade to continue, the refund must be fixed at an amount which will cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and salted and dried meat to certain African, Near and Middle East third countries; whereas account should be taken of this situation and refund should be fixed accordingly;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.⁽⁹⁾ OJ No L 376, 31. 12. 1987, p. 31.⁽¹⁰⁾ OJ No L 279, 19. 10. 1985, p. 18.⁽¹¹⁾ OJ No L 19, 25. 1. 1986, p. 8.⁽¹²⁾ OJ No L 103, 15. 4. 1987, p. 10.⁽¹³⁾ OJ No L 135, 23. 5. 1987, p. 18.⁽¹⁴⁾ OJ No L 357, 19. 12. 1987, p. 24.⁽¹⁵⁾ OJ No L 123, 4. 5. 1989, p. 16.

Whereas, in the case of certain other cuts and preserves of meat or offals shown in Annex I under CN codes 1602 50 90 and 1602 90 69, Community participation in international trade may be ensured by granting a refund which takes account of the refund hitherto granted to exporters;

Whereas, in the case of other beef and veal products, a refund need not be fixed since Community participation in world trade in these products is not significant;

Whereas, if the refund 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 rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽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 Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EEC) No 2440/89⁽⁴⁾, established the agricultural product nomenclature for the purposes of export refunds;

Whereas Commission Regulation (EEC) No 1795/89⁽⁵⁾, repealed Commission Regulation (EEC) No 74/84 of 12 January 1984 laying down the conditions for granting

special export refunds on certain cuts of unboned meat of bovine animals⁽⁶⁾ as last amended by Regulation (EEC) No 3988/87; whereas, consequently, the refund nomenclature should be amended by deleting the product codes mentioned in the said Regulation (EEC) No 74/84 and by renumbering the footnotes relating to sector 6;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 18 of Regulation (EEC) No 805/68 in granted and the amount of that refund shall be as set out in Annex I to this Regulation.

CN codes 0201 20 90, 0201 30, 0202 30 90, 0210 20 90 and 1602 50 90 as well as the footnotes of the agricultural product nomenclature for export refunds, as shown in sector 6 of the Annex to Regulation (EEC) No 3846/87 as amended, are replaced by Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 29 August 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.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 231, 9. 8. 1989, p. 6.

⁽⁵⁾ OJ No L 176, 23. 6. 1989, p. 28.

⁽⁶⁾ OJ No L 10, 13. 1. 1984, p. 32.

ANNEX I

(ECU/100 kg)		
Product code	Destination (*)	Amount of refund (*)
		— Live weight —
0102 10 00 190	01	96,00
0102 10 00 390	01	96,00
0102 90 31 900	02	68,50
	03	55,50
	04	25,50
0102 90 33 900	02	68,50
	03	55,50
	04	25,50
0102 90 35 900	02	86,50
	03	73,00
	04	34,50
0102 90 37 900	02	86,50
	03	73,00
	04	34,50
		— Net weight —
0201 10 10 100	02	73,50
	03	65,00
	04	32,50
0201 10 10 900	02	101,50
	03	88,00
	04	44,00
0201 10 90 110 (*)	02	106,00
	03	85,00
	04	42,50
0201 10 90 190	02	73,50
	03	65,00
	04	32,50
0201 10 90 910 (*)	02	146,50
	03	115,00
	04	57,50
0201 10 90 990	02	101,50
	03	88,00
	04	44,00
0201 20 21 000	02	101,50
	03	88,00
	04	44,00

(ECU/100 kg)		
Product code	Destination (?)	Amount of refund (*)
		— Net weight —
0201 20 29 100 (1)	02	146,50
	03	115,00
	04	57,50
0201 20 29 900	02	101,50
	03	88,00
	04	44,00
0201 20 31 000	02	73,50
	03	65,00
	04	32,50
0201 20 39 100 (1)	02	106,00
	03	85,00
	04	42,50
0201 20 39 900	02	73,50
	03	65,00
	04	32,50
0201 20 51 100	02	129,00
	03	110,50
	04	56,00
0201 20 51 900	02	73,50
	03	65,00
	04	32,50
0201 20 59 110 (1)	02	186,50
	03	146,00
	04	73,00
0201 20 59 190	02	129,00
	03	110,50
	04	56,00
0201 20 59 910 (1)	02	106,00
	03	85,00
	04	42,50
0201 20 59 990	02	73,50
	03	65,00
	04	32,50
0201 20 90 700	02	73,50
	03	65,00
	04	32,50
0201 30 00 050 (4)	05	112,00
0201 30 00 100 (2)	02	266,50
	03	208,50
	04	104,50
	06	266,50
0201 30 00 130	02	144,50
	03	125,00
	04	62,50
	06	144,50
	07	90,00
0201 30 00 190 (6)	02	102,50
	03	84,00
	04	42,00
	06	102,50
	07	90,00

(ECU/100 kg)		
Product code	Destination (*)	Amount of refund (*)
		— Net weight —
0202 10 00 100	02	73,50
	03	65,00
	04	32,50
0202 10 00 900	02	101,50
	03	88,00
	04	44,00
0202 20 10 000	02	101,50
	03	88,00
	04	44,00
0202 20 30 000	02	73,50
	03	65,00
	04	32,50
0202 20 50 100	02	129,00
	03	110,50
	04	56,00
0202 20 50 900	02	73,50
	03	65,00
	04	32,50
0202 20 90 100	02	73,50
	03	65,00
	04	32,50
0202 30 90 100 (*)	05	112,00
0202 30 90 300	02	171,50
	03	163,00
	04	77,50
	06	163,00
0202 30 90 500 (*)	02	102,50
	03	84,00
	04	42,00
	06	102,50
	07	90,00
0202 30 90 900	07	90,00
0206 10 95 000	02	102,50
	03	84,00
	04	42,00
	06	102,50
0206 29 91 000	02	102,50
	03	84,00
	04	42,00
	06	102,50
0210 20 90 100	08	102,50
	09	60,50
0210 20 90 300	02	102,50
0210 20 90 500 (*)	02	102,50
1602 50 10 110	02	108,00
	03	108,00
	04	108,00
1602 50 10 130	02	96,00
	03	96,00
	04	96,00

(ECU/100 kg)

Product code	Destination (*)	Amount of refund (°)
		— Net weight —
1602 50 10 150	02	77,00
	03	77,00
	04	77,00
1602 50 10 170	02	51,00
	03	51,00
	04	51,00
1602 50 90 110	01	116,00 (°)
1602 50 90 190	01	73,00
1602 50 90 310	01	103,00 (°)
1602 50 90 390	01	65,00
1602 50 90 510	01	77,00 (°)
1602 50 90 590	01	48,50
1602 50 90 700	01	32,50
1602 50 90 800	01	16,00
1602 90 61 110	02	51,00
	03	51,00
	04	51,00
1602 90 69 100	01	32,50
1602 90 69 500	01	16,00

(°) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Regulation (EEC) No 32/82.

(°) Entry under this subheading is subject to compliance with the condition laid down in Regulation (EEC) No 1964/82.

(°) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(°) OJ No L 336, 29. 12. 1979, p. 44.

(°) OJ No L 221, 19. 8. 1984, p. 28.

(°) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210, 1. 8. 1986, p. 39).

(°) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central East and South African third countries, except Lebanon, Cyprus, Botswana, Kenya, Madagascar, Swaziland and Zimbabwe.

03 European third countries, the Canary Islands, Ceuta, Melilla, Lebanon, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79 (OJ No L 336, 29. 12. 1979, p. 44).

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and South African third countries, except Botswana, Kenya, Madagascar, Swaziland and Zimbabwe.

09 Switzerland.

(°) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

NB: The countries are those in Commission Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

The product codes and the footnotes are defined in Regulation (EEC) No 3846/87 as amended.

ANNEX II

'CN code	Description	of goods
0201 20 90	-- Other : -- the weight of bone does not exceed one-third of the weight of the cut -- Other, with bone in	0201 20 90 700 0201 20 90 900
0201 30	-- Boneless : -- Boneless cuts exported to the USA under the conditions laid down in Commission Regulation (EEC) No 2973/79 ⁽¹⁾ -- From the hindquarters of male adult bovine animals with a maximum of nine ribs or nine pairs of ribs ⁽²⁾ , each piece individually wrapped -- Other boned cuts excluding thin flanks, shin or shank, and pieces which include, wholly or in part, thin flanks, shin and/or shank, each piece individually wrapped -- Other, including minced meat, with a lean meat content (excluding fat) of 78 % or more ⁽³⁾ -- Other	0201 30 00 050 0201 30 00 100 0201 30 00 130 0201 30 00 190 0201 30 00 900
0202 30 90	-- Other : -- Boned cuts exported to the United States of America, carried out in accordance with Regulation (EEC) No 2973/79 -- Boned cuts exported within the framework of Commission Regulations (EEC) No 2908/85 ⁽⁴⁾ , (EEC) No 142/86 ⁽⁵⁾ , (EEC) No 1055/87 ⁽⁶⁾ and (EEC) No 3815/87 ⁽⁷⁾ -- Other, including minced meat, with a lean meat content (excluding fat) of 78 % or more ⁽⁸⁾ -- Other	0202 30 90 100 0202 30 90 300 0202 30 90 500 0202 30 90 900
0210 20 90	-- Boneless : -- Salted and dried -- Salted, dried and smoked -- In brine ⁽³⁾ -- Other	0210 20 90 100 0210 20 90 300 0210 20 90 500 0210 20 90 900
1602 50 90	-- Other : Containing by weight the following percentages of bovine meats (excluding offal and fat) : -- 90 % or more : -- Products complying with the conditions laid down in Commission Regulation (EEC) No 2388/84 ⁽⁹⁾ -- Other -- 80 % or more, but less than 90 % : -- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 -- Other -- 60 % or more, but less than 80 % : -- Products complying with the conditions laid down in Regulation (EEC) No 2388/84 -- Other -- 40 % or more, but less than 60 % -- 20 % or more, but not less than 40 % -- Less than 20 %	1602 50 90 110 1602 50 90 190 1602 50 90 310 1602 50 90 390 1602 50 90 510 1602 50 90 590 1602 50 90 700 1602 50 90 800 1602 50 90 900

⁽¹⁾ Entry within this subheading is subject to the submission of the certificate appearing in the Annex to Regulation (EEC) No 32/82.

⁽²⁾ Entry within this subheading is subject to compliance with the conditions laid down in Regulation (EEC) No 1964/82.

⁽³⁾ The refund on beef in brine is granted on the net weight of the meat after deduction of the weight of the brine.

⁽⁴⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁵⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁶⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ No L 210, 1. 8. 1986, p. 39.)

⁽⁷⁾ OJ No L 279, 19. 10. 1985, p. 18.

⁽⁸⁾ OJ No L 19, 25. 1. 1986, p. 8.

⁽⁹⁾ OJ No L 103, 15. 4. 1987, p. 10.

⁽¹⁰⁾ OJ No L 357, 19. 12. 1987, p. 24.

NB : Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

COMMISSION REGULATION (EEC) No 2656/89**of 31 August 1989****fixing, for peas, field beans and sweet lupins, the level of estimated production for the 1989/90 marketing year, the level of actual production for the 1988/89 marketing year, and the adjustment to be made to the amount of the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 3a (6) thereof,Whereas Article 24a of 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⁾, specifies the factors which must be fixed in order to implement the system of maximum guaranteed quantities; whereas the level of estimated production for the 1989/90 marketing year, the level of actual production for the 1988/89 marketing year, and the consequent adjustment to be applied to the aid for the 1989/90 marketing year, should be fixed on the basis of the available data;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year, the estimated production of peas, field beans and sweet lupins intended to qualify for aid is hereby fixed at 4 060 000 tonnes.

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

Done at Brussels, 31 August 1989.

Article 2

For the 1988/89 marketing year, the actual production of peas, field beans and sweet lupins intended to qualify for aid is hereby fixed at 4 276 000 tonnes.

Article 3

For the 1989/90 marketing year, the adjustment to be made to the amount of the aid is hereby fixed at:

- ECU 2,62 per 100 kilograms for peas and field beans,
- ECU 2,89 per 100 kilograms for sweet lupins collected in Spain,
- ECU 2,90 per 100 kilograms for sweet lupins collected in the other Member States.

The minimum price of each product is consequently reduced by the same amount as the adjustment, to be made to the amount of the aid.

*Article 4*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽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.

COMMISSION REGULATION (EEC) No 2657/89

of 31 August 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 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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 2658/89

of 31 August 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 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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:	15,77
Raw sugar:	14,50
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):	$15,77 \times \frac{S^{(1)}}{100}$ 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⁾ :	15,77 ⁽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 2659/89

of 31 August 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 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 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 1806/89⁽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 in the absence of evidence that no production refund was granted under Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁷⁾, as last amended by Commission Regulation (EEC) No 1990/89⁽⁸⁾, the export refund should be 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 avoids 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 Regulation (EEC) No 2026/83⁽¹⁰⁾, 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⁽¹¹⁾ 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⁽¹²⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

⁽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 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 190, 5. 7. 1989, p. 13.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 275, 29. 9. 1987, p. 36.

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 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 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 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 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	(ECU/100 kg) Rate of refund
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	12,095 12,217
1001 90 99	Common wheat, and meslin (mixed wheat and rye) : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	4,453 4,498
1002 00 00	Rye	6,767
1003 00 90	Barley	5,917
1004 00 90	Oats	6,033
1005 90 00	Maize, other than hybrid maize for sowing	8,131
1006 20	Round grain husked rice	35,234
	Medium grain husked rice	29,346
	Long grain husked rice	29,346
ex 1006 30	Round grain wholly milled rice	45,463
	Medium grain wholly milled rice	42,530
	Long grain wholly milled rice	42,530
1006 40 00	Broken rice	7,494
1007 00 90	Sorghum	6,466
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	5,074 5,125
1102 10 00	Rye flour	15,906
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	18,747 18,936
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	5,074 5,125

COMMISSION REGULATION (EEC) No 2660/89

of 31 August 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 2626/89 ⁽³⁾,

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2626/89 to the information 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 Regulation (EEC) No 2626/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 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 254, 31. 8. 1989, p. 10.

ANNEX

to the Commission Regulation of 31 August 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	14,50 ⁽¹⁾	
1701 11 90 910	23,57 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	14,50 ⁽¹⁾	
1701 12 90 910	23,57 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,1577
1701 99 10 100	15,77	
1701 99 10 910	25,62	
1701 99 10 950	24,12	
1701 99 90 100		0,1577

⁽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 2661/89
of 31 August 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 1920/89⁽³⁾, as last amended by Regulation (EEC) No 2619/89⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 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 September 1989.

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

Done at Brussels, 31 August 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 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 252, 30. 8. 1989, p. 34.

ANNEX

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

(ECU/100 kg)

CN code	Levy
1701 11 10	27,30 ⁽¹⁾
1701 11 90	27,30 ⁽¹⁾
1701 12 10	27,30 ⁽¹⁾
1701 12 90	27,30 ⁽¹⁾
1701 91 00	23,45
1701 99 10	23,45
1701 99 90	23,45 ⁽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 2662/89

of 31 August 1989

fixing the export refunds 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 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 1834/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 ⁽²⁾,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of 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⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated,

account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC of the Commission ⁽⁴⁾, as amended by Regulation (EEC) No 1607/71 ⁽⁵⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, if the refund 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 rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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 Cereals,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1989 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	06	95,00
	07	95,00
	02	0
1001 10 90 000	01	10,00
1001 90 91 000	08	32,00
	02	0
1001 90 99 000	04	20,00
	05	20,00
	02	10,00
1002 00 00 000	03	20,00
	05	20,00
	02	10,00
1003 00 10 000	09	55,00
	02	0
1003 00 90 000	04	35,00
	02	0
1004 00 10 000	08	55,00
	02	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	40,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	48,00
1101 00 00 120	01	48,00
1101 00 00 130	01	42,00
1101 00 00 150	01	39,00
1101 00 00 170	01	36,00
1101 00 00 180	01	33,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	48,00
1102 10 00 200	01	48,00
1102 10 00 300	01	48,00
1102 10 00 500	01	48,00
1102 10 00 900	—	—
1103 11 10 100	01	155,00
1103 11 10 200	01	147,00
1103 11 10 500	01	131,00
1103 11 10 900	01	123,00
1103 11 90 100	01	48,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II b),
- 06 Turkey,
- 07 Algeria,
- 08 Zone I,
- 09 Zone VI, Zone I.

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 2663/89

of 31 August 1989

fixing the export refunds on 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 1834/89⁽²⁾, and in particular the fourth subpa-
graph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of 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⁾ provides that when refunds
are being fixed account must be taken of the existing
situation and the future trend with regard to prices and
availabilities of cereals on the Community market on the
one hand and prices for cereals and cereal products on
the world market on the other; whereas the same Article
provides that it is also important to ensure equilibrium
and the natural development of prices and trade on cereal
markets and, furthermore, to take into account the
economic aspect of the proposed exports, and the need to
avoid disturbances on the Community market;

Whereas Regulation (EEC) No 2744/75 of the Council of
29 October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as last
amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the
specific criteria to be taken into account when the refund
on these products is being calculated;

Whereas it follows from applying these detailed rules to
the present situation on the market in products processed
from cereals and rice that the export refund should be

fixed at an amount which will cover the difference
between Community prices and world market prices;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary to
vary the refund for certain products according to destina-
tion;

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

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

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regu-
lation (EEC) No 2727/75 subject to Regulation (EEC) No
2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 September
1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1989 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	10,00
1107 10 99 000	50,00
1107 20 00 000	60,00

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 2664/89

of 31 August 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 1882/89⁽²⁾, and in particular Article 14 (4) 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 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation 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⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2613/89⁽⁷⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ amended Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁷⁾ OJ No L 252, 30. 8. 1989, p. 16.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

— 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 over 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 August 1989;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 of the Commission⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 2613/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 September 1989.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 31 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1102 30 00	3,02	114,65	117,67
1102 90 30	53,45	181,37	187,41
1103 12 00	53,45	181,37	187,41
1103 14 00	3,02	114,65	117,67
1103 29 30	53,45	181,37	187,41
1103 29 50	3,02	114,65	117,67
1104 12 10	29,89	102,78	105,80
1104 12 90	58,72	201,52	207,56
1104 19 91	6,04	194,69	200,73
1104 22 10	50,43	181,37	184,39
1104 22 30	50,43	181,37	184,39
1104 22 50	45,16	161,22	164,24
1104 22 90	29,89	102,78	105,80
1108 19 10	30,83	164,40	195,23

CORRIGENDA

Corrigendum to Commission Decision 89/408/EEC of 9 June 1989 relating to a proceeding under Article 85 of the EEC Treaty (IV/27.958 — National Sulphuric Acid Association)

(Official Journal of the European Communities No L 190 of 5 July 1989)

On page 24 in Article 1:

for: '... 31 December 1989'.

read: '... 31 December 1998'.

In the second indent of Article 3:

for: 'Allright & Wilson Ltd,'

read: 'Albright & Wilson Ltd'.
