

Official Journal

of the European Communities

ISSN 0378-6978

L 281

Volume 32

30 September 1989

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EEC) No 2922/89 of 29 September 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2923/89 of 29 September 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2924/89 of 29 September 1989 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 2925/89 of 29 September 1989 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 2926/89 of 29 September 1989 fixing the import levies on syrups and certain other products in the sugar sector	9
Commission Regulation (EEC) No 2927/89 of 29 September 1989 fixing the export refunds on syrups and certain other sugar products exported in the natural state	11
Commission Regulation (EEC) No 2928/89 of 29 September 1989 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries	14
Commission Regulation (EEC) No 2929/89 of 29 September 1989 fixing the production refund for white sugar used in the chemical industry	15
Commission Regulation (EEC) No 2930/89 of 29 September 1989 fixing the export refunds on products processed from cereals and rice	17
Commission Regulation (EEC) No 2931/89 of 29 September 1989 fixing the export refunds on cereal-based compound feedingstuffs	20
Commission Regulation (EEC) No 2932/89 of 29 September 1989 fixing production refunds in the cereals and rice sectors	28

Price : ECU 14,00

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EEC) No 2933/89 of 29 September 1989 fixing the export refunds on malt	29
Commission Regulation (EEC) No 2934/89 of 29 September 1989 fixing the corrective amount applicable to the refund on rice and broken rice	31
Commission Regulation (EEC) No 2935/89 of 29 September 1989 fixing the aid for soya beans	34
Commission Regulation (EEC) No 2936/89 of 29 September 1989 fixing the refunds applicable for October 1989 to cereal and rice sector products supplied as Community and national food aid	37
Commission Regulation (EEC) No 2937/89 of 29 September 1989 fixing the export refunds on olive oil	39
Commission Regulation (EEC) No 2938/89 of 29 September 1989 fixing the export refunds on oil seeds	41
Commission Regulation (EEC) No 2939/89 of 29 September 1989 fixing the rate of the aid for dried fodder	44
Commission Regulation (EEC) No 2940/89 of 29 September 1989 fixing for October 1989 the levy applicable in Spain to products subject to the price control system	47
Commission Regulation (EEC) No 2941/89 of 29 September 1989 fixing the amount of aid for peas, field beans and sweet lupins	48
Commission Regulation (EEC) No 2942/89 of 29 September 1989 fixing the maximum export refunds on olive oil for the 19th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88	55
Commission Regulation (EEC) No 2943/89 of 29 September 1989 fixing the corrective amount applicable to the refund on malt	57
Commission Regulation (EEC) No 2944/89 of 29 September 1989 fixing the amount of the subsidy on oil seeds	59
Commission Regulation (EEC) No 2945/89 of 29 September 1989 amending Regulation (EEC) No 2406/89 authorizing certain intervention agencies to put up for sale by tender 530 000 tonnes of durum wheat for export in the form of meal	65
Commission Regulation (EEC) No 2946/89 of 29 September 1989 on the supply of refined sunflower oil as food aid to the United Nations Relief and Works Agency for Palestinian refugees in the Near East (UNRWA)	66
Commission Regulation (EEC) No 2947/89 of 29 September 1989 on the supply of various lots of butteroil as food aid	70
Commission Regulation (EEC) No 2948/89 of 29 September 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	74
Commission Regulation (EEC) No 2949/89 of 29 September 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	76
Commission Regulation (EEC) No 2950/89 of 29 September 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	78
Commission Regulation (EEC) No 2951/89 of 29 September 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	80
Commission Regulation (EEC) No 2952/89 of 29 September 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	83

(Continued on inside back cover)

★ Commission Regulation (EEC) No 2953/89 of 29 September 1989 derogating from Regulation (EEC) No 1700/84 laying down special detailed rules for the application of the system of certificates of advance fixing of refunds in the pigmeat sector	86
★ Commission Regulation (EEC) No 2954/89 of 29 September 1989 amending Regulation (EEC) No 1901/89 derogating from Regulation (EEC) No 920/89 laying down quality standards for carrots, citrus fruit and dessert apples and pears as regards the sizing of apples for the 1989/90 marketing year	87
Commission Regulation (EEC) No 2955/89 of 29 September 1989 laying down certain provisions concerning the issuing of STM licences for olive oil in Portugal ...	88
★ Commission Regulation (EEC) No 2956/89 of 29 September 1989 derogating from certain provisions of Regulation (EEC) No 1725/79 as regards the monitoring of certain products in skimmed-milk powder utilized	89
★ Commission Regulation (EEC) No 2957/89 of 29 September 1989 fixing the level of estimated sunflower seed production for the 1989/90 marketing year, the level of actual sunflower seed production for the 1988/89 marketing year, and the adjustment to be made to the amount of the aid	91
Commission Regulation (EEC) No 2958/89 of 29 September 1989 fixing the aid for cotton	92
Commission Regulation (EEC) No 2959/89 of 29 September 1989 altering the corrective amount applicable to the refund on cereals	93
Commission Regulation (EEC) No 2960/89 of 29 September 1989 introducing a countervailing charge on apples originating in Australia	95
Commission Regulation (EEC) No 2961/89 of 29 September 1989 fixing the import levies on white sugar and raw sugar	96
Commission Regulation (EEC) No 2962/89 of 29 September 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector	98
★ Commission Regulation (EEC) No 2963/89 of 29 September 1989 on the rate of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal	100
★ Commission Regulation (EEC) No 2964/89 of 29 September 1989 fixing depreciation percentages to be applied when agricultural products are bought in	101
Commission Regulation (EEC) No 2965/89 of 29 September 1989 providing for the grant of private storage aid fixed at a standard rate in advance in respect of carcasses, half-carcasses, hindquarters and forequarters of adult male bovine animals	103
Commission Regulation (EEC) No 2966/89 of 29 September 1989 altering the import levies on products processed from cereals and rice	109
★ Council Regulation (EEC) No 2967/89 of 25 September 1989 relating to the continued import of New Zealand butter into the United Kingdom on special terms	114

II Acts whose publication is not obligatory

Council

89/530/EEC:

★ Council Directive of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilizers	116
--	-----

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2922/89

of 29 September 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 2860/89⁽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 28 September 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 30 September 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽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, 29 September 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 September 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	34,31	139,87
0712 90 19	34,31	139,87
1001 10 10	17,45	161,89 ⁽¹⁾ ⁽²⁾
1001 10 90	17,45	161,89 ⁽¹⁾ ⁽²⁾
1001 90 91	16,30	110,14
1001 90 99	16,30	110,14
1002 00 00	44,06	116,72 ⁽³⁾
1003 00 10	34,73	112,68
1003 00 90	34,73	112,68
1004 00 10	26,13	104,08
1004 00 90	26,13	104,08
1005 10 90	34,31	139,87 ⁽³⁾ ⁽²⁾
1005 90 00	34,31	139,87 ⁽³⁾ ⁽²⁾
1007 00 90	52,35	141,81 ⁽⁴⁾
1008 10 00	34,73	0,00
1008 20 00	34,73	75,35 ⁽⁵⁾
1008 30 00	34,73	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	34,73	0,00
1101 00 00	36,12	167,49
1102 10 00	74,98	175,74
1103 11 10	41,47	265,36
1103 11 90	38,70	180,58

⁽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 2923/89

of 29 September 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 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 2860/89 ⁽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 28 September 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 30 September 1989.

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

Done at Brussels, 29 September 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 274, 23. 9. 1989, p. 41.

⁽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 29 September 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	0	0,0
0712 90 19	0	0	0	0,0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,0
1005 90 00	0	0	0	0,0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	4,04
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 2924/89
of 29 September 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 rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30⁽³⁾, as amended by Regulation (EEC) No 1546/87⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2637/89⁽⁵⁾, as last amended by Regulation (EEC) No 2846/89⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2637/89 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 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 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 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 255, 1. 9. 1989, p. 8.

⁽⁶⁾ OJ No L 274, 23. 9. 1989, p. 5.

ANNEX

to the Commission Regulation of 29 September 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	—	—	136,93	281,07
1006 10 23	—	186,56	120,77	248,75
1006 10 25	—	186,56	120,77	248,75
1006 10 27	—	186,56	120,77	248,75
1006 10 92	—	—	136,93	281,07
1006 10 94	—	186,56	120,77	248,75
1006 10 96	—	186,56	120,77	248,75
1006 10 98	—	186,56	120,77	248,75
1006 20 11	—	—	172,07	351,34
1006 20 13	—	233,21	151,87	310,94
1006 20 15	—	233,21	151,87	310,94
1006 20 17	—	233,21	151,87	310,94
1006 20 92	—	—	172,07	351,34
1006 20 94	—	233,21	151,87	310,94
1006 20 96	—	233,21	151,87	310,94
1006 20 98	—	233,21	151,87	310,94
1006 30 21	13,05	—	223,57	471,00
1006 30 23	12,97	372,65	236,54	496,86
1006 30 25	12,97	372,65	236,54	496,86
1006 30 27	12,97	372,65	236,54	496,86
1006 30 42	13,05	—	223,57	471,00
1006 30 44	12,97	372,65	236,54	496,86
1006 30 46	12,97	372,65	236,54	496,86
1006 30 48	12,97	372,65	236,54	496,86
1006 30 61	13,90	—	238,46	501,62
1006 30 63	13,90	399,48	253,97	532,64
1006 30 65	13,90	399,48	253,97	532,64
1006 30 67	13,90	399,48	253,97	532,64
1006 30 92	13,90	—	238,46	501,62
1006 30 94	13,90	399,48	253,97	532,64
1006 30 96	13,90	399,48	253,97	532,64
1006 30 98	13,90	399,48	253,97	532,64
1006 40 00	0	—	52,27	110,55

(⁽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 2925/89

of 29 September 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89⁽³⁾, as last amended by Regulation (EEC) No 2847/89⁽⁴⁾;

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

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 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.

⁽⁴⁾ OJ No L 274, 23. 9. 1989, p. 7.

ANNEX

to the Commission Regulation of 29 September 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 10	1st period 11	2nd period 12	3rd period 1
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 2926/89

of 29 September 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 2860/89⁽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 274, 23. 9. 1989, p. 41.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 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	0,2980	—
1702 20 90	0,2980	—
1702 30 10	—	39,47
1702 40 10	—	39,47
1702 60 10	—	39,47
1702 60 90	0,2980	—
1702 90 30	—	39,47
1702 90 60	0,2980	—
1702 90 71	0,2980	—
1702 90 90	0,2980	—
2106 90 30	—	39,47
2106 90 59	0,2980	—

COMMISSION REGULATION (EEC) No 2927/89

of 29 September 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 October 1989.

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

Done at Brussels, 29 September 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 29 September 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		24,80
1702 60 10 000		24,80
1702 60 90 000	0,2480	
1702 90 30 000		24,80
1702 90 60 000	0,2480	
1702 90 71 000	0,2480	
1702 90 90 900	0,2480	
2106 90 30 000		24,80
2106 90 59 000	0,2480	

⁽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 2928/89

of 29 September 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 2644/89⁽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 15,39 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 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 255, 1. 9. 1989, p. 31.

COMMISSION REGULATION (EEC) No 2929/89

of 29 September 1989

fixing the production refund for white sugar used in the chemical industry

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 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 2306/88, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 748/89⁽⁵⁾, specifies the method to be used for

establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 21,524 for three months from 1 October to 31 December 1989. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

Article 2

This Regulation shall enter into force on 1 October 1989.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 201, 25. 7. 1978, p. 26.

⁽⁵⁾ OJ No L 80, 23. 3. 1989, p. 51.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2930/89

of 29 September 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 2860/89⁽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 274, 23. 9. 1989, p. 41.

⁽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 October 1989.

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

Done at Brussels, 29 September 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 29 September 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	106,58	1104 22 10 900	—
1102 20 10 300	91,36	1104 22 30 100	124,17
1102 20 10 900	—	1104 22 30 900	—
1102 20 90 100	91,36	1104 22 50 000	—
1102 20 90 900	—	1104 23 10 100	114,20
1102 30 00 000	—	1104 23 10 300	87,55
1102 90 10 100	83,99	1104 23 10 900	—
1102 90 10 900	57,11	1104 29 10 100	—
1102 90 30 100	131,47	1104 29 10 900	—
1102 90 30 900	—	1104 29 91 000	62,93
1103 12 00 100	131,47	1104 29 95 000	62,93
1103 12 00 900	—	1104 30 10 000	10,25
1103 13 11 100	137,03	1104 30 90 000	19,03
1103 13 11 300	106,58	1107 10 11 000	72,94
1103 13 11 500	91,36	1107 10 91 000	99,66
1103 13 11 900	—	1108 11 00 100	81,96
1103 13 19 100	137,03	1108 11 00 900	—
1103 13 19 300	106,58	1108 12 00 100	121,81
1103 13 19 500	91,36	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	121,81
1103 13 90 100	91,36	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	62,93	1108 19 10 100	162,70
1103 19 30 100	86,78	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	41,80	1108 19 90 900	—
1103 29 20 000	57,11	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	77,65	1702 30 51 000	159,11
1104 11 90 100	83,99	1702 30 59 000	121,81
1104 11 90 900	—	1702 30 91 000	159,11
1104 12 90 100	146,08	1702 30 99 000	121,81
1104 12 90 300	116,86	1702 40 90 000	121,81
1104 12 90 900	—	1702 90 50 100	159,11
1104 19 10 000	41,80	1702 90 50 900	121,81
1104 19 50 110	121,81	1702 90 75 000	166,72
1104 19 50 130	98,97	1702 90 79 000	115,72
1104 19 50 150	—	2106 90 55 000	121,81
1104 19 50 190	—	2302 10 10 000	13,85
1104 19 50 900	—	2302 10 90 100	13,85
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	83,99	2302 20 10 000	13,85
1104 21 10 900	—	2302 20 90 100	13,85
1104 21 30 100	83,99	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	13,85
1104 21 50 100	111,98	2302 30 90 000	13,85
1104 21 50 300	89,58	2302 40 10 000	13,85
1104 21 50 900	—	2302 40 90 000	13,85
1104 22 10 100	116,86	2303 10 11 100	60,90
		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 2931/89

of 29 September 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 2860/89⁽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 274, 23. 9. 1989, p. 41.

⁽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 October 1989.

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

Done at Brussels, 29 September 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 29 September 1989 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	4,19
	09	—
2309 10 11 190	01	2,44
	09	—
2309 10 11 210	01	8,37
	09	—
2309 10 11 290	01	4,88
	09	—
2309 10 11 310	01	16,75
	09	—
2309 10 11 390	01	9,77
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	4,19
	09	—
2309 10 13 190	01	2,44
	09	—
2309 10 13 210	01	8,37
	09	—
2309 10 13 290	01	4,88
	09	—
2309 10 13 310	01	16,75
	09	—
2309 10 13 390	01	9,77
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	4,19
	09	—
2309 10 31 190	01	2,44
	09	—
2309 10 31 210	01	8,37
	09	—
2309 10 31 290	01	4,88
	09	—
2309 10 31 310	01	16,75
	09	—
2309 10 31 390	01	9,77
	09	—
2309 10 31 410	01	25,12
	09	—
2309 10 31 490	01	14,65
	09	—
2309 10 31 510	01	33,50
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	19,53
	09	—
2309 10 31 610	01	41,87
	09	—
2309 10 31 690	01	24,42
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	4,19
	09	—
2309 10 33 190	01	2,44
	09	—
2309 10 33 210	01	8,37
	09	—
2309 10 33 290	01	4,88
	09	—
2309 10 33 310	01	16,75
	09	—
2309 10 33 390	01	9,77
	09	—
2309 10 33 410	01	25,12
	09	—
2309 10 33 490	01	14,65
	09	—
2309 10 33 510	01	33,50
	09	—
2309 10 33 590	01	19,53
	09	—
2309 10 33 610	01	41,87
	09	—
2309 10 33 690	01	24,42
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	4,19
	09	—
2309 10 51 190	01	2,44
	09	—
2309 10 51 210	01	8,37
	09	—
2309 10 51 290	01	4,88
	09	—
2309 10 51 310	01	16,75
	09	—
2309 10 51 390	01	9,77
	09	—
2309 10 51 410	01	25,12
	09	—
2309 10 51 490	01	14,65
	09	—
2309 10 51 510	01	33,50
	09	—
2309 10 51 590	01	19,53
	09	—
2309 10 51 610	01	41,87
	09	—

(ECU/tonne)		
Product code	Destination (*)	Amount of refund
2309 10 51 690	01	24,42
	09	—
2309 10 51 710	01	50,25
	09	—
2309 10 51 790	01	29,30
	09	—
2309 10 51 810	01	54,81
	09	—
2309 10 51 890	01	31,96
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	4,19
	09	—
2309 10 53 190	01	2,44
	09	—
2309 10 53 210	01	8,37
	09	—
2309 10 53 290	01	4,88
	09	—
2309 10 53 310	01	16,75
	09	—
2309 10 53 390	01	9,77
	09	—
2309 10 53 410	01	25,12
	09	—
2309 10 53 490	01	14,65
	09	—
2309 10 53 510	01	33,50
	09	—
2309 10 53 590	01	19,53
	09	—
2309 10 53 610	01	41,87
	09	—
2309 10 53 690	01	24,42
	09	—
2309 10 53 710	01	50,25
	09	—
2309 10 53 790	01	29,30
	09	—
2309 10 53 810	01	54,81
	09	—
2309 10 53 890	01	31,96
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	4,19
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	2,44
	09	—
2309 90 31 210	01	8,37
	09	—
2309 90 31 290	01	4,88
	09	—
2309 90 31 310	01	16,75
	09	—
2309 90 31 390	01	9,77
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	4,19
	09	—
2309 90 33 190	01	2,44
	09	—
2309 90 33 210	01	8,37
	09	—
2309 90 33 290	01	4,88
	09	—
2309 90 33 310	01	16,75
	09	—
2309 90 33 390	01	9,77
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	4,19
	09	—
2309 90 41 190	01	2,44
	09	—
2309 90 41 210	01	8,37
	09	—
2309 90 41 290	01	4,88
	09	—
2309 90 41 310	01	16,75
	09	—
2309 90 41 390	01	9,77
	09	—
2309 90 41 410	01	25,12
	09	—
2309 90 41 490	01	14,65
	09	—
2309 90 41 510	01	33,50
	09	—
2309 90 41 590	01	19,53
	09	—
2309 90 41 610	01	41,87
	09	—
2309 90 41 690	01	24,42
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	4,19
	09	—
2309 90 43 190	01	2,44
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 90 43 210	01	8,37
	09	—
2309 90 43 290	01	4,88
	09	—
2309 90 43 310	01	16,75
	09	—
2309 90 43 390	01	9,77
	09	—
2309 90 43 410	01	25,12
	09	—
2309 90 43 490	01	14,65
	09	—
2309 90 43 510	01	33,50
	09	—
2309 90 43 590	01	19,53
	09	—
2309 90 43 610	01	41,87
	09	—
2309 90 43 690	01	24,42
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	4,19
	09	—
2309 90 51 190	01	2,44
	09	—
2309 90 51 210	01	8,37
	09	—
2309 90 51 290	01	4,88
	09	—
2309 90 51 310	01	16,75
	09	—
2309 90 51 390	01	9,77
	09	—
2309 90 51 410	01	25,12
	09	—
2309 90 51 490	01	14,65
	09	—
2309 90 51 510	01	33,50
	09	—
2309 90 51 590	01	19,53
	09	—
2309 90 51 610	01	41,87
	09	—
2309 90 51 690	01	24,42
	09	—
2309 90 51 710	01	50,25
	09	—
2309 90 51 790	01	29,30
	09	—
2309 90 51 810	01	54,81
	09	—

(ECU/tonne)

Product code	Destination ⁽¹⁾	Amount of refund
2309 90 51 890	01	31,96
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	4,19
	09	—
2309 90 53 190	01	2,44
	09	—
2309 90 53 210	01	8,37
	09	—
2309 90 53 290	01	4,88
	09	—
2309 90 53 310	01	16,75
	09	—
2309 90 53 390	01	9,77
	09	—
2309 90 53 410	01	25,12
	09	—
2309 90 53 490	01	14,65
	09	—
2309 90 53 510	01	33,50
	09	—
2309 90 53 590	01	19,53
	09	—
2309 90 53 610	01	41,87
	09	—
2309 90 53 690	01	24,42
	09	—
2309 90 53 710	01	50,25
	09	—
2309 90 53 790	01	29,30
	09	—
2309 90 53 810	01	54,81
	09	—
2309 90 53 890	01	31,96
	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 2932/89
of 29 September 1989
fixing production refunds in the cereals and rice sectors

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 2860/89 ⁽²⁾, and in particular Article 11a ⁽⁵⁾ thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, as amended by Regulation (EEC) No 1990/89 ⁽⁴⁾; and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁴⁾, as last amended by Regulation (EEC) No 2143/89 ⁽⁵⁾, provides that the production refund shall be fixed on a quarterly basis using the difference between the purchase price for maize applicable in the first month of the period in question and the cif price used for calculation of the maize import levy, multiplied by a coefficient of 1,6; whereas the same Article provides

for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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 production refunds payable in the cereals and rice sectors in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with amended Regulation (EEC) No 2169/86 shall be as follows in 103,42 ecus per tonne.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 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 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 190, 5. 7. 1989, p. 13.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 205, 18. 7. 1989, p. 26.

COMMISSION REGULATION (EEC) No 2933/89

of 29 September 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 2860/89⁽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 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 destination;

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 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 malt listed in Article 1 (d) of Regulation (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 October 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽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, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 1989 fixing the export refunds on malt

(ECU / tonne)	
Product code	Refund
1107 10 19 000	35,00
1107 10 99 000	96,50
1107 20 00 000	112,46

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 2934/89

of 29 September 1989

fixing the corrective amount applicable to the refund 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 the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Regulation No 474/67/EEC of the Commission ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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 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 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 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1989.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽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, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 1989 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 10	1st period 11	2nd period 12	3rd period 1
1006 20 11 000	—	—	—	—
1006 20 13 000	0	0	0	0
1006 20 15 000	0	0	0	0
1006 20 17 000	—	—	—	—
1006 20 92 000	—	—	—	—
1006 20 94 000	0	0	0	0
1006 20 96 000	0	0	0	0
1006 20 98 000	—	—	—	—
1006 30 21 000	—	—	—	—
1006 30 23 000	0	0	0	0
1006 30 25 000	0	0	0	0
1006 30 27 000	—	—	—	—
1006 30 42 000	—	—	—	—
1006 30 44 000	0	0	0	0
1006 30 46 000	0	0	0	0
1006 30 48 000	—	—	—	—
1006 30 61 000	—	—	—	—
1006 30 63 100	0	0	0	0
1006 30 63 900	0	0	0	0
1006 30 65 100	0	0	0	0
1006 30 65 900	0	0	0	0
1006 30 67 100	—	—	—	—
1006 30 67 900	—	—	—	—
1006 30 92 000	—	—	—	—
1006 30 94 100	0	0	0	0
1006 30 94 900	0	0	0	0
1006 30 96 100	0	0	0	0
1006 30 96 900	0	0	0	0
1006 30 98 100	—	—	—	—
1006 30 98 900	—	—	—	—
1006 40 00 000	—	—	—	—

COMMISSION REGULATION (EEC) No 2935/89
of 29 September 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 for Spain and ECU 5,780 per 100 kilograms for the other Member States;

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⁾,

⁽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.

— 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 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,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to Commission Regulation of 29 September 1989 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period (1)			
— Spain	0,000	30,427	30,427
— Portugal	21,757	30,427 (*)	30,427
— another Member State	21,757	30,427	30,427
Seed processed in first period (1)			
— Spain	0,000	30,477	30,477
— Portugal	21,807	30,477 (*)	30,477
— another Member State	21,807	30,477	30,477
Seed processed in second period (1)			
— Spain	0,000	30,287	30,287
— Portugal	21,617	30,287 (*)	30,287
— another Member State	21,617	30,287	30,287
Seed processed in third period (1)			
— Spain	0,000	30,038	30,038
— Portugal	21,368	30,038 (*)	30,038
— another Member State	21,368	30,038	30,038
Seed processed in fourth period (1)			
— Spain	0,000	29,747	29,747
— Portugal	21,077	29,747 (*)	29,747
— another Member State	21,077	29,747	29,747
Seed processed in fifth period (1)			
— Spain	0,000	29,548	29,548
— Portugal	20,878	29,548 (*)	29,548
— another Member State	20,878	29,548	29,548

(*) Special aid.

(1) Subject to the consequences of the application of the system of guaranteed quantities.

COMMISSION REGULATION (EEC) No 2936/89

of 29 September 1989

fixing the refunds applicable for October 1989 to cereal and rice sector products
supplied as Community and national food aid

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 2860/89⁽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 Article 11 (2) thereof,Whereas Article 2 of Regulation (EEC) No 2681/74 of the Council of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

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

Done at Brussels, 29 September 1989.

Whereas Article 3 of Regulation (EEC) No 2746/75 of the Council⁽⁶⁾ and Article 6 of Regulation (EEC) No 2744/75 of the Council⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for October 1989 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 October 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 274, 23. 9. 1989, p. 41.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 29 September 1989 fixing the refunds applicable for October 1989 to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	105,00
1001 90 99 000	42,50
1002 00 00 000	25,00
1003 00 90 000	62,50
1004 00 90 000	—
1005 90 00 000	62,50
1006 20 92 000	124,91
1006 20 94 000	124,91
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	156,14
1006 30 94 100	156,14
1006 30 94 900	156,14
1006 30 96 100	156,14
1006 30 96 900	156,14
1006 40 00 000	—
1007 00 90 000	62,50
1101 00 00 110	53,00
1101 00 00 120	53,00
1101 00 00 130	53,00
1102 20 10 100	106,58
1102 30 00 000	—
1102 90 10 100	83,99
1103 11 10 500	168,00
1103 11 90 100	59,00
1103 13 19 100	137,03
1103 14 00 000	—
1104 12 90 100	146,08
1104 21 50 100	111,98

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 2937/89
of 29 September 1989
fixing the export refunds on olive oil

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 Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3(1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Regulation (EEC) No 616/72⁽⁴⁾ of the Commission, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3(1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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;

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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 Oils and Fats,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 1989 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund (1)
1509 10 90 100	63,50
1509 10 90 900	99,50
1509 90 00 100	72,00
1509 90 00 900	105,09
1510 00 90 100	16,50
1510 00 90 900	50,50

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

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 2938/89

of 29 September 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 2908/89 ⁽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⁾ OJ No L 280, 29. 9. 1989, p. 11.

⁽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 October 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, 29 September 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 September 1989 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1. Gross refunds (ECU):						
— Spain	21,440	21,718	—	—	—	—
— Portugal	19,000	19,000	—	—	—	—
— other Member States	18,000	18,278	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	43,01	43,67	—	—	—	—
— Netherlands (Fl)	47,48	48,21	—	—	—	—
— BLEU (Bfrs/Lfrs)	869,16	882,59	—	—	—	—
— France (FF)	134,62	136,76	—	—	—	—
— Denmark (Dkr)	160,74	163,22	—	—	—	—
— Ireland (£ Irl)	14,983	15,221	—	—	—	—
— United Kingdom (£)	11,212	11,407	—	—	—	—
— Italy (Lit)	30 273	30 738	—	—	—	—
— Greece (Dr)	2 674,96	2 693,91	—	—	—	—
— Spain (Pta)	3 427,36	3 469,87	—	—	—	—
— Portugal (Esc)	3 596,44	3 596,44	—	—	—	—

COMMISSION REGULATION (EEC) No 2939/89
of 29 September 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 October 1989.

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

Done at Brussels, 29 September 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 29 September 1989 fixing the rate of the aid for dried fodder

Aid applicable from 1 October 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	61,463	73,140	74,703		40,140	41,703

Aid in case of advance fixing for the month of:

(ECU/tonne)

November 1989	61,591	73,270	74,831		40,270	41,831
December 1989	61,591	73,270	74,831		40,270	41,831
January 1990	59,711	71,361	72,951		38,361	39,951
February 1990	59,147	70,789	72,387		37,789	39,387
March 1990	59,147	70,789	72,387		37,789	39,387

COMMISSION REGULATION (EEC) No 2940/89
of 29 September 1989
fixing for October 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;

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

Done at Brussels, 29 September 1989.

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 302,70 per tonne of oil for October 1989.

Article 2

This Regulation shall enter into force on 1 October 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 2941/89

of 29 September 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 2904/89⁽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 280, 29. 9. 1989, p. 4.

⁽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 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 187, 1. 7. 1989, p. 68.

⁽²⁾ OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Peas used :							
— in Spain	5,859	6,017	6,175	6,333	6,491	6,649	6,807
— in Portugal	5,901	6,059	6,217	6,375	6,533	6,691	6,849
— in another Member State	6,216	6,374	6,532	6,690	6,848	7,006	7,164
Field beans used :							
— in Spain	6,216	6,374	6,532	6,690	6,848	7,006	7,164
— in Portugal	5,901	6,059	6,217	6,375	6,533	6,691	6,849
— in another Member State	6,216	6,374	6,532	6,690	6,848	7,006	7,164

Products used in animal feed :

(ECU per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
A. Peas used :							
— in Spain	9,770	9,988	10,146	10,303	10,314	10,472	10,629
— in Portugal	9,507	9,727	9,884	10,042	10,048	10,205	10,363
— in another Member State	9,862	10,079	10,237	10,394	10,407	10,564	10,722
B. Field beans used :							
— in Spain	9,770	9,988	10,146	10,303	10,314	10,472	10,629
— in Portugal	9,507	9,727	9,884	10,042	10,048	10,205	10,363
— in another Member State	9,862	10,079	10,237	10,394	10,407	10,564	10,722
C. Sweet lupins harvested in Spain and used :							
— in Spain	12,184	12,265	12,265	12,265	12,070	12,070	12,070
— in Portugal	11,833	11,916	11,916	11,916	11,714	11,714	11,714
— in another Member State	12,306	12,386	12,386	12,386	12,193	12,193	12,193
D. Sweet lupins harvested in another Member State and used :							
— in Spain	12,174	12,255	12,255	12,255	12,060	12,060	12,060
— in Portugal	11,823	11,906	11,906	11,906	11,704	11,704	11,704
— in another Member State	12,296	12,376	12,376	12,376	12,183	12,183	12,183

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	300,15	307,78	315,41	323,04	330,67	338,30	345,93
— Denmark (Dkr)	55,51	56,92	58,33	59,74	61,15	62,56	63,98
— Federal Republic of Germany (DM)	14,68	15,05	15,42	15,80	16,17	16,54	16,91
— Greece (Dr)	852,73	881,20	909,67	938,14	966,62	995,09	1 023,56
— Spain (Pta)	979,24	1 003,60	1 027,95	1 052,31	1 076,66	1 101,02	1 125,37
— France (FF)	47,85	49,07	50,28	51,50	52,72	53,93	55,15
— Ireland (£ Irl)	5,326	5,461	5,596	5,732	5,867	6,002	6,138
— Italy (Lit)	10 455	10 721	10 987	11 253	11 518	11 784	12 050
— Netherlands (Fl)	16,40	16,81	17,23	17,65	18,06	18,48	18,90
— Portugal (Esc)	1 193,48	1 223,82	1 254,16	1 284,49	1 314,83	1 345,17	1 375,50
— United Kingdom (£)	3,971	4,082	4,193	4,304	4,415	4,526	4,637

Amounts to be deducted in the case of :

- Peas used in Spain (Pta) : 55,05,
- Peas, and field beans used in Portugal (Esc) : 60,48.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	476,21	486,68	494,31	501,89	502,52	510,10	517,73
— Denmark (Dkr)	88,07	90,01	91,42	92,82	92,94	94,34	95,75
— Federal Republic of Germany (DM)	23,29	23,80	24,17	24,54	24,57	24,94	25,32
— Greece (Dr)	1 556,16	1 596,02	1 624,49	1 652,77	1 653,26	1 681,54	1 710,01
— Spain (Pta)	1 537,61	1 571,00	1 595,36	1 619,56	1 621,71	1 645,91	1 670,27
— France (FF)	75,92	77,59	78,80	80,01	80,11	81,32	82,54
— Ireland (£ Irl)	8,449	8,635	8,771	8,905	8,916	9,051	9,186
— Italy (Lit)	16 588	16 953	17 219	17 483	17 505	17 769	18 034
— Netherlands (Fl)	26,01	26,59	27,00	27,42	27,45	27,87	28,28
— Portugal (Esc)	1 893,52	1 935,19	1 965,52	1 995,67	1 998,16	2 028,31	2 058,65
— United Kingdom (£)	6,601	6,755	6,866	6,976	6,982	7,093	7,204
Amounts to be deducted in the case of use :							
— Spain (Pta)	14,19	14,03	14,03	14,03	14,34	14,19	14,34
— Portugal (Esc)	68,16	67,58	67,78	67,58	68,93	68,93	68,93

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	30,83	3,06	0,00	0,00	0,00	0,00	0,00	12,23
— Denmark (Dkr)	0,00	0,00	0,00	5,70	0,57	0,00	0,00	0,00	0,00	0,00	2,26
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,51	0,15	0,00	0,00	0,00	0,00	0,00	0,60
— Greece (Dr)	0,00	0,00	0,00	123,20	12,22	0,00	0,00	0,00	0,00	0,00	48,86
— Spain (Pta)	0,00	0,00	0,00	97,79	9,70	0,00	0,00	0,00	0,00	0,00	38,79
— France (FF)	0,00	0,00	0,00	4,92	0,49	0,00	0,00	0,00	0,00	0,00	1,95
— Ireland (£ Irl)	0,000	0,000	0,000	0,547	0,054	0,000	0,000	0,000	0,000	0,000	0,217
— Italy (Lit)	0	0	0	1074	107	0	0	0	0	0	426
— Netherlands (Fl)	0,00	0,00	0,00	1,68	0,17	0,00	0,00	0,00	0,00	0,00	0,67
— Portugal (Esc)	0,00	0,00	0,00	122,60	12,16	0,00	0,00	0,00	0,00	0,00	48,63
— United Kingdom (£)	0,000	0,000	0,000	0,461	0,046	0,000	0,000	0,000	0,000	0,000	0,183

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	476,21	486,68	494,31	501,89	502,52	510,10	517,73
— Denmark (Dkr)	88,07	90,01	91,42	92,82	92,94	94,34	95,75
— Federal Republic of Germany (DM)	23,29	23,80	24,17	24,54	24,57	24,94	25,32
— Greece (Dr)	1 556,16	1 596,02	1 624,49	1 652,77	1 653,26	1 681,54	1 710,01
— Spain (Pta)	1 537,61	1 571,00	1 595,36	1 619,56	1 621,71	1 645,91	1 670,27
— France (FF)	75,92	77,59	78,80	80,01	80,11	81,32	82,54
— Ireland (£ Irl)	8,449	8,635	8,771	8,905	8,916	9,051	9,186
— Italy (Lit)	16 588	16 953	17 219	17 483	17 505	17 769	18 034
— Netherlands (Fl)	26,01	26,59	27,00	27,42	27,45	27,87	28,28
— Portugal (Esc)	1 893,52	1 935,19	1 965,52	1 995,67	1 998,16	2 028,31	2 058,65
— United Kingdom (£)	6,601	6,755	6,866	6,976	6,982	7,093	7,204
Amounts to be deducted in the case of use :							
— Spain (Pta)	14,19	14,03	14,03	14,03	14,34	14,19	14,34
— Portugal (Esc)	68,16	67,58	67,78	67,58	68,93	68,93	68,93

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	30,83	3,06	0,00	0,00	0,00	0,00	0,00	12,23
— Denmark (Dkr)	0,00	0,00	0,00	5,70	0,57	0,00	0,00	0,00	0,00	0,00	2,26
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,51	0,15	0,00	0,00	0,00	0,00	0,00	0,60
— Greece (Dr)	0,00	0,00	0,00	123,20	12,22	0,00	0,00	0,00	0,00	0,00	48,86
— Spain (Pta)	0,00	0,00	0,00	97,79	9,70	0,00	0,00	0,00	0,00	0,00	38,79
— France (FF)	0,00	0,00	0,00	4,92	0,49	0,00	0,00	0,00	0,00	0,00	1,95
— Ireland (£ Irl)	0,000	0,000	0,000	0,547	0,054	0,000	0,000	0,000	0,000	0,000	0,217
— Italy (Lit)	0	0	0	1 074	107	0	0	0	0	0	426
— Netherlands (Fl)	0,00	0,00	0,00	1,68	0,17	0,00	0,00	0,00	0,00	0,00	0,67
— Portugal (Esc)	0,00	0,00	0,00	122,60	12,16	0,00	0,00	0,00	0,00	0,00	48,63
— United Kingdom (£)	0,000	0,000	0,000	0,461	0,046	0,000	0,000	0,000	0,000	0,000	0,183

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	593,74	597,60	597,60	597,60	588,28	588,28	588,28
— Denmark (Dkr)	109,80	110,52	110,52	110,52	108,80	108,80	108,80
— Federal Republic of Germany (DM)	29,03	29,22	29,22	29,22	28,77	28,77	28,77
— Greece (Dr)	1 993,50	2 008,93	2 008,93	2 008,93	1 971,69	1 971,69	1 971,69
— Spain (Pta)	1 912,91	1 925,16	1 925,16	1 925,16	1 895,61	1 895,61	1 895,61
— France (FF)	94,65	95,27	95,27	95,27	93,78	93,78	93,78
— Ireland (£ Irl)	10,535	10,603	10,603	10,603	10,438	10,438	10,438
— Italy (Lit)	20 682	20 816	20 816	20 816	20 492	20 492	20 492
— Netherlands (Fl)	32,44	32,65	32,65	32,65	32,14	32,14	32,14
— Portugal (Esc)	2 360,86	2 376,22	2 376,22	2 376,22	2 339,16	2 339,16	2 339,16
— United Kingdom (£)	8,309	8,367	8,367	8,367	8,228	8,228	8,228
Amounts to be deducted in the case of use in :							
— Spain (Pta)	18,81	18,66	18,66	18,66	18,97	18,97	18,97
— Portugal (Esc)	90,82	90,24	90,24	90,24	91,97	91,97	91,97

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	22,42	2,22	0,00	0,00	0,00	0,00	0,00	8,89
— Denmark (Dkr)	0,00	0,00	0,00	4,15	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	1,10	0,11	0,00	0,00	0,00	0,00	0,00	0,43
— Greece (Dr)	0,00	0,00	0,00	89,60	8,89	0,00	0,00	0,00	0,00	0,00	35,54
— Spain (Pta)	0,00	0,00	0,00	71,12	7,05	0,00	0,00	0,00	0,00	0,00	28,21
— France (FF)	0,00	0,00	0,00	3,57	0,35	0,00	0,00	0,00	0,00	0,00	1,42
— Ireland (£ Irl)	0,000	0,000	0,000	0,398	0,039	0,000	0,000	0,000	0,000	0,000	0,158
— Italy (Lit)	0	0	0	781	77	0	0	0	0	0	310
— Netherlands (Fl)	0,00	0,00	0,00	1,22	0,12	0,00	0,00	0,00	0,00	0,00	0,49
— Portugal (Esc)	0,00	0,00	0,00	89,16	8,84	0,00	0,00	0,00	0,00	0,00	35,37
— United Kingdom (£)	0,000	0,000	0,000	0,335	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	177,530	127,880	6,90403	0,768411	1 465,61	2,31943	170,569	0,665221

**COMMISSION REGULATION (EEC) No 2942/89
of 29 September 1989**

**fixing the maximum export refunds on olive oil for the 19th partial invitation to
tender under the standing invitation to tender issued by Regulation (EEC) No
3421/88**

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

Having regard to Regulation (EEC) 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 Council Regulation (EEC) No 1650/86
of 26 May 1986 on the refunds and levies applicable to
exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3421/88⁽⁴⁾,
issued a standing invitation to tender with a view to deter-
mining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3421/88
provides that maximum amounts are to be fixed for the
export refunds in the light in particular of the current
situation and foreseeable developments on the Commu-
nity and world olive-oil markets and on the basis of the
tenders received; whereas contracts are awarded to any
tenderer who submits a tender at the level of the
maximum refund or at a lower level;

Whereas, for the purposes of applying the above-
mentioned provisions, the maximum export refunds
should be set at the levels specified in the Annex;

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

The maximum export refunds for olive oil for the 19th
partial invitation to tender under the standing invitation
to tender issued by Regulation (EEC) No 3421/88 are
hereby fixed in the Annex, on the basis of the tenders
submitted by 23 September 1989.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 301, 4. 11. 1988, p. 39.

ANNEX

to the Commission Regulation of 29 September 1989 fixing the maximum export refunds on olive oil for the 19th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,50
1509 90 00 100	74,02
1509 90 00 900	110,09
1510 00 90 100	18,00
1510 00 90 900	—

NB: The products 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 2943/89

of 29 September 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 2860/89⁽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 October 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽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, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 1989 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
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

Product code	(ECU/tonne)					
	6th period 4	7th period 5	8th period 6	9th period 7	10th period 8	11th period 9
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 2944/89
of 29 September 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 Council Regulation No 136/66/EEC 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 Council Regulation (EEC) No 1569/72 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 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⁽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 been fixed by Commission Regulation (EEC) No 2957/89⁽¹¹⁾; whereas the amount of the subsidy for the 1989/90 marketing year has been provisionally calculated on the basis of an abatement of ECU 11,55 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 Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, 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⁽¹⁴⁾, 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⁾ OJ No L 255, 1. 9. 1989, p. 14.

⁽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⁾ See page 91 of this Official Journal.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹⁴⁾ 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 0,242 ECU ;

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.

Article 2

This Regulation shall enter into force on 1 October 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, 29 September 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 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
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	22,170	22,396	22,474	22,593	22,900	23,189
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	52,66	53,19	53,38	53,69	54,41	55,28
— Netherlands (Fl)	58,48	59,08	59,28	59,63	60,44	61,44
— BLEU (Bfrs/Lfrs)	1 070,52	1 081,43	1 085,20	1 090,95	1 105,77	1 120,42
— France (FF)	168,23	169,97	170,54	171,44	173,82	176,05
— Denmark (Dkr)	197,98	200,00	200,69	201,76	204,50	207,08
— Ireland (£ Irl)	18,724	18,917	18,981	19,081	19,345	19,594
— United Kingdom (£)	14,679	14,837	14,872	14,916	15,135	15,247
— Italy (Lit)	37 188	37 566	37 698	37 859	38 373	38 698
— Greece (Dr)	3 621,74	3 645,81	3 623,91	3 607,63	3 664,50	3 635,51
(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)	3 177,74	3 212,41	3 218,64	3 228,94	3 275,45	3 297,08
(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)	4 494,56	4 484,47	4 487,75	4 487,37	4 539,02	4 537,31

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
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	24,670	24,896	24,974	25,093	25,400	25,689
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	58,56	59,10	59,28	59,59	60,31	61,18
— Netherlands (Fl)	65,08	65,67	65,88	66,23	67,04	68,03
— BLEU (Bfrs/Lfrs)	1 191,24	1 202,15	1 205,92	1 211,66	1 226,49	1 241,14
— France (FF)	187,48	189,21	189,79	190,69	193,06	195,29
— Denmark (Dkr)	220,30	222,32	223,02	224,08	226,82	229,40
— Ireland (£ Irl)	20,866	21,059	21,123	21,223	21,487	21,736
— United Kingdom (£)	16,433	16,590	16,626	16,669	16,889	17,000
— Italy (Lit)	41 371	41 749	41 880	42 042	42 555	42 881
— Greece (Dr)	4 070,20	4 094,27	4 072,38	4 056,09	4 112,97	4 083,98
(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)	3 559,98	3 594,65	3 600,88	3 611,18	3 657,69	3 679,32
(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)	4 974,56	4 964,48	4 967,75	4 967,37	5 019,02	5 017,32

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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	29,500	29,793	29,924	30,196	31,050
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	70,01	70,01	71,02	71,69	73,69
— Netherlands (Fl)	77,82	78,59	78,94	79,69	81,94
— BLEU (Bfrs/Lfrs)	1 424,46	1 438,61	1 444,94	1 458,07	1 499,31
— France (FF)	224,30	226,55	227,54	229,63	236,29
— Denmark (Dkr)	263,44	266,05	267,22	269,65	277,28
— Ireland (£ Irl)	24,964	25,215	25,325	25,557	26,299
— United Kingdom (£)	19,691	19,896	19,968	20,120	20,752
— Italy (Lit)	49 466	49 956	50 176	50 588	52 014
— Greece (Dr)	4 883,66	4 917,84	4 900,95	4 910,08	5 078,95
(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)	3 620,20	3 664,96	3 678,00	3 709,43	3 836,32
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 485,04	6 477,48	6 489,20	6 515,69	6 676,52
— in another Member State (Esc)	6 320,24	6 312,87	6 324,29	6 350,11	6 506,84
3. Compensatory aids:					
— in Spain (Pta)	3 574,32	3 619,09	3 632,13	3 663,07	3 789,97
4. Special aid:					
— in Portugal (Esc)	6 320,24	6 312,87	6 324,29	6 350,11	6 506,84

(1) 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 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
DM	2,073350	2,069410	2,065180	2,061740	2,061740	2,051540
Fl	2,337500	2,332970	2,330850	2,323840	2,323840	2,310970
Bfrs/Lfrs	43,445000	43,402500	43,354500	43,320300	43,320300	43,188700
FF	7,013070	7,010270	7,006370	7,004500	7,004500	6,996950
Dkr	8,060230	8,058850	8,056660	8,057050	8,057050	8,063030
£Irl	0,778082	0,777414	0,777345	0,777195	0,777195	0,778471
£	0,675663	0,677670	0,679674	0,681635	0,681635	0,687283
Lit	1 495,78	1 499,03	1 502,13	1 505,39	1 505,39	1 514,23
Dr	180,21000	182,13600	184,15200	186,30700	186,30700	191,47400
Esc	174,14400	174,64800	175,23700	176,11600	176,11600	178,96900
Pta	129,86300	130,38000	130,87400	131,32900	131,32900	132,49200

COMMISSION REGULATION (EEC) No 2945/89

of 29 September 1989

amending Regulation (EEC) No 2406/89 authorizing certain intervention agencies to put up for sale by tender 530 000 tonnes of durum wheat for export in the form of meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2860/89⁽²⁾,

Having regard to Commission Regulation (EEC) No 2406/89 of 3 August 1989 authorizing certain intervention agencies to put up for sale by tender 530 000 tonnes of durum wheat for export in the form of meal⁽³⁾, as amended by Regulation (EEC) No 2868/89⁽⁴⁾;

Whereas, in the present situation, it is appropriate to extend the period during which this invitation to tender remains open;

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

Article 1

In the first paragraph of Article 2 of Regulation (EEC) No 2406/89, '30 September 1989' is replaced by '30 November 1989'.

Article 2

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

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

Done at Brussels, 29 September 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 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 227, 4. 8. 1989, p. 49.

⁽⁴⁾ OJ No L 276, 26. 9. 1989, p. 14.

COMMISSION REGULATION (EEC) No 2946/89**of 29 September 1989****on the supply of refined sunflower oil as food aid to the United Nations Relief and Works Agency for Palestinian refugees in the Near East (UNRWA)**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾, lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its decision of 19 April 1989 on the supply of food aid to the UNRWA the Commission allocated to this organization 630 tonnes of refined sunflower oil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of refined sunflower oil to UNRWA in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes hereto.

Article 2

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

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 20. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation Nos (1):** 481 to 483/89
2. **Programme:** 1989
3. **Recipient:** UNRWA Headquarters, Vienna International Center, PO Box 700, A-1400 Vienna
4. **Representative of the recipient (2):**
 - (a) lot 1: UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem, Israel
 - (b) lot 2: UNRWA Field Supply and Transport Officer, SAR, PO Box 4313, Damascus, SAR
 - (c) lot 3: UNRWA Field Supply and Transport Officer, Jordan, PO Box 484, Amman, Jordan
5. **Place or country of destination:** see Annex II
6. **Product to be mobilized:** refined sunflower oil
7. **Characteristics and quality of the goods (3):**
see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.2)
8. **Total quantity:** 630 tonnes net
9. **Number of lots:** three
10. **Packaging and marking:**
see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - in new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof
 - shipment to take place in 20-foot containers (7)
 - the drums must bear the following particulars: see Annex II
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:**
 - (a) lot 1: Ashdod
 - (b) lot 2: Lattakia
 - (c) lot 3: Aqaba
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 15. 11 to 15. 12. 1989
18. **Deadline for the supply:** 22. 12. 1989
19. **Procedure for determining the costs of supply (4):** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 17. 10. 1989 at 12 noon. Tenders shall be valid until 12 midnight on 18. 10. 1989
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 31. 10. 1989 at 12 noon. Tenders shall be considered valid until 12 midnight on 1. 11. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 31. 12. 1989
 - (c) deadline for the supply: 15. 1. 1990
22. **Amount of the tendering security:** ECU 15 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (5):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles, telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer:** —

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
See list published in *Official Journal of the European Communities* No C 227 of 27 September 1985, page 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
— certificate of origin,
— health certificate.
- (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
— either by porter at the office referred to in point 24 of this Annex,
— or by telecopier on one of the following numbers in Brussels :
235 01 32
236 10 97
235 01 30
236 20 05.
- (⁶) Supply free at terminal, as provided for in Article 14 (5) (a) of Regulation (EEC) No 2200/87, implies that the following costs at the port of landing are to be borne by the successful tenderer :
— should containers be used on an FCL/FCL or LCL/FCL basis, all costs of unloading and transport from the under hook stage up to the designated destuffing area via, if any, transit check shed area. The terminal handling charges or equivalent, costs of destuffing the goods from the containers, local charges incurred at a later stage, and costs occasioned by delays of detention or returning the containers are to be borne by the recipient,
— should containers be used on an LCL/LCL or FCL/LCL basis, all the costs of unloading and transport from the under hook stage up to the designated destuffing area via, if any, transit check shed area and by way of derogation from the aforementioned Article 14 (5) (a), the LCL charges (destuffing of the goods). The local charges incurred after the stage of destuffing the goods from the containers are to be borne by the recipient.
- (⁷) Ashdod : Consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net ; not more than 30 containers are to be shipped on any vessel.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
1	630	255	UNRWA	Israel	Action No 481/89 / Sunflower oil / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Ashdod / Date of production :...
2		137	UNRWA	Syrian Arab Republic	Action No 482/89 / Sunflower oil / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Lattakia / Date of production :...
3		238	UNRWA	Jordan	Action No 483/89 / Sunflower oil / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Aqaba / Date of production :...

COMMISSION REGULATION (EEC) No 2947/89
of 29 September 1989
on the supply of various lots of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 1 124 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community as Community food aid, for supply to the recipients listed in Annex I, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

Article 2

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

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 20. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOTS A, B and C

1. **Operation Nos :** 495 to 497/89 ⁽¹⁾ — Commission Decision of 1. 3. 1988
2. **Programme :** 1989
3. **Recipient :** People's Republic of China
4. **Representative of the recipient ⁽²⁾ ⁽⁷⁾ :** Ministry of Agriculture, Bureau of Animal Husbandry, CPIG Dairy Development Project Office, 11 Ping Li, Beijing CN, People's Republic of China (Telex 22233 MAGR CN)
5. **Place or country of destination :** People's Republic of China
6. **Product to be mobilized :** butteroil
7. **Characteristics and quality of the goods ⁽³⁾ ⁽⁶⁾ :** to be manufactured from intervention butter (OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2))
8. **Total quantity :** 1 124 tonnes
9. **Number of lots :** three (A : 642 tonnes ; B : 241 tonnes ; C : 241 tonnes)
10. **Packaging and marking :** 200 kilograms ⁽⁴⁾ ⁽⁵⁾ and OJ No C 216, 14. 8. 1987, pp. 7 and 8 (under I.3.3 and I.3.4)
 Supplementary markings on packaging :
 — 'ACTION No 495/89 / } EEC DAIRY DEVELOPMENT PROJECT / 1990 UTILIZATION
 — 'ACTION No 496/89 / } PROGRAMME / 6 CITIES / GIFT OF THE EUROPEAN ECONOMIC
 — 'ACTION No 497/89 / } COMMUNITY / FOR RECOMBINATION'
 and OJ No C 216, 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization :** purchase of butter from :
 Voedselvoorzieningsin- en verkoopbureau (VIB), Burg. Kessenplein 3, NL-6431 KM Hoensbroek ; tel. 045 22 20 20, telex 56396+
 The addresses of the places of storage are given in Annex II
 Selling price determined in accordance with Article 2 of Commission Regulation (EEC) No 2315/76 (OJ No L 261, 25. 9. 1976, p. 12)
12. **Stage of supply :** free at destination warehouse
13. **Port of shipment :** —
14. **Port of landing specified by the recipient :** —
15. **Port of landing :** —
16. **Address of the warehouse and, if appropriate, port of landing :**
 Shanghai Dairy Corporation, No 780, Beizhai Road, Bei Xin Jing, Shanghai
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage :** 27. 11 to 10. 12. 1989
18. **Deadline for the supply :** 21. 1. 1990
19. **Procedure for determining the costs of supply :** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders ⁽⁸⁾ :** 16. 10. 1989, 12 noon
21. **In the case of a second invitation to tender :**
 (a) deadline for the submission of tenders : 23. 10. 1989, 12 noon
 (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 27. 11 to 10. 12. 1989
 (c) deadline for the supply : 21. 1. 1990
22. **Amount of the tendering security :** ECU 20 per tonne
23. **Amount of the delivery security :** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders :**
 Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles ; telex 22037 AGREC B
25. **Refund payable on request by the successful tenderer ⁽⁹⁾ :** refund applicable on 15. 9. 1989 fixed by Commission Regulation (EEC) No 2780/89 (OJ No L 268, 15. 9. 1989, p. 21)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (3) Commission delegate to be contacted by the successful tenderer:
EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing: Tel. 532 44 43, Fax 532 43 42, Telex 222690 ECDEL CN.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (5) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) The successful tenderer shall give the recipients' representatives, at the time of delivery, a certificate of origin.
- (7) The successful tenderer must nominate a representative in Tianjin. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), Cable CHINSPECT, Telex 210076 SACI CN.
CCIC may be designated as representative by the successful tenderer.
- (8) In 20-foot containers.
The free holding period for containers must be at least 15 days.
- (9) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

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

Número de la partida Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij Número do lote	Cantidad Mængde Menge Τόνοι Quantity Quantité Quantità Hoeveelheid Quantidade	Nombre y dirección del almacenista Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder Nome e direcção do armazenista
A (495/89)	783 250 kg	1. Holland Cold Stores BV Kruisbroeksestraat 8 NL-5281 RT Boxtel : 296 000 kg 2. Vrieshuizen Vlissingen VOF Engelandweg 22 NL-4389 PC Ritthem : 82 600 kg 3. Daalimpex BV Veilingweg 9 NL-1747 HG Tuitjenhorn : 279 500 kg 4. Nemijtek Vrieshuizen BV Veilingkade 4 NL-4815 HC Breda : 125 150 kg
B (496/89)	294 025 kg	1. Koelveem Boezembocht 42 NL-3034 KA Rotterdam : 110 000 kg 2. Koel- en vrieshuis J. Veldboer De Mossel 2 NL-1723 MT Noord-Scharwoude : 127 000 kg 3. Vriesoord BV Larenweg 102 NL-5234 KC 's-Hertogenbosch : 57 025 kg
C (497/89)	294 025 kg	1. Vriesoord BV Larenweg 102 NL-5234 KC 's-Hertogenbosch : 45 475 kg 2. Diepvriesveem Leek BV Kalkoven 15 NL-9351 NP Leek : 149 500 kg 3. Nemijtek Vrieshuizen BV Veilingkade 4 NL-4815 HC Breda : 99 050 kg

COMMISSION REGULATION (EEC) No 2948/89

of 29 September 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 2860/89 ⁽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 28 September 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 October 1989.

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

Done at Brussels, 29 September 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 274, 23. 9. 1989, p. 41.⁽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.

ANNEX

to the Commission Regulation of 29 September 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	18,08	123,54
0712 90 19	18,08	123,54
1001 10 10	19,31	163,67 ⁽¹⁾ ⁽²⁾
1001 10 90	19,31	163,67 ⁽¹⁾ ⁽²⁾
1001 90 91	17,69	111,45
1001 90 99	17,69	111,45
1002 00 00	45,45	116,72 ⁽³⁾
1003 00 10	36,12	112,68
1003 00 90	36,12	112,68
1004 00 10	27,52	104,08
1004 00 90	27,52	104,08
1005 10 90	18,08	123,54 ⁽²⁾ ⁽³⁾
1005 90 00	18,08	123,54 ⁽²⁾ ⁽³⁾
1007 00 90	36,12	125,48 ⁽⁴⁾
1008 10 00	36,12	0,00
1008 20 00	36,12	76,66 ⁽⁴⁾
1008 30 00	36,12	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	36,12	0,00
1101 00 00	38,21	169,47
1102 10 00	77,07	177,72
1103 11 10	44,41	268,17
1103 11 90	40,80	182,56

⁽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 2949/89

of 29 September 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 2860/89⁽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 28 September 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 October 1989.

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

Done at Brussels, 29 September 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 274, 23. 9. 1989, p. 41.⁽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 29 September 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	4,07	4,07	4,07
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2950/89

of 29 September 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 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, 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

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 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 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 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 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 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

(ECU/100 kg)		
CN code	Description	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	163,00
	c) On exportation of other goods	155,00

COMMISSION REGULATION (EEC) No 2951/89

of 29 September 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 2860/89⁽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 274, 23. 9. 1989, p. 41.

⁽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 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 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

		(ECU/100 kg)
CN code	Description	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	12,597
	— In all other cases	12,724
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	4,057
	— In all other cases	4,098
1002 00 00	Rye	6,293
1003 00 90	Barley	7,048
1004 00 90	Oats	7,304
1005 90 00	Maize, other than hybrid maize for sowing	7,613
1006 20	Round grain husked rice	34,787
	Medium grain husked rice	30,051
	Long grain husked rice	30,051
ex 1006 30	Round grain wholly milled rice	44,886
	Medium grain wholly milled rice	43,552
	Long grain wholly milled rice	43,552
1006 40 00	Broken rice	10,704
1007 00 90	Sorghum	5,542
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	4,538
	— In all other cases	4,584
1102 10 00	Rye flour	15,472
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	19,525
	— In all other cases	19,722
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	4,538
	— In all other cases	4,584

COMMISSION REGULATION (EEC) No 2952/89

of 29 September 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 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 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:	24,80
Raw sugar:	21,28
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):	$24,80 \times \frac{S^{(1)}}{100}$ 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⁾ :	24,80 ⁽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 2953/89**of 29 September 1989****derogating from Regulation (EEC) No 1700/84 laying down special detailed rules
for the application of the system of certificates of advance fixing of refunds in
the pigmeat sector**

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

Having regard to Council Regulation (EEC) No 2759/75
of 29 October 1975 on the common organization of the
market in pigmeat ⁽¹⁾, as last amended by Regulation
(EEC) No 1249/89 ⁽²⁾, and in particular Article 15 (6)
thereof,

Whereas the special detailed rules for the application of
the system of certificates of advance fixing of refunds in
the pigmeat sector were laid down in Commission
Regulation (EEC) No 1700/84 ⁽³⁾, as last amended by
Regulation (EEC) No 2440/89 ⁽⁴⁾;

Whereas Regulation (EEC) No 1700/84 fixes, in Article 1
(2), the validity of the certificates for advance fixing, at a
period ending the third month following the month of
issue;

Whereas the situation of the market, both within the
Community and on the world market, evolves at present
in a rapid way; whereas, in order to avoid fixation in
advance of refunds not reflecting the evolution of the
market on short terms, the validity period of the
certificates for advance fixing should be reduced
temporarily to a period ending at the end of the second

month following the month of issue; whereas, however,
the duration of validity of certificates already issued needs
to be maintained unchanged;

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 1 (2) of Regulation
(EEC) No 1700/84, certificates of advance fixing of
refunds shall be valid, for the period from 1 October 1989
to 30 June 1990, from their date of issue, within the
meaning of Article 21 (1) of Commission Regulation
(EEC) No 3719/88 ⁽⁵⁾, until the end of the second month
following the month of issue.

Article 2

This Regulation shall enter into force on 1 October 1989.

It shall apply to certificates of advance fixing issued as
from this date.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 161, 19. 6. 1984, p. 7.

⁽⁴⁾ OJ No L 231, 9. 8. 1989, p. 6.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 2954/89**of 29 September 1989****amending Regulation (EEC) No 1901/89 derogating from Regulation (EEC) No 920/89 laying down quality standards for carrots, citrus fruit and dessert apples and pears as regards the sizing of apples for the 1989/90 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the second subparagraph of Article 2 (3) and Article 16 (4) thereof,

Whereas Annex III to Commission Regulation (EEC) No 920/89⁽³⁾ lays down quality standards for dessert apples and pears; whereas Commission Regulation (EEC) No 1901/89⁽⁴⁾, as amended by Regulation (EEC) No 2107/89⁽⁵⁾, derogates from the provisions on sizing for the 1989/90 marketing year by raising the minimum size of apples;

Whereas there was a serious drought in 1989 in certain regions of the Community, which contributed, in the case of the Granny Smith variety, to a high percentage of small sizes; whereas, as a result of those conditions and for the 1989/90 marketing year, a derogation should be

introduced from the minimum size of large fruited varieties of apple for this variety;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following indent is added to Article 1 of Regulation (EEC) No 1901/89:

'However, these provisions do not apply to the Granny Smith variety of apple.'

Article 2

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

It shall apply with effect from 31 July 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 19.

⁽⁴⁾ OJ No L 184, 30. 6. 1989, p. 19.

⁽⁵⁾ OJ No L 201, 14. 7. 1989, p. 22.

COMMISSION REGULATION (EEC) No 2955/89**of 29 September 1989****laying down certain provisions concerning the issuing of STM licences for olive oil in Portugal**

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, and in particular Article 252 (3) thereof,

Whereas Commission Regulation (EEC) No 3711/88 ⁽¹⁾, as last amended by Regulation (EEC) No 2439/89 ⁽²⁾, sets the target ceiling for imports into Portugal of olive oil from the other Member States at 22 500 tonnes for the period 1 November 1988 to 31 October 1989;

Whereas the abovementioned target ceiling has been reached; whereas, pursuant to Article 252 (1) of the Act of Accession, by Regulation (EEC) No 2529/89 ⁽³⁾, the Commission suspended the issue of STM licences from 18 August 1989 as a precaution;

Whereas, in view of the situation on the market in Portugal, the suspension of the issue of STM licences should be extended under the definitive measures referred to in Article 252 (3) of the Act in order to prevent any

disturbance of the market in that country; whereas the suspension should therefore be extended to the end of the 1988/89 marketing year;

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

The issuing of STM licences for olive oil falling within CN codes 1509 and 1510 00 is hereby suspended until 31 October 1989.

Article 2

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

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 325, 29. 11. 1988, p. 40.

⁽²⁾ OJ No L 231, 9. 8. 1989, p. 5.

⁽³⁾ OJ No L 243, 19. 8. 1989, p. 13.

COMMISSION REGULATION (EEC) No 2956/89

of 29 September 1989

derogating from certain provisions of Regulation (EEC) No 1725/79 as regards
the monitoring of certain products in skimmed-milk powder utilized

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 1725/79 of
26 July 1979 on the rules for granting aid to skimmed
milk processed into compound feedingstuffs and
skimmed-milk powder intended for feed for calves⁽³⁾, as
last amended by Regulation (EEC) No 3368/88⁽⁴⁾,
specifies certain products the presence of which in
skimmed-milk powder as such or in the form of a
mixture rules out the granting of aid in order to exclude
skimmed-milk powder which has been the subject of a
price reduction or aid pursuant to the following measures
from qualifying therefore :

- Commission Regulation (EEC) No 368/77 of 23
February 1977 on the sale by tender of skimmed-milk
powder for use in feed for pigs and poultry⁽⁵⁾, as last
amended by Regulation (EEC) No 222/88⁽⁶⁾,
- Commission Regulation (EEC) No 443/77 of 2 March
1977 on the sale at a fixed price of skimmed-milk for
use in feed for pigs and poultry and amending
Regulations (EEC) No 1687/76 and (EEC) No
368/77⁽⁷⁾, as last amended by Regulation (EEC) No
1413/87⁽⁸⁾,
- Commission Regulation (EEC) No 1844/77 of 10
August 1977 on the granting by tender of special aid
for skimmed-milk powder intended as feed for animals
other than young calves⁽⁹⁾, as last amended by
Regulation (EEC) No 222/88 ;

Whereas the application of Regulation (EEC) No 1844/77
has been suspended since August 1985 ; whereas in
addition sales under Regulations (EEC) No 368/77 and
(EEC) No 443/77 were discontinued in November 1988
in view of quantities in public storage ;

Whereas it therefore appears possible provisionally to
discontinue monitoring the presence of the products in
question in skimmed-milk powder denatured or
processed into compound feedingstuffs from 1 October
1989 pursuant to Regulation (EEC) No 1725/79 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 October 1989 until a date to be fixed when
sales resume under Regulations (EEC) No 368/77 and
(EEC) No 443/77 and/or Regulation (EEC) No 1844/77 or
a similar measure applies once more, the following
provisions of Regulation (EEC) No 1725/79 shall not
apply :

- (a) Article 4 (1) (d)
and
 - (b) the last subparagraph of Article 10 (2) (a) as regards
crushed cereals, crushed oilcake, crushed oilcake
and/or meal of dried and defatted rapeseed, hay meal
and/or straw meal and other products of plant origin
intended for uses as animal feed.
2. During the period referred to in paragraph 1, the
following sections of the reports in the Annexes to
Regulations (EEC) No 1725/79 shall not be completed :
- (a) in the analysis report in Annex I :
the sections relating to A (2) (b), (f), (g), (h) and (i) ;
 - (b) in the inspection report in Annex II :
the section relating to B (1).

Article 2

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

It shall apply from 1 October 1989.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 296, 29. 10. 1988, p. 50.

⁽⁵⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁷⁾ OJ No L 58, 3. 3. 1977, p. 16.

⁽⁸⁾ OJ No L 135, 23. 5. 1987, p. 15.

⁽⁹⁾ OJ No L 205, 11. 8. 1977, p. 11.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2957/89
of 29 September 1989

fixing the level of estimated sunflower seed production for the 1989/90 marketing year, the level of actual sunflower seed 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 No 136/66/EEC 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 27a (6) thereof,

Whereas Article 32a 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⁾, specifies the factors which must be determined in order to implement the system of maximum guaranteed quantities; whereas the level of estimated sunflower seed production for the 1989/90 marketing year, the level of actual sunflower seed production for the 1988/89 marketing year, and the resulting adjustment 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 Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year, the estimated production of sunflower seed is hereby fixed at:

- 992 000 tonnes for Spain,
- 50 000 tonnes for Portugal,
- 2 313 000 tonnes for the other Member States.

Article 2

For the 1988/89 marketing year, the actual production of sunflower seed is hereby fixed at:

- 1 150 000 tonnes for Spain,
- 58 000 tonnes for Portugal,
- 2 824 000 tonnes for the other Member States.

Article 3

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

- ECU 0 per 100 kilograms for Spain,
- ECU 0 per 100 kilograms for Portugal,
- ECU - 3,60 per 100 kilograms for the other Member States.

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 August 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 187, 1. 7. 1989, p. 130.

COMMISSION REGULATION (EEC) No 2958/89
of 29 September 1989
fixing the aid for cotton

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2796/89 ⁽⁴⁾, as amended by Regulation (EEC) No 2915/89 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2796/89 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 42,640 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 269, 16. 9. 1989, p. 29.

⁽⁵⁾ OJ No L 280, 29. 9. 1989, p. 31.

COMMISSION REGULATION (EEC) No 2959/89
of 29 September 1989
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 2860/89⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16(4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 2914/89⁽⁴⁾;

Whereas there are long-term opportunities to export common wheat to certain countries in zone VIII, whereas

this should be taken into account in fixing the corrective amount for this destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 2914/89, which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 29 September 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 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 28.

ANNEX

to the Commission Regulation of 29 September 1989 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
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	03	0	(2)	(2)	(2)	(2)	(2)	(2)
	02	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	0	0	- 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	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries,

02 Other third countries,

03 Angola, Benin, Burkina Faso, Burundi, Cameroon, Congo, Ivory Coast, Gabon, Gambia, Ghana, Guinea Guinea-Bissau, Equatorial Guinea, Kenya, Madagascar, Mali, Mauritius, Mozambique, Niger, Nigeria, Central African Republic, Rwanda, Senegal, Sierra Leone, Tanzania, Chad, Togo and Zaire.

(2) For these destinations, a corrective amount of ECU 10,00 per tonne is fixed for the period 1 November 1989 to 30 June 1990.

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 2960/89
of 29 September 1989
introducing a countervailing charge on apples originaring in Australia

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2670/89⁽³⁾, introduced a countervailing charge on apples originating in Australia;

Whereas for apples originating in Australia there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of apples originating in Australia can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2670/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 September 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 257, 8. 9. 1989, p. 23.

COMMISSION REGULATION (EEC) No 2961/89
of 29 September 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 amended by Regulation (EEC) No 2913/89 ⁽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 30 September 1989.

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

Done at Brussels, 29 September 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 280, 29. 9. 1989, p. 26.

ANNEX

to the Commission Regulation of 29 September 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	26,21 ⁽¹⁾
1701 11 90	26,21 ⁽¹⁾
1701 12 10	26,21 ⁽¹⁾
1701 12 90	26,21 ⁽¹⁾
1701 91 00	31,41
1701 99 10	31,41
1701 99 90	31,41 ⁽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 2962/89
of 29 September 1989
altering the basic amount of the import levies on syrups and certain other
products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2642/89 ⁽³⁾, as last amended by Regulation (EEC) No 2897/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2642/89 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2642/89, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 September 1989.

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

Done at Brussels, 29 September 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 255, 1. 9. 1989, p. 26.

⁽⁴⁾ OJ No L 279, 28. 9. 1989, p. 27.

ANNEX

to the Commission Regulation of 29 September 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3141	—
1702 20 90	0,3141	—
1702 30 10	—	33,90
1702 40 10	—	33,90
1702 60 10	—	33,90
1702 60 90	0,3141	—
1702 90 30	—	33,90
1702 90 60	0,3141	—
1702 90 71	0,3141	—
1702 90 90	0,3141	—
2106 90 30	—	33,90
2106 90 59	0,3141	—

COMMISSION REGULATION (EEC) No 2963/89

of 29 September 1989

on the rate of interest to be used for calculating the costs of financing
intervention measures comprising buying in, storage and disposal

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

Having regard to Council Regulation (EEC) No 1883/78
of 2 August 1978 laying down general rules for the
financing of interventions by the European Agricultural
Guidance and Guarantee Fund (EAGGF), Guarantee
Section⁽¹⁾, as last amended by Regulation (EEC) No
787/89⁽²⁾, and in particular Article 5 thereof,

Whereas Article 3 of Commission Regulation (EEC) No
411/88⁽³⁾, as last amended by Regulation (EEC) No
1644/89⁽⁴⁾, lays down that the uniform interest rate used
for calculating the costs of financing intervention
measures is to correspond to the interest rates for the ecu
for three months' and 12 months' forward rates recorded
by the Statistical Office of the European Communities on
the Euromarkets with a weighting of one-third and
two-thirds respectively;

Whereas the Commission fixes this rate before the
beginning of each EAGGF Guarantee Section accounting
year on the basis of the rates recorded in the six months
preceding fixing;

Whereas Article 4 (1) of Regulation (EEC) No 411/88 lays
down that if the rate of interest costs borne by a Member
State is lower for at least six months than the uniform
interest rate fixed for the Community a specific interest
rate is to be fixed for that Member State; whereas the
Member State notified these costs to the Commission
before the end of the accounting year; whereas, where no
costs are notified by a Member State, the rate to be

applied is determined on the basis of the reference
interest rates set out in the Annex to the said Regulation;

Whereas the interest rates for the 1990 accounting year
must be set, in line with those provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

For expenditure incurred during the 1990 EAGGF
Guarantee Section accounting year:

1. the interest rate referred to in Article 3 of Regulation
(EEC) No 411/88 shall be 9,1 %;
2. the interest rate referred to in Article 4 of Regulation
(EEC) No 411/88 shall be
8,1 % for Germany,
7,2 % for the Netherlands,
6,5 % for Luxembourg,
8,7 % for France.

Article 2

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

It shall apply from 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 85, 30. 3. 1989, p. 1.

⁽³⁾ OJ No L 40, 13. 2. 1988, p. 25.

⁽⁴⁾ OJ No L 162, 13. 6. 1989, p. 18.

COMMISSION REGULATION (EEC) No 2964/89**of 29 September 1989****fixing depreciation percentages to be applied when agricultural products are bought in**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down the general rules for the financing of intervention by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, as last amended by Regulation (EEC) No 787/89 ⁽²⁾, and in particular Article 8 thereof,

Whereas, pursuant to Article 8 of Regulation (EEC) No 1883/78, systematic depreciation of public intervention agricultural products must take place when they are bought in, and whereas accordingly the Commission must determine the depreciation percentage before the beginning of each year and whereas such percentage shall not exceed the difference between the buying-in price and the foreseeable disposal price for each product;

Whereas, pursuant to Article 8 (3) of Regulation (EEC) No 1883/78, the Commission may, at its discretion, restrict depreciation at the time of buying in to a proportion of this depreciation percentage, but such proportion may not be less than 70 %; whereas, coefficients to be applied also for the 1990 financial year by the intervention agencies to the monthly buying-in values of products should be fixed, to enable the agencies to establish the depreciation amounts;

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

HAS ADOPTED THIS REGULATION:

Article 1

In respect of the products listed in the Annex, which, having been bought in by public intervention have entered store or been taken over by the intervention agencies between 1 October 1989 and 30 September 1990, the authorities shall depreciate their value to account for the difference between the buying in prices and the foreseeable selling prices of the relevant products.

Article 2

The intervention agencies shall apply to the values of the products bought in the coefficients set out in the Annex.

The expenditure amounts determined in this way shall be notified to the Commission under the declarations established pursuant to Regulation (EEC) No 2776/88 of the Commission ⁽³⁾.

Article 3

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

It shall apply from 1 October 1989.

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 85, 30. 3. 1989, p. 1.

⁽³⁾ OJ No L 249, 8. 9. 1988, p. 9.

ANNEX

'k' depreciation coefficients (Article 8 (3) of Regulation (EEC) No 1883/78), to be applied to the monthly buying-in-values

Products	'k'
— breadmaking common wheat	0,55
— non-breadmaking common wheat	0,55
— barley	0,55
— rye	0,55
— durum wheat	0,55
— maize	0,55
— sorghum	0,55
— sunflower seed	0,50
— rape	0,50
— olive oil	
— Community without Spain	0,45
— Spain	0,30
— sugar	0,50
— butter	0,50
— skimmed-milk powder	0,40
— beef	0,50
— alcohol as referred to in Article 40 (1) of Council Regulation (EEC) No 822/87 (1)	0,70
— tobacco	0,65

(1) OJ No L 84, 27. 3. 1987, p. 1.

COMMISSION REGULATION (EEC) No 2965/89

of 29 September 1989

providing for the grant of private storage aid fixed at a standard rate in advance
in respect of carcasses, half-carcasses, hindquarters and forequarters of adult male
bovine animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of
27 June 1968 on the common organization of the market
in beef and veal ⁽¹⁾, as last amended by Regulation (EEC)
No 571/89 ⁽²⁾, and in particular Articles 5 (1) and (2) and 8
(2) thereof,

Whereas, in view of the difficulties on the market in beef
owing to increased slaughterings of adult male bovine
animals, private storage aid should be granted in respect
of such animals;

Whereas the provisions of Commission Regulation (EEC)
No 1091/80 ⁽³⁾, as last amended by Regulation (EEC) No
3492/88 ⁽⁴⁾, should be followed in respect of the grant of
private storage aid for beef;

Whereas provision should be made to ensure that the
animals involved are slaughtered exclusively in slaughter-
houses which are approved and supervised in accordance
with the provisions of Council Directive 64/433/EEC ⁽⁵⁾,
as last amended by Directive 88/657/EEC ⁽⁶⁾;

Whereas Article 3 of Council Regulation (EEC) No
989/68 ⁽⁷⁾ provides that, if the market situation so
requires, the period of storage may be curtailed or
extended; whereas it is therefore appropriate that, in
addition to the amounts of aid granted for a specific
storage period, amounts to be added or reduced in the
event of that period being extended or curtailed should
also be fixed;

Whereas, in order to prevent the financing of normal
private storage, it appears desirable to fix high minimum
quantities;

Whereas foreseeable market conditions make it necessary
to provide for storage periods of between four and six
months; whereas, in order to improve the efficiency of
the scheme, provisions should be laid down enabling the

applicants to benefit from an advance payment of the aid
subject to a security;

Whereas, in order to increase the effects on the market, it
should be provided that chairman, products under a
private storage contract should be able at the same time to
be placed under the system laid down in Article 5 (1) of
Council Regulation (EEC) No 565/80 of 4 March 1980 on
the advance payment of export refunds in respect of
agricultural products ⁽⁸⁾, as amended by Regulation (EEC)
No 2026/83 ⁽⁹⁾;

Whereas, in view of the contractual storage periods it is
necessary to derogate from Article 28 (5) of Commission
Regulation (EEC) No 3665/87 ⁽¹⁰⁾, as last amended by
Regulation (EEC) No 3993/88 ⁽¹¹⁾, as to the period during
which the products may remain under the system laid
down in Regulation (EEC) No 565/80;

Whereas provision should be made for the possibility of
reducing the storage period where meat removed from
storage is intended for export; whereas proof that the
meat has been exported must be supplied as in the case of
refunds, in accordance with Regulation (EEC) No
3665/87; whereas, except in cases where the stored
products are put under a system requiring export in their
totality, it is appropriate to provide that, subject to certain
conditions, a limited quantity may be withdrawn from
store without subsequent export; whereas provision
should be made for the calculation of aid and the release
of the security where the storer has not fulfilled certain
obligations;

Whereas appropriate control measures should be adopted
to ensure that the aid is granted on a correct basis;
whereas, in this context it should in particular be laid
down that Member States should carry out controls which
are adapted to the various stages of the storage
operations;

Whereas, in order for the Commission to monitor closely
the effect of the private storage scheme, Member States
are to forward the necessary information;

Whereas the Management Committee for Beef and Veal
has not delivered an opinion within the time limit laid
down by its chairman,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 114, 3. 5. 1980, p. 18.

⁽⁴⁾ OJ No L 306, 11. 11. 1988, p. 20.

⁽⁵⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁶⁾ OJ No L 382, 31. 12. 1988, p. 3.

⁽⁷⁾ OJ No L 169, 18. 7. 1968, p. 10.

⁽⁸⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹⁰⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹¹⁾ OJ No L 354, 22. 12. 1988, p. 22.

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications may be submitted between 2 and 28 October 1989 for aid for the private storage of one of the presentations of adult male bovine animals defined in Article 2.

The amounts of this aid, by tonne of products, bone-in, shall be as fixed in the Annex hereto for each of these presentations, pursuant to Article 6 (1) of Regulation (EEC) No 1091/80.

If the quantities in respect of which contracts have been applied for or the market situation make it advisable, the deadline for the submission of applications may be changed.

2. The aid shall be adjusted if the period of storage is extended or reduced. The supplements and deductions per day for each of the presentations referred to in Article 2 shall be as fixed in the Annex hereto.

3. Subject to the provisions of this Regulation, the provisions of Regulation (EEC) No 1091/80 shall apply.

Article 2

1. Only meat produced in accordance with the provisions of Article 3 (1a) (a) to (e) of Directive 64/433/EEC shall be eligible for private storage aid.

2. Private storage can only be granted for meat classified in accordance with the Community scale for the classification of carcasses laid down in Council Regulation (EEC) No 1208/81⁽¹⁾ and identified in accordance with Article 4 (3) (d) and (e) of Commission Regulation (EEC) No 859/89⁽²⁾.

3. For the purposes of this Regulation:

— carcasses shall have a minimum average weight of 220 kilograms,

— half-carcasses shall have a minimum average weight of 110 kilograms,

— 'hindquarter' means:

(a) the rear part of the half-carcass cut in the manner known as 'pistola' with a minimum of five cut ribs and a maximum of eight ribs and with a minimum average weight of 55 kilograms; it is cut straight to the hip bone and then parallel to the fillet so that this is practically free from attached parts of the flank; or

(b) the rear part of the half-carcass cut in the manner known as 'straight' with a minimum of three ribs and a maximum of five ribs and with a minimum average weight of 55 kilograms,

— 'forequarter' means:

(a) the front part of the half-carcass cut, in the manner known as 'pistola' with a minimum of five ribs and a maximum of eight ribs and with a minimum average weight of 55 kilograms, the flank being attached to the forequarter; or

(b) the front part of the half-carcass and in a manner known as 'straight' with a minimum of eight ribs and a maximum of 10 ribs and with a minimum average weight of 55 kilograms.

4. Carcasses and half-carcasses shall be presented in accordance with point 2 (a) and (b) of Annex III to Regulation (EEC) No 859/89.

Article 3

1. The minimum quantity per contract shall be 15 tonnes expressed as bone-in meat.

2. The contract may only cover unboned meat of one of the presentations listed in the Annex.

3. Placing in storage must be carried out within 28 days of the date of conclusion of the contract.

4. The security shall be forfeit if the application for a contract is withdrawn.

Article 4

1. Subject to the provisions of paragraph 2, contractors may, during the storage entry period, cut or bone all or part of the products referred to in Article 2, provided that only the quantity for which the contract has been concluded is employed and that all the meat resulting from such operations is placed in store. Intention to make use of this facility shall be notified not later than the date of placing in storage.

2. If the quantity actually stored unboned, or, if cut or boned, the quantity of unboned meat employed, is less than the quantity for which the contract was concluded and:

(a) not less than 90 % of that quantity, the amount of aid referred to in Article 1 (1) shall be reduced proportionally;

(b) less than 90 % but more than or equal to 80 % of that quantity, half of the private storage aid shall be paid for the quantity actually stored;

(c) less than 80 % of this quantity, private storage aid shall not be paid.

⁽¹⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽²⁾ OJ No L 91, 4. 4. 1989, p. 5.

3. In the case of boning :

- (a) if the quantity actually stored does not exceed 67 kilograms of boned meat per 100 kilograms of unboned meat employed, private storage aid shall not be payable ;
- (b) if the quantity actually stored exceeds 67 kilograms but is lower than 75 kilograms of boned meat per 100 kilograms of unboned meat employed, the aid referred to in Article 1 (1) shall be reduced proportionally.

4. Large tendons, cartilage, pieces of fat and other scraps left over from cutting for boning may not be stored.

5. No aid shall be granted :

- (a) for quantities stored unboned or, in case of cutting or boning, for quantities of unboned meat employed in excess of quantities for which the contract was concluded ; and
- (b) in case of boning, for quantities in excess of 75 kilograms of boned meat per 100 kilograms of unboned meat employed.

Article 5

1. The actual storage period shall be chosen by the storer, but may not be less than four months nor exceed six months. If the storage period exceeds four months the aid shall be increased in accordance with Article 1 (2).

2. After three months of storage under contract, a single advance on the aid may be paid, at the storer's request, on condition that he lodges a security equal to the advance payment plus 20 %.

The advance on the aid shall not exceed the amount of aid corresponding to a storage period of three months. Where quantities under contract are exported in accordance with Article 7 prior to the payment of the advance the actual storage period for those quantities shall be taken into account when calculating the amount of advance.

The advance on the aid shall be converted into national currency by applying the representative rate in force on the day of conclusion of the storage contract.

Article 6

1. By way of derogation from Article 2 (4) of Regulation (EEC) No 1091/80, products to be stored under a private storage contract may be placed under the system laid down in Article 5 (1) of Regulation (EEC) No 565/80.

Member States may require that the two operations referred to in the first subparagraph shall commence simultaneously.

2. In this case, by way of derogation from Article 28 (5) of Regulation (EEC) No 3665/87 the period referred to in that Article shall be seven months.

3. For the purposes of the second subparagraph of paragraph 1, where a private storage contract is concluded for a quantity which consists of several lots which are placed in storage on different dates, each of the said lots may be the subject of a separate payment declaration. A payment declaration, as referred to in Article 25 of Regulation (EEC) No 3665/87 shall be submitted for each lot on the day of its entry into storage.

'Lot' means a quantity which is placed in storage on a given day.

Article 7

1. After two months of storage under contract, meat may be fully or partly withdrawn from store, subject to a minimum quantity, provided that, within 60 days following its removal from store, it :

- has left the territory of the Community,
- or
- has reached its destination in the cases referred to in Article 34 (1) of Regulation (EEC) No 3665/87,
- or
- has been placed in a victualling warehouse approved pursuant to Article 38 of Regulation (EEC) No 3665/87.

2. If the 60-day period is not complied with, the amount of aid for the quantity concerned, calculated in accordance with Article 8 shall be reduced :

- by 15 %,
- plus
- a further 5 % per day exceeding the 60-day period.

Moreover 15 % of the security referred to in Article 10 and a further 5 % per day exceeding the sixty-day period shall be forfeit in respect of the quantity concerned.

3. If, prior to the end of the minimum storage period, a minimum of 90 % of the meat actually stored under a contract has been exported within the meaning of paragraph 1, the balance may be withdrawn from store prior to the end of the minimum storage period.

In that case :

- aid shall only be paid for the quantity exported,
- and
- the security referred to in Article 10 shall be released only in respect of the quantity exported.

4. For the purposes of the preceding paragraphs, proof shall be furnished as in the case of refunds.

Article 8

1. Where Article 7 is applied, the aid shall be reduced, in accordance with Article 1 (2).
2. The storage period shall terminate on the day before:
 - the first day of removal from storage, or
 - the day of acceptance of the export declaration, if the meat has not been moved.
3. Article 3 (4) of Council Regulation (EEC, Euratom) No 1182/71⁽¹⁾ shall not apply as regards the calculation of the storage period.

Article 9

1. The minimum quantity for each removal is fixed at 5 tonnes of product weight per store and per contractor. However, where the quantity left in a store is less than this quantity, one further withdrawal operation of the remaining quantity or part thereof shall be permitted.

Where the withdrawal conditions referred to in the preceding subparagraph are not complied with:

- the amount of aid for the quantity withdrawn shall be calculated in accordance with Article 5 (1) or Article 8, and
 - 15 % of the security referred to in Article 10 shall be forfeit in respect of the quantity withdrawn.
2. The storer shall inform the intervention agency in good time before the commencement of withdrawal operations, stating the quantities he intends to withdraw.

The intervention agency may require that this notification be made at most two working days before commencement of operations.

Where this requirements is not complied with but where sufficient evidence has been furnished, to the satisfaction of the competent authority, as to the date of withdrawal from store and the quantities concerned

- the amount of aid shall be calculated in accordance with Article 5 (1) or Article 8, and
- 15 % of the security referred to in Article 10 shall be forfeit in respect of the quantity concerned.

In all other cases where that requirement is not complied with:

- no aid shall be paid under the contract concerned, and
- the whole of the security referred to in Article 10 shall be forfeit in respect of the contract concerned.

Article 10

The amount of the security referred to in Article 4 (2) of Regulation (EEC) No 1091/80 shall be:

- ECU 100 per tonne in respect of contracts covering carcasses or half-carcasses,
- ECU 130 per tonne in respect of contracts covering carcasses or half-carcasses,
- ECU 75 per tonne in respect of contracts covering carcasses or half-carcasses

Article 11

Except in cases of *force majeure* the application for payment of the aid and the supporting documents must be lodged with the competent authority within six months of the end of the contractual storage period. If it has not been possible to produce them on time although the applicant has acted promptly to obtain them, an extra period of time for their production may be granted. Where Article 7 is applied the necessary proof must be produced within the time limits specified in Article 47 (2), (4), (6) and (7) of Regulation (EEC) No 3665/87.

Article 12

1. The Member States shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor shall make available to the national authorities responsible for verifying execution of the measure any documentation permitting in particular the following particulars of products placed in private storage to be verified:

- (a) ownership at the time of entry into storage;
- (b) Community origin;
- (c) the date of slaughter of the animals, the weight and quantity;
- (d) the date of entry into storage;
- (e) presence in the store;
- (f) the date of removal from storage.

3. The contractor or, where applicable, the operator of the store shall keep stock accounts available at the store, covering:

- (a) identification, by contract number, of the products placed in private storage;
- (b) the dates of entry into and removal from storage;
- (c) the number of prepackaged items, the weight and designation of the products;
- (d) the location of the products in the store.

4. Products stored must be easily identifiable and must be identified individually by contract. Each prepacked item and, where applicable, each pallet must be labelled so that the contract number, the description of the product and the weight; date of entry into storage shall be shown by lot in storage.

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

5. On entry into storage, the intervention agencies shall conduct checks in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract.

6. The national authorities responsible for controls shall undertake :

- (a) for each contract, a check on the compliance with all the obligations in Article 3 (2) of Regulation (EEC) No 1091/80 ;
- (b) an unannounced check to see that the products are present in the store. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include, in addition to an examination of the accounts referred to in paragraph 3, a physical check of the weight and type of product and their identification. Such physical checks must relate to at least 5 % of the quantity subject to the unannounced check ;
- (c) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating :

- the date of the check,
- its duration,
- the operations conducted.

The report on checks must be signed by the official responsible and countersigned by the contractor or, where applicable, by the store operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products subject to the checks the latter shall be extended to a larger sample to be determined by the intervention agency.

The Member States shall notify such cases to the Commission within four weeks.

Article 13

Member States shall communicate by telex to the Commission before Thursday of each week the results of the application of Articles 5 (2), 6 (1) and 7 of this Regulation.

Article 14

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

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

Done at Brussels, 29 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX***Aid for carcasses, half-carcasses, hindquarters and forequarters of adult male bovine animals**

Products in respect of which aid is granted	Amount of aid ECU/tonne for a storage period of four months	Amount in ECU/tonne to be deducted or added per day
(a) Fresh or chilled carcasses or half-carcasses	400	1,0
(b) Fresh or chilled hindquarters cut in the manner known as 'pistola'	520	1,0
(c) Fresh or chilled hindquarters cut in the manner known as 'straight'	510	1,0
(d) Fresh or chilled forequarters cut in the manner known as 'pistola'	280	0,9
(e) Fresh or chilled forequarters cut in the manner known as 'straight'	290	0,9

COMMISSION REGULATION (EEC) No 2966/89

of 29 September 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 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 2860/89⁽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 (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⁽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 2893/89⁽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:

— 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 28 September 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 2893/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 October 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽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 279, 28. 9. 1989, p. 16.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽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, 29 September 1989.

For the Commission :

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 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)
0714 10 10 (1)	39,06	110,52	115,35
0714 10 91	36,04	110,52	112,33
0714 10 99	39,06	110,52	115,35
0714 90 11	36,04	110,52 (2)	112,33
0714 90 19	39,06	110,52 (2)	115,35
1102 20 10	38,40	220,64	226,68
1102 20 90	21,36	125,03	128,05
1102 30 00	3,02	116,66	119,68
1102 90 10	70,91	202,19	208,23
1102 90 30	55,43	186,16	192,20
1103 12 00	55,43	186,16	192,20
1103 13 11	38,40	220,64	226,68
1103 13 19	38,40	220,64	226,68
1103 13 90	21,36	125,03	128,05
1103 14 00	3,02	116,66	119,68
1103 19 10	87,71	209,25	215,29
1103 19 30	70,91	202,19	208,23
1103 21 00	37,74	199,37	205,41
1103 29 10	87,71	209,25	215,29
1103 29 20	70,91	202,19	208,23
1103 29 30	55,43	186,16	192,20
1103 29 40	38,40	220,64	226,68
1103 29 50	3,02	116,66	119,68
1104 11 10	39,78	114,58	117,60
1104 11 90	78,12	224,66	230,70
1104 12 10	31,01	105,49	108,51
1104 12 90	60,92	206,84	212,88
1104 19 10	37,74	199,37	205,41
1104 19 30	87,71	209,25	215,29
1104 19 50	38,40	220,64	226,68
1104 19 91	6,04	198,11	204,15
1104 21 10	60,68	179,73	182,75
1104 21 30	60,68	179,73	182,75
1104 21 50	96,14	280,83	286,87
1104 21 90	39,78	114,58	117,60
1104 22 10 10 (2)	31,01	105,49	108,51
1104 22 10 90 (10)	52,41	186,16	189,18
1104 22 30	52,41	186,16	189,18
1104 22 50	46,92	165,47	168,49
1104 22 90	31,01	105,49	108,51

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1104 23 10	31,79	196,13	199,15
1104 23 30	31,79	196,13	199,15
1104 23 90	21,36	125,03	128,05
1104 29 10*10 (*)	26,44	147,31	150,33
1104 29 10*20 (*)	63,36	154,61	157,63
1104 29 30*10 (*)	31,20	177,22	180,24
1104 29 30*20 (*)	75,61	186,00	189,02
1104 29 30*40 (*)	60,65	197,06	200,08
1104 29 91	20,98	112,98	116,00
1104 29 95	49,30	118,58	121,60
1104 30 10	19,25	83,07	89,11
1104 30 90	19,53	91,94	97,98
1106 20 10	39,06	108,70 (*)	115,35
1106 20 91	49,50	193,72 (*)	217,90
1106 20 99	49,50	193,72 (*)	217,90
1107 10 11	42,23	197,15	208,03
1107 10 19	34,30	147,31	158,19
1107 10 91	75,03	199,95	210,83 (*)
1107 10 99	58,81	149,40	160,28
1107 20 00	66,74	174,11	184,99 (*)
1108 11 00	59,29	243,67	264,22
1108 12 00	49,50	197,35	217,90
1108 13 00	49,50	197,35	217,90
1108 14 00	49,50	98,67	217,90
1108 19 10	30,83	167,29	198,12
1108 19 90	49,50	98,67 (*)	217,90
1109 00 00	251,78	443,04	624,38
1702 30 51	134,48	257,42	354,14
1702 30 59	95,44	197,35	263,84
1702 30 91	134,48	257,42	354,14
1702 30 99	95,44	197,35	263,84
1702 40 90	95,44	197,35	263,84
1702 90 50	95,44	197,35	263,84
1702 90 75	136,28	269,68	366,40
1702 90 79	94,00	187,55	254,04
2106 90 55	95,44	197,35	263,84
2302 10 10	16,03	48,82	54,82
2302 10 90	27,49	104,61	110,61
2302 20 10	16,03	48,82	54,82
2302 20 90	27,49	104,61	110,61
2302 30 10	16,03	48,82	54,82
2302 30 90	27,49	104,61	110,61
2302 40 10	16,03	48,82	54,82
2302 40 90	27,49	104,61	110,61
2303 10 11	217,30	245,16	426,50

-
- (1) 6 % *ad valorem*, subject to certain conditions.
- (2) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.
- (3) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- arrow-root falling within CN codes 0714 90 11 and 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (4) TARIC code : wheat.
- (5) TARIC code : rye.
- (6) TARIC code : sorghum.
- (7) TARIC code : clipped oats.
- (8) TARIC code : CN code 1104 22 10, other than 'clipped oats'.
-

COUNCIL REGULATION (EEC) No 2967/89**of 25 September 1989****relating to the continued import of New Zealand butter into the United Kingdom on special terms**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Act of Accession of Denmark, Ireland and the United Kingdom, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 3667/83⁽¹⁾ authorized the United Kingdom to import certain quantities of New Zealand butter on special terms during the five calendar years from 1984 to 1988;

Whereas the Council was unable to agree in good time on new import arrangements for a longer term; whereas in order to avoid an interruption in imports the Council has granted temporary authorizations and on the last occasion by Regulation (EEC) No 2331/89⁽²⁾ for the period from 1 January to 30 September 1989;

Whereas the exceptional arrangements should continue in order to ensure continued imports from New Zealand; whereas, since the butter market is at present subject to substantial short-term changes, quantities of New Zealand butter which may be imported on special terms should be fixed for a period of four years;

Whereas, in view of the measures laid down to reduce milk production in the Community, access for New Zealand butter must be limited from 1989 to 1992 and quantities which may be imported each year must be reduced progressively; whereas the quantities imported under the temporary authorization provided for in Regulation (EEC) No 3667/83 between 1 January and 30 September 1989 are to be included in the 64 500 tonnes fixed for 1989; whereas the special levy fixed in this Regulation should be applied to the quantity of butter imported in 1989;

Whereas provision should be made that if the butter market requires changes in the conditions of intervention, such changes must be reflected in the price of New Zealand butter marketed in the Community;

Whereas a special levy, which will normally remain unchanged as long as the intervention price for butter of Community origin is not altered, constitutes the most appropriate method for protecting the market price of Community butter and for enabling New Zealand to plan its exports to the United Kingdom,

Article 1

The United Kingdom shall be authorized to import certain quantities of butter from New Zealand under the terms of this Regulation.

Article 2

1. These arrangements shall apply from 1 January 1989 to 31 December 1992.

The following quantities may be imported:

- 64 500 tonnes in 1989,
- 61 340 tonnes in 1990,
- 58 170 tonnes in 1991,
- 55 000 tonnes in 1992.

However, the quantity fixed for 1989 shall be reduced by the quantity imported between 1 January and 30 September 1989 under the temporary authorization provided for in Regulation (EEC) No 3667/83.

2. The Council, acting by a qualified majority on a proposal from the Commission, may temporarily reduce the quantities laid down in paragraph 1 in order to prevent serious disruption of the United Kingdom butter market.

3. Before 1 October 1992, the Council, acting unanimously on a proposal from the Commission accompanied by a report, shall take a decision on the maintenance of the exceptional arrangements from 1 January 1993.

Article 3

1. The special levy on New Zealand butter imported under this Regulation shall be ECU 45,83 per 100 kilograms.

However, with regard to the quantity imported between 1 January and 30 September 1989 under the temporary authorization provided for by Regulation (EEC) No 3667/83, the special levy referred to in the first subparagraph shall only apply at the request of the party concerned.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adjust the rate of the special levy in line with changes in the conditions of intervention in respect of butter in the Community.

⁽¹⁾ OJ No L 366, 28. 12. 1983, p. 16.

⁽²⁾ OJ No L 220, 29. 7. 1989, p. 75.

Article 4

Eligibility for the special import arrangements shall be subject to presentation of a certificate establishing that the butter in question ;

- is of New Zealand origin,
- is at least six weeks old,
- has a fat content of not less than 80 % but less than 82 % by weight,
- was manufactured directly from milk or cream.

Article 5

Butter imported into the United Kingdom under this Regulation may not be traded in the Community nor re-exported to a third country.

Article 6

Imports of New Zealand butter shall be subject to the provisions adopted under Regulation (EEC) No 1677/85⁽¹⁾, as last amended by Regulation (EEC) No

1889/87⁽²⁾, on the fluctuation of certain Member States' currencies.

Article 7

The United Kingdom shall forward all information necessary for the application of this Regulation to the Commission, which shall inform the other Member States thereof.

Article 8

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68⁽³⁾.

Article 9

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 25 September 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 September 1989

supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilizers

(89/530/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas it is necessary to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilizers ⁽⁴⁾, as last amended by Directive 89/284/EEC ⁽⁵⁾, lays down rules on the marketing of EEC-type fertilizers; whereas it has proved necessary to extend this Directive to cover the seven trace elements (boron, cobalt, copper, iron, manganese, molybdenum and zinc) contained in these fertilizers;

Whereas Directive 76/116/EEC should henceforth apply to soluble fertilizers or fluids containing one or more trace elements marketed individually and mixtures thereof and to certain chelated trace elements;

Whereas the Directives on fertilizers should be continually developed and updated as regards the adaptation to scientific and technical progress of the products listed in the Annexes to those Directives; whereas for this purpose it is considered necessary to extend the functions of the Committee provided for in Directive 76/116/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Solid or fluid fertilizers listed in Chapter A of the Annex, containing only one of the following trace elements: boron, cobalt, copper, iron, manganese, molybdenum or zinc and meeting the requirements of the said Chapter A, may be marked 'EEC FERTILIZER'.

2. Mixtures of two or more of the fertilizers referred to in paragraph 1 containing at least two different trace elements may be marked 'EEC FERTILIZER' if they meet the requirements of Chapter B of the Annex.

Article 2

EEC fertilizers complying with the provisions of Article 1 shall be packaged.

⁽¹⁾ OJ No C 304, 29. 11. 1988, p. 8.

⁽²⁾ OJ No C 47, 20. 2. 1989, p. 75 and Decision of 15 September 1989 (not yet published in the Official Journal).

⁽³⁾ OJ No C 102, 24. 4. 1989, p. 9.

⁽⁴⁾ OJ No L 24, 30. 1. 1976, p. 21.

⁽⁵⁾ OJ No L 111, 22. 4. 1989, p. 34.

Article 3

1. The content of one or more of the following trace elements: boron, cobalt, copper, iron, manganese, molybdenum or zinc in the EEC fertilizers listed in Annex I to Directive 76/116/EEC shall be declared where the following two conditions are fulfilled:

- (a) the trace elements are added and present at least in the minimum quantities specified in Chapters C and D of the Annex to this Directive;
- (b) the EEC fertilizers must continue to satisfy the requirements of Annex I to Directive 76/116/EEC.

2. Where the trace elements are the normal ingredients of the raw materials intended to supply major and secondary elements, their declaration shall be optional, provided that these trace elements are present at least in the minimum quantities specified in Chapters C and D of the Annex to this Directive.

Article 4

The compulsory markings for the identification of the fertilizers covered by this Directive shall be as follows:

- (a) 'EEC FERTILIZER' in capital letters,
 - (b) the designation of the type of fertilizer:
 - either in accordance with Chapter A of the Annex,
 - or as the type designation 'Mixture of trace elements', followed by the names of the trace elements present or their chemical symbols,
 - or in accordance with Annex I to Directive 76/116/EEC, by adding to the type designation either:
 - 'with trace elements',
 - or
 - 'with' followed by the name or names of the trace elements present or by their chemical symbols.
- Only the numbers stating the contents of the major and secondary elements covered by Directive 76/116/EEC shall follow the type designation.

Where several trace elements are present they shall be listed in the alphabetical of their chemical symbols: B, Co, Cu, Fe, Mn, Mo, Zn;

- (c) the guaranteed content in respect of each nutrient and the guaranteed content expressed as forms and/or solubilities where these are specified in the Annexes to Directive 76/116/EEC and, for each trace element present, as required by Article 6;
- (d) where all or part of the trace element is chemically linked with an organic molecule, the name of that element is then followed by one of the following qualifiers:

— 'chelated by ...' (name of chelating agent or its abbreviation as set out in Chapter E (1) of the Annex),

— 'complexed by ...' (name of complexing agent as set out in Chapter E (2) of the Annex).

The trace-element content shall be expressed as a percentage by weight, in whole numbers or where necessary to one decimal place for fertilizers containing only one trace element (Chapter A of the Annex). Where fertilizers contain several trace elements the number of decimal places may, for a given element, be as set out in Chapters B, C and D of the Annex.

Trace-element content shall be expressed both in words and by the appropriate chemical symbols.

The following shall be entered on the label or accompanying papers, with regard to the products appearing in Chapters A and B of the Annex below the obligatory or optional declarations:

'To be used only where there is a recognized need. Do not exceed the appropriate dose rates.'

Article 5

Member States may require on their territory without impeding trade and on the responsibility of the person in charge of marketing that an indication be given of the dose rates and conditions of use suitable for the soil and crop conditions under which the fertilizer is used. This information must be clearly separated from the obligatory declarations provided for in Article 4.

Article 6

Member States shall require that the trace-element content of EEC fertilizers placed on the market must be stated in the form of elements (B, Co, Cu, Fe, Mn, Mo, Zn).

The trace-element content of a fertilizer shall be declared in the following manner:

- (a) for the fertilizers referred to in Article 1 (1): in accordance with the requirements set out in Chapter A (column 6) of the Annex;
- (b) for the fertilizers referred to in Article 1 (2) and Article 3 by indicating:

— the total content, expressed as a percentage by weight of the fertilizer, and

— the water-soluble content, expressed as a percentage by weight of the fertilizer, where that solubility is at least half of the total content.

Where a trace-element is totally water-soluble, only the water-soluble content shall be declared.

The trace-element content of a fertilizer shall be determined under the conditions laid down in the methods of analysis provided for in Article 8 of Directive 76/116/EEC.

Where a trace element is chemically linked with an organic molecule the content present in the fertilizer shall be declared immediately following the water-soluble content as a percentage by weight of the product, followed by one of the terms: 'chelated by' or 'complexed by' with the name of the organic molecule as set out in Chapter E of the Annex. The name of the organic molecule may be replaced by its initials.

Article 7

The tolerance allowed in respect of the declared trace-element content shall be:

- 0,4 % in absolute terms for a content of more than 2 %;
- one-fifth of the declared value for a content not exceeding 2 %.

Article 8

Article 9 (1) of Directive 76/116/EEC is replaced by the following:

'Amendments required to adapt the Annexes to technical progress shall be adopted in accordance with the procedure laid down in Article 11.

Where such amendments are made, a fertilizer shall be included only if:

- (a) it does not adversely affect human or animal health or the environment;
- (b) it provides nutrients in an effective manner according to the needs of a particular crop or according to growing conditions of particular crops.'

Article 9

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within eighteen months of its notification. They shall forthwith inform the Commission thereof.

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

Article 10

This Directive is addressed to the Member States.

Done at Brussels, 18 September 1989.

For the Council

The President

E. CRESSON

ANNEX

CHAPTER A

FERTILIZERS CONTAINING ONLY ONE TRACE ELEMENT

Note 1: A chelating agent may be designated by means of its initials as set out in Chapter E.

Note 2: If the product leaves no solid residue after being dissolved in water, it may be described as 'for dissolution'.

Note 3: Where a trace element is present in a chelated form, the pH range guaranteeing acceptable stability of the chelated fraction shall be stated.

No	Type designation	Data on method of production and essential ingredients	Minimum trace-element content (percentage by weight) Data on the expression of nutrients. Other requirements	Other data or type designation	Trace-element content to be declared. Solubilities. Other criteria
1	2	3	4	5	6

BORON

		Product obtained by the action of an acid on a borate	14 % water-soluble B	Usual trade names may be added	Water-soluble boron B
1a	Boric acid				
1b	Sodium borate	Product obtained chemically and having as its essential ingredient a sodium borate	10 % water-soluble B	Usual trade names may be added	Water-soluble boron B
1c	Calcium borate	Product obtained partly from colemanite or pandermite, and having as its essential ingredient calcium borates	7 % total B Particle size : at least 98 % passing through a 0,063 mm sieve	Usual trade names may be added	Total boron (B)
1d	Boron ethanol amine	Product obtained from the reaction of boric acid with an ethanol amine	8 % water-soluble B		Water-soluble boron (B)
1e	Borated fertilizer in solution or suspension	Product obtained by dissolution or suspension in water of types 1a, 1b, 1d	2 % water-soluble B		Water-soluble boron (B)

1	2	3	4	5	6
COBALT					
2a	Cobalt salt	Product obtained chemically and having as its essential ingredient a mineral salt of cobalt	19 % water-soluble Co	The designation must include the name of the combined mineral anion	Water-soluble cobalt (Co)
2b	Cobalt chelate	Product obtained by combining cobalt chemically with a chelating agent	2 % water-soluble Co, at least 8/10 of which has been chelated	Nature of the chelating agent	Water-soluble cobalt (Co). Chelated cobalt (Co)
2c	Solution of cobalt fertilizer	Product obtained by dissolving types 2a and/or 2b in water	2 % water-soluble Co	The designation must include the name of the mineral anion and/or the nature of the chelating agent	Water-soluble cobalt (Co). Chelated cobalt (Co)
COPPER					
3a	Copper salt	Product obtained chemically and having as its essential ingredient a mineral salt of copper	20 % water-soluble Cu	The designation must include the name of the combined anion	Water-soluble copper (Cu)
3b	Copper oxide	Product obtained chemically and having as its essential ingredient copper oxide	70 % total Cu Particle size : at least 98 % passing through a 0,063 mm sieve		Total copper (Cu)
3c	Copper hydroxide	Product obtained chemically and having as its essential ingredient copper hydroxide	45 % total Cu Particle size : at least 98 % passing through a 0,063 mm sieve		Total copper (Cu)
3d	Copper chelate	Product obtained by combining copper chemically with a chelating agent	9 % water-soluble Cu of which at least 8/10 has been chelated	Nature of the chelating agent	Water-soluble copper (Cu). Chelated copper (Cu)
3e	Copper-based fertilizer	Product obtained by mixing types 3a, 3b, 3c or 3d and, if required, filler that is neither nutrient	5 % total Cu Particle size : at least 98 % passing through a 0,063 mm sieve	Nature of the chelating agent	Total copper (Cu) Water-soluble copper (Cu) if this accounts for at least one-quarter of the total copper. Chelated copper (Cu)
3f	Copper fertilizer solution	Product obtained by dissolving types 3a and/or 3d in water	3 % water-soluble Cu	Nature of the chelating agent	Water-soluble copper (Cu), a proportion of which is chelated copper (Cu)

1	2	3	4	5	6
IRON					
4a	Iron salt	Product obtained chemically and having as its essential ingredient a ferrous salt (Fe II)	12 % water-soluble Fe	The designation must include the name of the combined anion	Water-soluble iron (Fe)
4b	Iron chelate	Product obtained by combining iron chemically with a chelating agent	5 % water-soluble Fe, of which at least 8/10 has been chelated	Nature of the chelating agent	Water-soluble iron (Fe). Chelated iron (Fe)
4c	Iron fertilizer solution	Product obtained by dissolving types 4a and/or 4b in water	2 % water-soluble Fe	Nature of the chelating agent	Water-soluble iron (Fe). Chelated iron (Fe)
MANGANESE					
5a	Manganese salt	Product obtained chemically and having as its essential ingredient a mineral salt of manganese (II)	17 % water-soluble Mn	The designation must include the name of the combined anion	Water-soluble manganese (Mn)
5b	Manganese chelate	Product obtained by combining manganese chemically with a chelating agent	5 % water-soluble Mn, of which at least 8/10 has been chelated	Nature of the chelating agent	Water-soluble manganese (Mn). Chelated manganese (Mn)
5c	Manganese oxide	Product obtained chemically and having as its essential ingredients manganese oxides	40 % total Mn Particle size : at least 80 % passing through a 0,063 mm sieve		Total manganese (Mn)
5d	Manganese-based fertilizer	Product obtained by mixing types 5a and 5c	17 % total Mn		Total manganese (Mn) Water-soluble manganese (Mn) if this accounts for at least one-quarter of the total manganese
5e	Fertilizer in manganese-based solution	Product obtained by dissolving types 5a and/or 5b in water	3 % water-soluble Mn	Nature of the chelating agent	Water-soluble manganese (Mn). Chelated manganese (Mn)
MOLYBDENUM					
6a	Sodium molybdate	Product obtained chemically and having as its essential ingredient sodium molybdate	35 % water-soluble Mo		Water-soluble molybdenum (Mo)
6b	Ammonium molybdate	Product obtained chemically and having as its essential ingredient ammonium molybdate	50 % water-soluble Mo		Water-soluble molybdenum (Mo)
6c	Molybdenum-based fertilizer	Product obtained by mixing types 6a and 6b	35 % water-soluble Mo		Water-soluble molybdenum (Mo)
6d	Molybdenum fertilizer in solution	Product obtained by dissolving types 6a and/or 6b in water	3 % water-soluble Mo		Water-soluble molybdenum (Mo)

1	2	3	4	5	6
ZINC					
7a	Zinc salt	Product obtained chemically and having as its essential ingredient a mineral salt of zinc	15 % water-soluble Zn	The designation must include the name of the combined anion	Water-soluble zinc (Zn)
7b	Zinc chelate	Product obtained by combining zinc chemically with a chelating agent	5 % water-soluble Zn	Nature of the chelating agent	Water-soluble zinc (Zn). Chelated Zinc (Zn)
7c	Zinc oxide	Product obtained chemically and having as its essential ingredient zinc oxide	70 % total Zn		Total zinc (Zn)
7d	Zinc-based fertilizer	Product derived from types 7a and 7b	30 % total Zn		Total zinc (Zn) Water-soluble zinc (Zn) if this accounts for at least one-quarter of the total zinc (Zn)
7e	Zinc-based solution	Product obtained by dissolving types 7a and 7b in water	3 % water-soluble Zn	Nature of the chelating agent	Water-soluble zinc (Zn). Chelated zinc (Zn)

MINIMUM TRACE-ELEMENT CONTENT, PERCENTAGE WEIGHT OF FERTILIZER

CHAPTER B

SOLID OR FLUID MIXTURES OF TRACE ELEMENTS

	Where the trace element is present in a form that is:	
	exclusively mineral	chelated or complexed
For a trace element:		
Boron (B)	0,2	0,2
Cobalt (Co)	0,02	0,02
Copper (Cu)	0,5	0,1
Iron (Fe)	2,0	0,3
Manganese (Mn)	0,5	0,1
Molybdenum (Mo)	0,02	—
Zinc (Zn)	0,5	0,1

Minimum total of trace elements in a solid mixture: 5 % by mass of the fertilizer.

Minimum total of trace elements in a fluid mixture: 2 % by mass of the fertilizer.

CHAPTER C

EEC FERTILIZERS CONTAINING MAJOR AND/OR SECONDARY ELEMENTS WITH TRACE ELEMENTS APPLIED TO THE SOIL

	For crops or grassland	For horticultural use
Boron (B)	0,01	0,01
Cobalt (Co)	0,002	—
Copper (Cu)	0,01	0,002
Iron (Fe)	0,5	0,02
Manganese (Mn)	0,1	0,01
Molybdenum (Mo)	0,001	0,001
Zinc (Zn)	0,01	0,002

CHAPTER D

EEC FERTILIZERS CONTAINING MAJOR AND/OR SECONDARY ELEMENTS WITH TRACE ELEMENTS FOR LEAF SPRAYS

Boron (B)	0,01
Cobalt (Co)	0,002
Copper (Cu)	0,002
Iron (Fe)	0,02
Manganese (Mn)	0,01
Molybdenum (Mo)	0,001
Zinc (Zn)	0,002

CHAPTER E

LIST OF AUTHORIZED ORGANIC COMPLEXING AGENTS FOR TRACE ELEMENTS

Definition of complexed trace elements :

Within the meaning of this Directive complexed trace elements are defined as combinations where the metal is present in the form of : —

- a chelated product
- a complexed product

Authorized products :

1. *Chelating agents :*

Sodium, potassium or ammonium acid or salts of :

ethylene diamine tetraacetic acid :	EDTA	$C_{10}H_{16}O_8N_2$
diethylene triamine pentaacetic acid :	DPTA	$C_{14}H_{23}O_{10}N_3$
ethylene diamine — di (O-hydroxyphenyl acetic) acid :	EDDHA	$C_{18}H_{20}O_6N_2$
hydroxy-2 ethylene diamine triacetic acid :	HEEDTA	$C_{10}H_{18}O_7N_2$
ethyldiamine-di (O-hydroxy P-methyl phenyl) acetic acid :	EDDHMA	$C_{20}H_{24}N_2O_6$
ethylene diamine di (5-carboxy-2-hydroxyphenyl) acetic acid :	EDDCHA	$C_{20}H_{20}O_{10}N_2$

2. *Complexing agents (*)*

(*) List to be drawn up.