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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3207/89**of 23 October 1989****amending Regulation (EEC) No 3034/80 fixing the quantities of basic products considered to have been used in the manufacture of goods covered by Regulation (EEC) No 3033/80**

THE COUNCIL 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 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as amended by Regulation (EEC) No 3743/87⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to the proposal from the Commission,

Whereas experience has shown that, for goods with a milkfat content of between 3 and 40 %, certain quantities of basic products mentioned in Annex II to Regulation (EEC) No 3034/80⁽³⁾, as last amended Regulation (EEC) No 4091/87⁽⁴⁾, must be changed; whereas this measure calls for a modification of the table with the additional codes in Annex III to that Regulation;

Whereas the parameter 'milk proteins' used for calculating the variable component to be charged on importation must be further defined,

Article 1

Regulation (EEC) No 3034/80 is hereby amended as follows:

1. Annex II, Part A, with respect to the milkfat contents of between 3 and 40 %, is amended as shown in Annex I to this Regulation.
2. Annex III is replaced by the Annex appearing in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1990.

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

Done at Luxembourg, 23 October 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 29.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 7.

⁽⁴⁾ OJ No L 382, 31. 12. 1987, p. 27.

ANNEX I

Milk fat, milk proteins, sucrose, inert sugar and isoglucose : Starch and glucose contents	(per 100 kg of goods)		
	Skimmed-milk powder (PG 2)	Whole milk powder (PG 3)	Butter (PG 6)
	kg	kg	kg
Containing 3 % or more but less than 6 % by weight of milk fats :			
Containing no milk proteins or containing less than 2,5 % by weight of such proteins			6
Containing by weight of milk proteins :			
2,5 % or more but less than 12 %	12	20	
12 % or more	71		6
Containing 6 % or more but less than 9 % by weight of milk fats :			
Containing no milk proteins or containing less than 4 % by weight of such proteins			10
Containing by weight of milk proteins :			
4 % or more but less than 15 %	10	32	
15 % or more	71		10
Containing 9 % or more but less than 12 % by weight of milk fats :			
Containing no milk proteins or containing less than 6 % by weight of such proteins			14
Containing by weight of milk proteins :			
6 % or more but less than 18 %	9	43	
18 % or more	70		14
Containing 12 % or more but less than 18 % by weight of milk fats :			
Containing no milk proteins or containing less than 6 % by weight of such proteins			20
Containing by weight of milk proteins :			
6 % or more but less than 18 %		56	2
18 % or more	65		20
Containing 18 % or more but less than 26 % by weight of milk fats :			
Containing no milk proteins or containing less than 6 % by weight of such proteins			29
Containing 6 % or more by weight of milk proteins	50		29
Containing 26 % or more but less than 40 % by weight of milk fats :			
Containing no milk proteins or containing less than 6 % by weight of such proteins			45
Containing 6 % or more by weight of milk proteins	38		45

ANNEX II

ANNEX III

Milk fat (% by weight)	Milk proteins (% by weight) (***)	Starch/Glucose (% by weight) (*)																		
		≥0<5					≥5<25					≥25<50				≥50<75			≥75	
		Sucrose/Invert sugar/Isoglucose (% by weight) (**)																		
		≥0<5	≥5<30	≥30<50	≥50<70	≥70	≥0<5	≥5<30	≥30<50	≥50<70	≥70	≥0<5	≥5<30	≥30<50	≥50	≥0<5	≥5<30	≥30	≥0<5	≥5
≥0<1,5	≥0<2,5 ≥2,5<6 ≥6<18 ≥18<30 ≥30<60 ≥60	000 020 040 060 080 800	001 021 041 061 081 801	002 022 042 062 082 802	003 023 043 063 083 x	004 024 044 064 084 x	005 025 045 065 085 805	006 026 046 066 086 806	007 027 047 067 087 807	008 028 048 068 088 x	009 029 049 069 089 x	010 030 050 070 090 810	011 031 051 071 091 811	012 032 052 072 092 x	013 033 053 073 093 x	015 035 055 075 095 x	016 036 056 076 096 x	017 037 057 077 097 x	758 768 778 788 x x	759 769 779 789 x x
≥1,5<3	≥0<2,5 ≥2,5<6 ≥6<18 ≥18<30 ≥30<60 ≥60	100 120 140 160 180 820	101 121 141 161 181 821	102 122 142 162 182 822	103 123 143 163 183 x	104 124 144 164 184 x	105 125 145 165 185 825	106 126 146 166 186 826	107 127 147 167 187 827	108 128 148 168 188 x	109 129 149 169 190 x	110 130 150 170 191 830	111 131 151 171 191 831	112 132 152 172 192 x	113 133 153 173 192 x	115 135 155 175 195 x	116 136 156 176 196 x	117 137 157 177 197 x	798 808 818 828 x x	799 809 819 829 x x
≥3<6	≥0<2,5 ≥2,5<12 ≥12	840 200 260	841 201 261	842 202 262	843 203 263	844 204 264	845 205 265	846 206 266	847 207 267	848 208 268	849 209 269	850 210 270	851 211 271	852 212 272	853 213 273	855 215 275	856 216 276	857 217 x	858 220 838	859 221 x
≥6<9	≥0<4 ≥4<15 ≥15	860 300 360	861 301 361	862 302 362	863 303 363	864 304 364	865 305 365	866 306 366	867 307 367	868 308 368	869 309 369	870 310 370	871 311 371	872 312 372	873 313 373	875 315 375	876 316 376	877 317 x	878 320 378	879 321 x
≥9<12	≥0<6 ≥6<18 ≥18	900 400 460	901 401 461	902 402 462	903 403 463	904 404 464	905 405 465	906 406 466	907 407 467	908 408 468	909 409 x	910 410 470	911 411 471	912 412 472	913 413 x	915 415 475	916 416 476	917 417 x	918 420 x	919 421 x
≥12<18	≥0<6 ≥6<18 ≥18	940 500 560	941 501 561	942 502 562	943 503 563	944 504 564	945 505 565	946 506 566	947 507 567	948 508 568	949 509 x	950 510 570	951 511 571	952 512 572	953 513 x	955 515 575	956 516 576	957 517 x	958 520 x	959 521 x
≥18<26	≥0<6 ≥6	960 600	961 601	962 602	963 603	964 604	965 605	966 606	967 607	968 608	969 609	970 610	971 611	972 612	973 613	975 615	976 616	977 x	978 620	979 x
≥26<40	≥0<6 ≥6	980 700	981 701	982 702	983 703	984 x	985 705	986 706	987 707	988 708	x	990 710	991 711	992 712	x	995 715	996 716	x	x	x
≥40<55 ≥55<70 ≥70<85 ≥85		720 740 760 780	721 741 761 781	722 742 762 x	723 743 763 x	x x x x	725 745 765 785	726 746 766 786	727 747 x x	728 748 x x	x x x x	730 750 770 x	731 751 771 x	732 x x x	x x x x	735 x x x	736 x x x	x x x x	x x x x	

(*) Starch/Glucose
The content of the goods (as presented) in starch, its degradation products, i.e. all the polymers of glucose, and the glucose, determined as glucose and expressed as starch (on a dry matter basis, 100 % purity, factor for conversion of glucose to starch : 0,9).
However, where a mixture of glucose and fructose is declared (in whatever form) and/or is found to be present in the goods, the amount of glucose to be included in the above calculation is that which is in excess of the fructose content of the goods.

(**) Sucrose/Invert sugar/Isoglucose
The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing as sucrose any mixture of glucose and fructose (the arithmetical sum of the amounts of these two sugars multiplied by 0,95), which is declared (in whatever form) and/or found to be present in the goods.
However, where the fructose content of the goods is less than the glucose content, the amount of glucose to be included in the above calculation shall be an amount equal, by weight, to that of fructose.

Note : In all cases, where a hydrolysis product of lactose is declared, and/or galactose is found to be present among the sugars, then the amount of glucose equal to that of galactose is deducted from the total glucose content before any other calculations are carried out.

(***) Milk proteins
Caseins and/or caseinates forming part of goods shall not be regarded as milk proteins if the goods do not have any other constituent of lactic origin.
Milkfat contained in the goods at less than 1 %, and lactose at less than 1 %, by weight, are not considered as other constituents of lactic origin.
When customs formalities are completed, the person concerned must include in the appropriate declaration :
"only milk ingredient : casein/caseinate", if such is the case."

COUNCIL REGULATION (EEC) No 3208/89

of 23 October 1989

amending Regulation (EEC) No 4097/88 opening and providing for the administration of a Community tariff quota for sweet, clear-fleshed cherries, marinated in alcohol, falling within CN code ex 2008 60 39 and intended for the manufacture of chocolate products (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 4097/88 ⁽¹⁾ opened, for 1989, a Community tariff quota of 3 000 tonnes at a duty of 10 % for sweet, clear-fleshed cherries, marinated in alcohol, intended for the manufacture of chocolate products and falling within CN code ex 2008 60 39; whereas it is in the Community's interest to extend the benefit of the tariff quota in question to

similar products with a sugar content of more than 9 % but not exceeding 12 % by weight falling within CN code ex 2008 60 19, and to fix the rate of duty applicable to these products at 10 % + AGR; whereas it is necessary therefore to amend the said Regulation accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 4097/88, the table shall be replaced by the following:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.2713		Sweet, clear-fleshed cherries, marinated in alcohol, of a diameter not exceeding 18,9 mm, stoned, intended for the manufacture of chocolate products ⁽¹⁾ :	} 3 000	
	ex 2008 60 19	— with a sugar content of more than 9 % but not exceeding 12 % by weight		10 + AGR
	ex 2008 60 39	— with a sugar content of not more than 9 % by weight		10

⁽¹⁾ Checks on their prescribed end-use shall be carried out pursuant to the relevant Community provisions.

Article 2

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

It shall apply with effect from 1 September 1989.

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

Done at Luxembourg, 23 October 1989.

For the Council
The President
H. NALLET

⁽¹⁾ OJ No L 363, 30. 12. 1988, p. 19.

COUNCIL REGULATION (EEC) No 3209/89
of 23 October 1989
amending Regulation (EEC) No 234/79 on the procedure for adjusting the
Common Customs Tariff nomenclature used for agricultural products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty ⁽¹⁾, as last amended by Regulation (EEC) No 3911/87 ⁽²⁾, and in particular Article 6 thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Whereas the combined nomenclature of goods introduced by Regulation (EEC) No 2658/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 2886/89 ⁽⁶⁾, now meets the requirements of both the Common Customs Tariff and external trade statistics nomenclatures;

Whereas Article 9 of Regulation (EEC) No 2658/87 makes superfluous the provisions of Article 2 (1) of Regulation (EEC) No 234/79 ⁽⁷⁾;

Whereas Article 12 of Regulation (EEC) No 2658/87 provides that the combined nomenclature is to be updated each year by the Commission; whereas provision should be made, in particular following such updating, for the corresponding descriptions and codes in Council

Regulations to be adjusted by the Commission and for Article 2 (2) of Regulation (EEC) No 234/79 to be adapted accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 234/79 is hereby replaced by the following:

Article 2

1. The description of products and references to the headings or subheadings of the combined nomenclature in Council Regulations may be adjusted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC and in the corresponding Articles of the other Regulations on the common organization of markets if such adjustments are due to amendments to the combined nomenclature.

2. For the purposes of this Regulation, the Committee established by Article 37 of Regulation No 136/66/EEC is hereby declared competent in respect of products covered by Regulation (EEC) No 827/68.

Article 2

This Regulation shall enter into force on the third 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, 23 October 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 36.

⁽³⁾ OJ No C 199, 4. 8. 1989, p. 8.

⁽⁴⁾ Opinion delivered on 13 October 1989 (not yet published in the Official Journal).

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 282, 2. 10. 1989, p. 1.

⁽⁷⁾ OJ No L 34, 9. 2. 1979, p. 2.

COUNCIL REGULATION (EEC) No 3210/89

of 23 October 1989

laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables

THE COUNCIL 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 89 (1) thereof;

Having regard to the proposal from the Commission,

Whereas Article 81 of the Act of Accession made provision for the application, from 1 January 1990 to 31 December 1995, of a supplementary mechanism to trade between Spain and the Community in products covered by 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⁾; whereas, pursuant to paragraph 3 (b) of that Article, Commission Regulation (EEC) No 816/89 of 30 March 1989 establishing the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector⁽³⁾ reduced the said list to certain products only and restricted application of the mechanism to products imported from Spain into the Community as constituted on 31 December 1985;

Whereas Article 9 (2) of Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade⁽⁴⁾, as last amended by Regulation (EEC) No 3296/88⁽⁵⁾, states that the said Regulation is to apply to fruit and vegetable sector products covered by Regulation (EEC) No 1035/72 only if the Council does not adopt special provisions for these products;

Whereas, in view of the foregoing, in the light of the experience acquired from the operation of the existing supplementary trade mechanism, and given the restricted length of the production periods and sensitive periods for fruit and vegetables and the marketing structures in the exporting country, a special mechanism should be introduced for the products in question, to forestall or, as the case may be, allow prompt and appropriate action on any market disturbances;

Whereas for non-sensitive periods simple statistical monitoring will be adequate; whereas, in sensitive

periods, an exit document not requiring the lodging of security will be issued for exports from Spain; whereas provision should be made so that the Kingdom of Spain can be authorized to restrict the issuing of such documents under certain conditions and during periods which, on the basis of objective indicators, are considered very sensitive;

Whereas provision should be made so that the Commission can introduce specific arrangements applicable to trade in fruit and vegetables from third countries in order to ensure that Spanish products are not treated less favourably than those from third countries enjoying most-favoured-nation treatment;

Whereas where the deterioration on the market of the Community of any one of its regions is due to imports from third countries, the measures to be taken in respect thereof are adopted pursuant to and in accordance with the mechanisms already provided for by the common organization of the markets;

Whereas the provisions of this Regulation are without prejudice to the supplementary trade mechanism that may be applied as from 1 January 1991 to trade between Spain and Portugal and between the Community as constituted on 31 December 1985 and Portugal,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down general rules for the application of the supplementary trade mechanism, hereafter referred to as 'STM', to fruit and vegetable products covered by Regulation (EEC) No 1035/72 that are exported from Spain to the Community as constituted on 31 December 1985.

Article 2

1. For each of the products subject to the STM arrangement one or more of the following periods shall be determined for each marketing year:

- a period I when the market is not sensitive,
- a period II when the market is sensitive,
- a period III when the market is very sensitive.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽⁵⁾ OJ No L 293, 27. 10. 1988, p. 7.

2. Periods shall be determined on the basis of data and forecasts for the Community market covering :

- the various production periods,
- the foreseeable trend of production and consumption,
- the foreseeable trend of exports from Spain and their specific effect on market balance.

3. The period or periods shall normally be set before the beginning of the marketing year, at the same time as the indicative import ceiling mentioned in Article 83 (1) of the Act of Accession. They may be adjusted in the course of the marketing year.

4. The periods shall be set and possibly adjusted in accordance with the procedure referred to in Article 9.

Article 3

The indicative import ceiling may be set for the whole marketing year or for one or more of the periods determined pursuant to Article 2. Separate ceilings may be set for shorter periods than the latter.

Article 4

During period I, exports from Spain shall be statistically monitored. The Kingdom of Spain shall periodically report to the Commission on how the situation is developing.

Article 5

1. During periods II and III, the export from Spain of a product covered by the STM shall be subject to submission of an exit document.

This document shall be issued by the Kingdom of Spain at the exporter's request.

2. During period II, exit documents shall be issued without restriction.

During period III, the issue may be subject to restrictions.

3. The Kingdom of Spain shall verify that exit documents are actually used; however the lodging of a security may not be demanded.

Measures necessary to ensure effective operation of the mechanism may be adopted in accordance with the procedure referred to in Article 9.

Article 6

1. During period III, the Kingdom of Spain may, on the basis of the objective indicators listed in Article 7, be authorized, under the procedure referred to in Article 9, to restrict the issue of exit documents.

2. Such restriction shall observe objective criteria and shall not be discriminatory. These criteria shall in particular provide for the priority issue of exit documents to traditional exporters, a small quantity being nevertheless reserved for new operators.

Article 7

The Commission shall assess the Community market situation, whether as a whole or region by region, on the basis of the following objective indicators :

- quantities produced in Spain,
- forecasts for exports from Spain to the rest of the Community,
- quantities actually exported,
- quantities produced in the remainder of the Community as well as those marketed in the Community,
- market price quotations for comparable products,
- quantities taken into intervention,
- any other relevant fact of an objective nature.

Article 8

During period III, and also during the period of application of any measures taken pursuant to Article 85 (1) and (2) of the Act of Accession, the Commission may, to the extent strictly necessary, subject comparable imports from third countries to special surveillance.

Article 9

Detailed provisions for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72. These shall cover in particular :

- statistical monitoring,
- the issue and use of the exit document,
- periodic communications by the Member States for STM application purposes.

Article 10

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

It shall apply from 1 January 1990 to 31 December 1995.

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

Done at Luxembourg, 23 October 1989.

For the Council

The President

H. NALLET

COUNCIL REGULATION (EEC) No 3211/89

of 23 October 1989

opening and providing for the administration of Community tariff quotas for
some products originating in the Canary Islands (1990)

THE COUNCIL 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 Articles 2 and 4 of Protocol 2 annexed thereto,

Having regard to Council Regulation (EEC) No 1391/87 of 18 May 1987 concerning certain adjustments to the arrangements applied to the Canary Islands⁽¹⁾, and in particular Articles 2, 5 and 10 thereof,

Having regard to the proposal from the Commission,

Whereas by virtue of Articles 2 and 4 of Protocol 2 to the Act of Accession and Articles 2 and 5 of Council Regulation (EEC) No 1391/87, certain products falling within chapters 6, 7, 8 and 24 of the combined nomenclature and originating in the Canary Islands qualify on import into the customs territory of the Community for reduced duties within the limits of annual Community tariff quotas; whereas, concerning manufactured tobacco, this (duty-free) tariff preference applies to products of which there have been imports in the last five years and quota volumes calculated on the basis of Article 2 of the abovementioned Protocol; whereas the quota volumes amount to:

- 4 700 tonnes for certain live plants falling within Chapter 6 of the combined nomenclature,
- 87 500 000 pieces for fresh roses, carnations, orchids, gladioli and chrysanthemums, falling within CN codes 0603 10 11 to 0603 10 25 and within CN codes 0603 10 51 to 0603 10 65,
- 597 tonnes for other fresh flowers falling within CN codes 0603 10 29 and 0603 10 69,
- 6 642 tonnes for new potatoes falling within CN codes 0701 90 51 and 0701 90 59 for the period 1 January to 30 June,
- 173 000 tonnes of tomatoes falling within CN codes 0702 00 10 or 0702 00 90,
- 8 000 tonnes for onions falling within CN codes 0703 10 11 or 0703 10 19,
- 28 663 tonnes of cucumbers falling within CN codes 0707 00 11 or 0707 00 19,

— 1 300 tonnes for beans falling within CN codes 0708 20 10 or 0708 20 90,

— 3 819 tonnes of aubergines falling within CN code 0709 30 00,

— 16 605 tonnes for sweet peppers falling within CN code 0709 60 10,

— 100 tonnes of fresh table grapes falling within CN code ex 0806 10 15 (for the period 1 January to 31 March),

— 320,608 million units for cigars, cheroots and cigarrillos falling within CN code 2402 10 00 and manufactured in the Canary Islands, and

— 18 750 million units for cigarettes falling within CN code 2402 20 00 and manufactured in the Canary Islands;

Whereas for 1990, the duties applicable within the limits of those tariff quotas, but excluding the quotas for manufactured tobacco are calculated in accordance with the provisions of Article 75 of the Act of Accession; whereas, however, the products concerned qualify for exemption from import duties on import into that part of Spain which is included in the customs territory of the Community; whereas, where the said products are imported into Portugal, the quota duties applicable are to be calculated in accordance with the relevant provisions of the Act of Accession;

Whereas, where the said products are released for free circulation in the remainder of the customs territory of the Community, they qualify for the progressive reduction of customs duties according to the same timetable and under the same conditions as those provided for in Article 75 of the Act of Accession, for tomatoes, cucumbers, aubergines and fresh table grapes provided that the reference price system is complied with; whereas, in the case of fresh or chilled tomatoes and for 1990 only, Article 8 (2) of Regulation (EEC) No 1391/87 shall apply; whereas, to qualify for the tariff quotas, the products in question have to comply with certain marking and labelling conditions designed to prove their origin;

Whereas equal and continuous access to the quotas should be ensured for all Community importers and the rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted; whereas the necessary measures should be taken to ensure efficient Community management of the tariff quotas, while allowing Member States to draw on the quota volume the

⁽¹⁾ OJ No L 133, 22. 5. 1987, p. 5.

necessary quantities which correspond to importations actually made; whereas this type of management requires close cooperation between the Member States and the Commission;

HAS ADOPTED THIS REGULATION:

Article 1

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the tariff quotas may be carried out by any of its members,

1. (a) The customs duties applicable to imports into the Community for the following products originating in the Canary Islands shall be suspended during the periods and at the levels indicated and within the limits of Community tariff quotas as follows:

Order No	CN code	Description	Period	Amount of tariff quotas	Rate of duty (in %)
(1)	(2)	(3)	(4)	(5)	(6)
09.0429	0601 10 90	Other bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant:	1. 1. — 31. 12.	4 700 tonnes	3
	0602 10 90	— — Other unrooted cuttings and slips			
		— Roses, whether or not budded or grafted:			
		— — Roses neither budded nor grafted:			4,8
	0602 40 11	— — — With stock of a diameter not exceeding 10 mm			
	0602 40 19	— — — Other			4,8
		— — Other:			4,8
	0602 99 45	— — — — — Rooted cuttings and young plants			
	0602 99 49	— — — — — Other			4,8
		— — — — — Other outdoor plants:			4,8
	0602 99 51	— — — — — Perennial plants			
	0602 99 59	— — — — — Other			4,8
		— — — — — Indoor plants:			4,8
	0602 99 70	— — — — — Rooted cuttings and young plants, excluding plants, excluding cacti:			
	0602 99 99	— — — — — Other			4,8
09.0431	0603 10 11	Roses, carnations, orchids, gladioli and chrysanthemums, fresh	1. 1. — 31. 12.	87 500 000 pieces	From 1 January to 31 May: 6,3 From 1 June to 1 October: 9 From 1 November to 31 December: 6,3
	0603 10 13				
	0603 10 15				
	0603 10 21				
	0603 10 25				
	0603 10 51				
	0603 10 53				
	0603 10 55				
	0603 10 61				
	0603 10 65				
09.0433	0603 10 29 0603 10 69	Other flowers		597 tonnes	
09.0413	0701 90 51 0701 90 59	New potatoes	1. 1. — 30. 6.	6 642 tonnes	— From 1 January to 15 May: 5,6 — from 16 May to 30 June: 7,8

Order No	CN code	Description	Period	Amount of tariff quotas	Rate of duty (in %)
(1)	(2)	(3)	(4)	(5)	(6)
09.0417	0702 00 10 0702 00 90	Tomatoes, fresh or chilled	1. 1. — 31. 12.	173 000 tonnes	— from 1 January to 28 February: 1,9, min. 0,3 ECU/100 kg net — from 1 March to 14 May: 3,8, min. 0,7 ECU/100 kg net — from 15 May to 31 October: 6,3, min. 1,2 ECU/100 kg net — from 1 November to 31 December: 3,8, min. 0,7 ECU/100 kg net
09.0425	0703 10 11 0703 10 19	Onions, fresh or chilled	1. 1. — 31. 12.	8 000 tonnes	6,5
09.0419	0707 00 11 0707 00 19	Cucumbers	1. 1. — 31. 12.	28 663 tonnes	— from 1 January to 15 May: 5,6 — from 16 May to 31 October: 7 — from 1 November to 31 December: 5,6
09.0423	0708 20 10 0708 20 90	— Beans (<i>Phaseolus</i> spp): — — from 1 October to 30 June — — from 1 July to 30 September	1. 1. — 31. 12.	1 300 tonnes	— from 1 January to 30 June: 7, min. 1,0 ECU/100 kg net — from 1 July to 30 September: 9,2, min. 1,0 ECU/100 kg net — from 1 October to 31 December: 7, min. 1,0 ECU/100 kg net
09.0421	0709 30 00	Aubergines	1. 1. — 31. 12.	3 819 tonnes	5,6
09.0427	0709 60 10	— — Sweet peppers	1. 1. — 31. 12.	16 605 tonnes	3,4
09.0435	ex 0806 10 15	Fresh table grapes (*)	1. 1. — 31. 3.	100 tonnes	3,1
09.0403	2402 10 00	Cigars, cheroots and cigarillos manufactured in the Canary Islands	1. 1. — 31. 12.	320,608 million units	Free
09.0401	2402 20 00	Cigarettes, manufactured in the Canary Islands	1. 1. — 31. 12.	18 750 million units	Free

(*) Codes TARIC: 0806 10 15*40
0806 10 15*50

(b) Within the limits of these tariff quotas, the said products shall be exempt from customs duties on import into that part of Spain which is included in the customs territory of the Community and are not subject to compliance with the reference prices.

(c) Within the limits of these tariff quotas, the Portuguese Republic shall apply customs duties calculated according to the relevant provisions of the Act of Accession and the Regulations relating thereto.

2. On import into the Community except for that part of Spain which is included in the customs territory of the Community, fresh or chilled tomatoes, cucumbers and aubergines shall be subject to compliance with the system of reference prices. The provisions of Article 152 (2) (c) and (d) of the Act of Accession shall apply to these products.

However, in the case of fresh or chilled tomatoes and for 1990 only, Article 8 (2) of Regulation (EEC) No 1391/87 shall apply.

3. Without prejudice to the other provisions applicable as regards quality standards, products covered by this Regulation cannot qualify under the tariff quotas unless, when they are presented to the authorities responsible for the import formalities for the purposes of release into free circulation in the customs territory of the Community, they are presented in packaging which bears the words 'Canary Islands', or the equivalent thereof in another official Community language, in a clearly visible and perfectly legible form.

However, like plants and flowers originating in the Canary Islands shall be identified by means of the documents to be supplied by the importer to the abovementioned authorities.

Article 2

The tariff quotas referred to in Article 1 shall be administered by the Commission, which may take any appro-

priate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation, and if this request is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declarations, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, allocation shall be made on a pro rata basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have free access to the quotas for such times as the balance of the tariff quota so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1990.

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

Done at Luxembourg, 23 October 1989.

For the Council
The President
H. NALLET

COMMISSION REGULATION (EEC) No 3212/89

of 26 October 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 25 October 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 27 October 1989.

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

Done at Brussels, 26 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 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 26 October 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	21,67	119,61
0712 90 19	21,67	119,61
1001 10 10	24,50	164,18 ⁽¹⁾ ⁽²⁾
1001 10 90	24,50	164,18 ⁽¹⁾ ⁽²⁾
1001 90 91	21,69	114,72
1001 90 99	21,69	114,72
1002 00 00	48,55	113,11 ⁽³⁾
1003 00 10	39,39	115,23
1003 00 90	39,39	115,23
1004 00 10	30,79	106,90
1004 00 90	30,79	106,90
1005 10 90	21,67	119,61 ⁽³⁾ ⁽²⁾
1005 90 00	21,67	119,61 ⁽³⁾ ⁽²⁾
1007 00 90	39,39	129,12 ⁽⁴⁾
1008 10 00	39,39	2,12
1008 20 00	39,39	76,40 ⁽⁴⁾
1008 30 00	39,39	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	39,39	0,00
1101 00 00	43,81	174,05
1102 10 00	81,41	172,55
1103 11 10	52,45	268,96
1103 11 90	46,84	187,50

⁽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 3213/89

of 26 October 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 25 October 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 27 October 1989.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 11. 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 26 October 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	0,63
0712 90 19	0	0	0	0,63
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	2,40	2,40	2,40
1004 00 90	0	2,40	2,40	2,40
1005 10 90	0	0	0	0,63
1005 90 00	0	0	0	0,63
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	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 3214/89

of 26 October 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 23 and 24 October 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 27 October 1989.

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

**COMMISSION REGULATION (EEC) No 3215/89
of 26 October 1989**

adjusting the agricultural conversion rates for the pigmeat sector in Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

as to avoid the creation of new monetary compensatory amounts ;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, as amended by Regulation (EEC) No 3063/89⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so

Whereas the movement of the market rate for the Greek drachma during the reference period 18 to 24 October 1989 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁵⁾, as last amended by Regulation (EEC) No 3140/89⁽⁶⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 2301/89⁽⁸⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Greece effective from 30 October 1989 ; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts having regard to the criteria in Article 7 of Regulation (EEC) No 3578/88,

HAS ADOPTED THIS REGULATION :

Article 1

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

Products	Agricultural conversion rates			
	ECU 1 = Dr...	Applicable until	ECU 1 = Dr...	Applicable from
'Pigmeat	202,363	29 October 1989	204,245	30 October 1989'

Article 2

This Regulation shall enter into force on 30 October 1989.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽²⁾ OJ No L 293, 12. 10. 1989, p. 34.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 303, 20. 10. 1989, p. 5.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 220, 29. 7. 1989, p. 9.

COMMISSION REGULATION (EEC) No 3216/89

of 26 October 1989

laying down to what extent applications for issue of export licences submitted during October 1989 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country⁽¹⁾, and in particular Article 1 (2) thereof,

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

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁴⁾, as last amended by Regulation (EEC) No 3182/88⁽⁵⁾, lays down, in Articles 14 and 15, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79⁽⁶⁾, as last amended by Regulation (EEC) No 3434/87⁽⁷⁾; whereas Article 15 (6) (c) of Regulation (EEC) No 2377/80 requires the Commission, where the quantities in respect of which licences are applied for

exceed the quantities available, to reduce the quantities requested by a fixed percentage;

Whereas Commission Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the third fourth of 1989;

Whereas the quantities for which licence applications have been lodged for the fourth quarter of 1989 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the fourth quarter of 1989 shall be met in full.

Article 2

This Regulation shall enter into force on 27 October 1989.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁶⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁷⁾ OJ No L 327, 18. 11. 1987, p. 7.

COMMISSION REGULATION (EEC) No 3217/89

of 26 October 1989

opening special sales by tender of vinous alcohol held by intervention agencies,
for use as motor fuel within the Community,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1236/89 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾, and in particular Article 1 (1) thereof,

Whereas Commission Regulation (EEC) No 1780/89 ⁽⁴⁾, as amended by Regulation (EEC) No 3052/89 ⁽⁵⁾, laid down detailed rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, special sales by tender should be opened for vinous alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies;

Whereas special sales by tender should be held for the use of alcohol as motor fuel within the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

Two special sales by tender (Nos 5 and 6) shall be held of a total quantity of 3,2 million hectolitres of alcohol

expressed in terms of hectolitres of alcohol at 100 % vol and consisting of four lots. The alcohol was obtained by the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and is held by the Spanish, French and Italian intervention agencies. Each sale shall comprise two lots and shall be of a quantity of 1,6 million hectolitres of alcohol at 100 % vol.

The alcohol offered for sale must be used as motor fuel within the Community. All processing of the alcohol for this purpose must take place within the Community.

Article 2

The location and reference numbers of the vats in the four lots, the volume of alcohol contained in each vat, the alcoholic strength, the characteristics of the alcohol and the intervention measure under which it was produced, in the form of a reference to the relevant Article of Regulation (EEC) No 822/87, are all specified in the sale notices relating to the special sales Nos 5 and 6.

Article 3

The sales shall take place in accordance with the provisions of Regulation (EEC) No 1780/89, and in particular Articles 18 to 38 thereof.

Article 4

The specific conditions relating to the two special sales and the names and addresses of the intervention agencies concerned shall be given in the sale notices relating to the special sales Nos 5 and 6 published in the 'C' series of the *Official Journal of the European Communities*.

Article 5

The deadline for the submission of tenders at the address given in the sales notices shall be 12 noon (Brussels time) on 20 November 1989.

Article 6

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 292, 11. 10. 1989, p. 17.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3218/89

of 26 October 1989

opening individual sales by invitation to tender for the export of vinous alcohol
held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1236/89⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies⁽³⁾,

Whereas Commission Regulation (EEC) No 1780/89⁽⁴⁾, as last amended by Regulation (EEC) No 3052/89⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, individual sales by invitation to tender should be opened for vinous alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies;

Whereas individual sales by invitation to tender should be organized for the export of alcohol to certain third countries for end use as motor fuel;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Three individual sales by invitations to tender Nos 11, 12 and 13 shall be held of a total quantity of 600 000 hectolitres of alcohol at 100 % vol obtained from distillation as provided for in Articles 35, 36 and 39 of

Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies. Each sale shall involve a quantity of 200 000 hectolitres of alcohol at 100 % vol.

2. The alcohol offered for sale:

— shall be for export outside the European Economic Community,

— must be imported and dehydrated in one of the following third countries:

- Guatemala,
- Belize,
- Honduras, including the Swan Islands,
- El Salvador,
- Costa Rica,
- St Christopher and Nevis,
- Haiti,
- Bahamas,
- Dominican Republic,
- Antigua and Barbuda,
- Dominica,
- British Virgin Islands and Montserrat,
- Jamaica,
- St Lucia,
- St Vincent, including the Northern Grenadines,
- Barbados,
- Trinidad and Tobago,
- Grenada, including the Southern Grenadines,
- Aruba,
- Netherlands Antilles: Curaçao, Bonaire, St Eustace, Saba and the southern part of St Martin,
- Guyana,

— must be used only as motor fuel.

Article 2

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol shall be specified in the notices of individual invitation to tender Nos 11, 12 and 13.

Article 3

The sales shall take place in accordance with Regulation (EEC) No 1780/89, and in particular Articles 10 to 17 and 29 to 38 thereof.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 292, 11. 10. 1989, p. 17.

In addition, to be admissible, tenders must indicate the final destination of the alcohol awarded and must include an undertaking by the tenderer actually to forward it to that destination.

Article 4

The specific conditions applying to the three individual sales by invitation to tender and the names and addresses of the intervention agencies concerned shall be given in the notices of individual invitation to tender Nos 11, 12 and 13 published in the 'C' series of the *Official Journal of the European Communities*.

Article 5

The deadline for the submission of tenders at the address given in the notices of invitation to tender shall be 12 noon (Brussels time) on 20 November 1989.

Article 6

This Regulation shall enter into force on the third 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, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3219/89
of 26 October 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 last amended by Regulation (EEC) No 2958/89 ⁽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 ECU 43,537 per 100 kilograms.

Article 2

This Regulation shall enter into force on 27 October 1989.

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

Done at Brussels, 26 October 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 281, 30. 9. 1989, p. 92.

COMMISSION REGULATION (EEC) No 3220/89
of 26 October 1989
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- 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 level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 140 per 100 kilograms;

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 27 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

ANNEX

to the Commission Regulation of 26 October 1989 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0401 10 10 000		4,55
0401 10 90 000		4,55
0401 20 11 100		4,55
0401 20 11 500		7,63
0401 20 19 100		4,55
0401 20 19 500		7,63
0401 20 91 100		10,51
0401 20 91 500		12,44
0401 20 99 100		10,51
0401 20 99 500		12,44
0401 30 11 100		16,29
0401 30 11 400		25,72
0401 30 11 700		39,20
0401 30 19 100		16,29
0401 30 19 400		25,72
0401 30 19 700		39,20
0401 30 31 100		46,90
0401 30 31 400		73,85
0401 30 31 700		81,55
0401 30 39 100		46,90
0401 30 39 400		73,85
0401 30 39 700		81,55
0401 30 91 100		93,10
0401 30 91 400		137,37
0401 30 91 700		160,47
0401 30 99 100		93,10
0401 30 99 400		137,37
0401 30 99 700		160,47
0402 10 11 000		50,00
0402 10 19 000		50,00
0402 10 91 000		0,5000
0402 10 99 000		0,5000
0402 21 11 200		50,00
0402 21 11 300		82,38
0402 21 11 500		87,56
0402 21 11 900		95,00
0402 21 17 000		50,00
0402 21 19 300		82,38
0402 21 19 500		87,56
0402 21 19 900		95,00
0402 21 91 100		95,79
0402 21 91 200		96,54
0402 21 91 300		97,91
0402 21 91 400		105,86
0402 21 91 500		108,57
0402 21 91 600		118,92
0402 21 91 700		125,16
0402 21 91 900		132,07
0402 21 99 100		95,79

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 21 99 200		96,54
0402 21 99 300		97,91
0402 21 99 400		105,86
0402 21 99 500		108,57
0402 21 99 600		118,92
0402 21 99 700		125,16
0402 21 99 900		132,07
0402 29 15 200		0,5000
0402 29 15 300		0,8238
0402 29 15 500		0,8756
0402 29 15 900		0,9500
0402 29 19 200		0,5000
0402 29 19 300		0,8238
0402 29 19 500		0,8756
0402 29 19 900		0,9500
0402 29 91 100		0,9579
0402 29 91 500		1,0586
0402 29 99 100		0,9579
0402 29 99 500		1,0586
0402 91 11 110		4,55
0402 91 11 120		10,51
0402 91 11 310		17,83
0402 91 11 350		22,30
0402 91 11 370		27,65
0402 91 19 110		4,55
0402 91 19 120		10,51
0402 91 19 310		17,83
0402 91 19 350		22,30
0402 91 19 370		27,65
0402 91 31 100		21,87
0402 91 31 300		32,67
0402 91 39 100		21,87
0402 91 39 300		32,67
0402 91 51 000		25,72
0402 91 59 000		25,72
0402 91 91 000		93,10
0402 91 99 000		93,10
0402 99 11 110		0,0455
0402 99 11 130		0,1051
0402 99 11 150		0,1796
0402 99 11 310		20,57
0402 99 11 330		25,13
0402 99 11 350		34,08
0402 99 19 110		0,0455
0402 99 19 130		0,1051
0402 99 19 150		0,1796
0402 99 19 310		20,57
0402 99 19 330		25,13
0402 99 19 350		34,08
0402 99 31 110		0,2380
0402 99 31 150		35,55
0402 99 31 300		0,4690
0402 99 31 500		0,8155
0402 99 39 110		0,2380
0402 99 39 150		35,55
0402 99 39 300		0,4690

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,8155
0402 99 91 000		0,9310
0402 99 99 000		0,9310
0403 10 11 100		4,55
0403 10 11 300		7,63
0403 10 13 000		10,51
0403 10 19 000		16,29
0403 10 31 100		0,0455
0403 10 31 300		0,0763
0403 10 33 000		0,1051
0403 10 39 000		0,1629
0403 90 11 000		50,00
0403 90 13 000		50,00
0403 90 19 000		95,79
0403 90 31 000		0,5000
0403 90 33 000		0,5000
0403 90 39 000		0,9579
0403 90 51 100		4,55
0403 90 51 300		7,63
0403 90 53 000		10,51
0403 90 59 110		16,29
0403 90 59 140		25,72
0403 90 59 170		39,20
0403 90 59 310		46,90
0403 90 59 340		73,85
0403 90 59 370		81,55
0403 90 59 510		93,01
0403 90 59 540		137,37
0403 90 59 570		160,47
0403 90 61 100		0,0455
0403 90 61 300		0,0763
0403 90 63 000		0,1051
0403 90 69 000		0,1629
0404 90 11 100		50,00
0404 90 11 910		4,55
0404 90 11 950		17,83
0404 90 13 120		50,00
0404 90 13 130		82,38
0404 90 13 140		87,56
0404 90 13 150		95,00
0404 90 13 911		4,55
0404 90 13 913		10,51
0404 90 13 915		16,29
0404 90 13 917		25,72
0404 90 13 919		39,20
0404 90 13 931		17,83
0404 90 13 933		22,30
0404 90 13 935		27,65
0404 90 13 937		32,67
0404 90 13 939		34,19
0404 90 19 110		95,79
0404 90 19 115		96,54
0404 90 19 120		97,91
0404 90 19 130		105,86
0404 90 19 135		108,57

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 19 150		118,92
0404 90 19 160		125,16
0404 90 19 180		132,07
0404 90 19 900		—
0404 90 31 100		50,00
0404 90 31 910		4,55
0404 90 31 950		17,83
0404 90 33 120		50,00
0404 90 33 130		82,38
0404 90 33 140		87,56
0404 90 33 150		95,00
0404 90 33 911		4,55
0404 90 33 913		10,51
0404 90 33 915		16,29
0404 90 33 917		25,72
0404 90 33 919		39,20
0404 90 33 931		17,83
0404 90 33 933		22,30
0404 90 33 935		27,65
0404 90 33 937		32,67
0404 90 33 939		34,19
0404 90 39 110		95,79
0404 90 39 115		96,54
0404 90 39 120		97,91
0404 90 39 130		105,86
0404 90 39 150		108,57
0404 90 39 900		—
0404 90 51 100		0,5000
0404 90 51 910		0,0455
0404 90 51 950		20,57
0404 90 53 110		0,5000
0404 90 53 130		0,8238
0404 90 53 150		0,8756
0404 90 53 170		0,9500
0404 90 53 911		0,0455
0404 90 53 913		0,1051
0404 90 53 915		0,1629
0404 90 53 917		0,2572
0404 90 53 919		0,3920
0404 90 53 931		20,57
0404 90 53 933		25,13
0404 90 53 935		34,08
0404 90 53 937		35,55
0404 90 53 939		—
0404 90 59 130		0,9579
0404 90 59 150		1,0586
0404 90 59 930		0,5652
0404 90 59 950		0,8155
0404 90 59 990		0,9310
0404 90 91 100		0,5000
0404 90 91 910		0,0455
0404 90 91 950		20,57
0404 90 93 110		0,5000
0404 90 93 130		0,8238
0404 90 93 150		0,8756

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 93 170		0,9500
0404 90 93 911		0,0455
0404 90 93 913		0,1051
0404 90 93 915		0,1629
0404 90 93 917		0,2572
0404 90 93 919		0,3920
0404 90 93 931		20,57
0404 90 93 933		25,13
0404 90 93 935		34,08
0404 90 93 937		35,55
0404 90 93 939		—
0404 90 99 130		0,9579
0404 90 99 150		1,0586
0404 90 99 930		0,5652
0404 90 99 950		0,8155
0404 90 99 990		0,9310
0405 00 10 100		—
0405 00 10 200		117,20
0405 00 10 300		147,44
0405 00 10 500		151,22
0405 00 10 700		155,00
0405 00 90 100		155,00
0405 00 90 900		196,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	...	84,94
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	...	113,25
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	...	120,33
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	...	134,49
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 10 200	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 250	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 300	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 10 350	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 400	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 10 450	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 500		—
0406 30 10 550	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 10 600	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42
0406 30 10 650	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 750	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 800	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 40 00 100	—	—
0406 40 00 900	028	—
	032	—
	038	—
	400	120,00
	404	—
	...	126,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
0406 90 15 900	...	159,34
	—	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	732	139,68
	...	151,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	158,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
	...	185,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	212,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	89,49

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	151,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	65,00
	404	—
	...	125,96
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
	...	110,79

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
	732	123,35
	...	135,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 83 990	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	158,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	89,49
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	151,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	732	123,35
	...	135,35
0406 90 89 972	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	732	123,35
	...	135,35
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
	...	21,06
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
	...	35,97
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
	...	43,62
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		15,00
2309 10 15 300		20,00
2309 10 15 400		25,00
2309 10 15 500		30,00
2309 10 15 700		35,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		15,00
2309 10 19 300		20,00
2309 10 19 400		25,00
2309 10 19 500		30,00
2309 10 19 600		35,00
2309 10 19 700		37,50
2309 10 19 800		40,00
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		15,00
2309 10 70 200		20,00
2309 10 70 300		25,00
2309 10 70 500		30,00
2309 10 70 600		35,00
2309 10 70 700		40,00
2309 10 70 800		44,00
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		15,00
2309 90 35 300		20,00
2309 90 35 400		25,00
2309 90 35 500		30,00
2309 90 35 700		35,00
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		15,00
2309 90 39 300		20,00
2309 90 39 400		25,00
2309 90 39 500		30,00
2309 90 39 600		35,00
2309 90 39 700		37,50
2309 90 39 800		40,00
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		15,00
2309 90 70 200		20,00
2309 90 70 300		25,00
2309 90 70 500		30,00
2309 90 70 600		35,00
2309 90 70 700		40,00
2309 90 70 800		44,00
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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 3221/89**of 26 October 1989****fixing the import levies on live cattle and on beef and veal other than frozen**

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

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 1830/89 ⁽³⁾, as last amended by Regulation (EEC) No 2872/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1830/89 to the quota-

tions and other information 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 on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 1989.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 177, 24. 6. 1989, p. 50.

⁽⁴⁾ OJ No L 276, 26. 9. 1989, p. 28.

ANNEX

to the Commission Regulation of 26 October 1989 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	10,119	123,302
0102 90 31	54,080	10,119	123,302
0102 90 33	—	10,119	123,302
0102 90 35	54,080	10,119	123,302
0102 90 37	54,080	10,119	123,302
— Net weight —			
0201 10 10	—	19,225	234,275
0201 10 90	102,752	19,225	234,275
0201 20 21	—	19,225	234,275
0201 20 29	102,752	19,225	234,275
0201 20 31	—	15,381	187,419
0201 20 39	82,202	15,381	187,419
0201 20 51	123,303	23,070	281,130
0201 20 59	123,303	23,070	281,130
0201 20 90	—	28,839	351,412
0201 30 00	—	32,987	401,966
0206 10 95	—	32,987	401,966
0210 20 10	—	28,839	351,412
0210 20 90	—	32,987	401,966
0210 90 41	—	32,987	401,966
0210 90 90	—	32,987	401,966
1602 50 10	—	32,987	401,966
1602 90 61	—	32,987	401,966

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

⁽²⁾ This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 3222/89

of 26 October 1989

fixing the import levies on frozen beef and veal

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

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 1831/89⁽³⁾, as last amended by Regulation (EEC) No 2873/89⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1831/89 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 November 1989.

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

Done at Brussels, 26 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 177, 24. 6. 1989, p. 55.

⁽⁴⁾ OJ No L 276, 26. 9. 1989, p. 30.

ANNEX

to the Commission Regulation of 26 October 1989 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	206,835
0202 20 10	206,835
0202 20 30	165,468
0202 20 50	258,544
0202 20 90	310,252
0202 30 10	258,544
0202 30 50	258,544
0202 30 90	355,755
0206 29 91	355,755

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

COMMISSION REGULATION (EEC) No 3223/89

of 26 October 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⁾, as last amended by Regulation (EEC) No 3155/89 ⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁹⁾ amended Council Regulation (EEC) No 2744/75 ⁽¹⁰⁾ 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 25 October 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 Commission Regulation (EEC) No 1579/74 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹²⁾, 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 amended 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 27 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 305, 21. 10. 1989, p. 28.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ 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, 26 October 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 26 October 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)
1103 21 00	43,17	204,80	210,84
1104 19 10	43,17	204,80	210,84
1104 29 10*10 (*)	30,46	151,33	154,35
1104 29 30*10 (*)	36,03	182,05	185,07
1104 29 91	24,06	116,06	119,08
1104 30 10	21,51	85,34	91,38
1107 10 11	47,60	202,53	213,41
1107 10 19	38,32	151,33	162,21
1108 11 00	65,94	250,32	270,87
1109 00 00	263,86	455,12	636,46

(*) TARIC code : wheat.

COMMISSION REGULATION (EEC) No 3224/89

of 26 October 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 2902/89⁽²⁾, and in particular Article 27 (4) thereof,Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 3072/89⁽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 the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3010/89⁽⁷⁾, as last amended by Regulation (EEC) No 3143/89⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3010/89 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.

Article 2

This Regulation shall enter into force on 27 October 1989.

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

Done at Brussels, 26 October 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 280, 29. 9. 1989, p. 2.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.⁽⁴⁾ OJ No L 294, 13. 10. 1989, p. 5.⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.⁽⁷⁾ OJ No L 288, 6. 10. 1989, p. 17.⁽⁸⁾ OJ No L 303, 20. 10. 1989, p. 10.⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 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	21,770	21,848	21,926	22,146	22,692	22,984
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	51,72	51,91	52,10	52,64	53,93	54,80
— Netherlands (Fl)	57,43	57,63	57,86	58,55	59,99	61,07
— BLEU (Bfrs/Lfrs)	1 051,21	1 054,97	1 058,74	1 069,36	1 095,73	1 109,83
— France (FF)	165,09	165,67	166,24	167,93	172,18	174,44
— Denmark (Dkr)	194,41	195,10	195,80	197,77	202,64	205,25
— Ireland (£ Irl)	18,375	18,439	18,503	18,691	19,164	19,415
— United Kingdom (£)	13,886	13,927	13,943	14,058	14,469	14,572
— Italy (Lit)	36 165	36 293	36 420	36 774	37 692	38 046
— Greece (Dr)	3 453,49	3 438,80	3 409,73	3 411,26	3 519,54	3 497,95
(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)	3 090,90	3 103,77	3 112,47	3 139,10	3 221,05	3 243,42
(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)	4 359,15	4 319,63	4 320,73	4 336,62	4 436,08	4 432,17

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	24,270	24,348	24,426	24,646	25,192	25,484
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	57,63	57,81	58,00	58,55	59,83	60,71
— Netherlands (Fl)	64,02	64,23	64,45	65,15	66,58	67,66
— BLEU (Bfrs/Lfrs)	1 171,92	1 175,69	1 179,46	1 190,08	1 216,44	1 230,54
— France (FF)	184,34	184,91	185,49	187,18	191,43	193,68
— Denmark (Dkr)	216,73	217,43	218,13	220,09	224,97	227,57
— Ireland (£ Irl)	20,516	20,580	20,644	20,833	21,306	21,557
— United Kingdom (£)	15,640	15,681	15,696	15,812	16,222	16,325
— Italy (Lit)	40 347	40 475	40 603	40 956	41 875	42 229
— Greece (Dr)	3 901,96	3 887,27	3 858,20	3 859,73	3 968,01	3 946,42
(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)	3 473,14	3 486,01	3 494,71	3 521,34	3 603,29	3 625,66
(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)	4 839,15	4 799,63	4 800,73	4 816,63	4 916,09	4 912,17

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	30,299	30,417	30,548	30,903	31,485
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	71,89	72,17	72,48	73,34	74,71
— Netherlands (Fl)	79,92	80,24	80,60	81,66	83,19
— BLEU (Bfrs/Lfrs)	1 463,04	1 468,74	1 475,07	1 492,21	1 520,31
— France (FF)	230,57	231,45	232,44	235,18	239,70
— Denmark (Dkr)	270,57	271,63	272,80	275,97	281,16
— Ireland (£ Irl)	25,662	25,760	25,870	26,175	26,679
— United Kingdom (£)	19,770	19,838	19,890	20,106	20,540
— Italy (Lit)	50 415	50 610	50 827	51 406	52 385
— Greece (Dr)	4 951,26	4 941,86	4 919,83	4 946,00	5 060,39
(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)	3 704,70	3 723,71	3 740,04	3 786,13	3 873,63
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 581,54	6 538,35	6 548,08	6 589,02	6 696,51
— in another Member State (Esc)	6 414,28	6 372,19	6 381,67	6 421,57	6 526,33
3. Compensatory aids:					
— in Spain (Pta)	3 656,43	3 675,45	3 691,78	3 738,34	3 825,84
4. Special aid:					
— in Portugal (Esc)	6 414,28	6 372,19	6 381,67	6 421,57	6 526,33

(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	2,054280	2,050080	2,046020	2,042670	2,042670	2,032510
Fl	2,318270	2,311670	2,305500	2,299620	2,299620	2,282870
Bfrs/Lfrs	43,156500	43,132000	43,108800	43,077400	43,077400	43,002700
FF	6,974780	6,972870	6,971830	6,970230	6,970230	6,967500
Dkr	7,998750	8,004000	8,007810	8,008480	8,008480	8,010110
£Irl	0,771921	0,772107	0,772594	0,772890	0,772890	0,775129
£	0,696128	0,698614	0,701108	0,703320	0,703320	0,709834
Lit	1 509,80	1 513,14	1 515,65	1 518,13	1 518,13	1 525,70
Dr	183,67500	186,10400	188,47600	190,78300	190,78300	195,57300
Esc	175,57400	176,07100	176,75600	177,79900	177,79900	180,80800
Pta	130,95400	131,39400	131,82100	132,18400	132,18400	133,33000

COMMISSION REGULATION (EEC) No 3225/89

of 26 October 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 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 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 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⁾ 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 Council Regulation (EEC) No 2744/75 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 27 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, 26 October 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 26 October 1989 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	49,00
1107 10 99 000	101,00
1107 20 00 000	117,00

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION OPINION

of 19 October 1989

addressed to the Government of the Kingdom of Belgium concerning a draft law
on boatmasters' certificates for inland waterways

(Only the French and Dutch texts are authentic)

(89/570/EEC)

By letter of 5 July 1989 the Belgian Government communicated to the Commission a draft law on boatmasters' certificates for inland waterways, pursuant to Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by Decision 73/402/EEC⁽²⁾.

The letter from the Belgian Government reached the Commission on 6 July 1989. Pursuant to Article 2 (4) of the Council Decision and in agreement with the Belgian Government, the two-month period within which the Commission must deliver its opinion has been extended until 29 September 1989.

1. The Commission notes that the draft law concerns the boatmasters' certificates for inland waterways without further specification of the categories of vessels concerned.
2. The draft law is in the form of a framework law in that some of the areas it covers are to be regulated by implementing measures at a later date. The Commission reserves the right to deliver an opinion of all the provisions which will govern the areas covered by the draft law when it has copies of the essential measures to be adopted.
3. The draft law is in line with the Commissions' intentions to establish a system of reciprocal recognition of boatmasters' certificates and is welcomed as a positive contribution to common transport policy that will increase the safety in inland navigation and the appreciation of the profession of boatmaster.
4. Inclusion of the future Belgian boatmasters' certificate in the framework of the proposed Directive of the Commission will take place after examination of the terms that are still to be defined by the implementing measures of the Belgian draft law.

Done at Brussels, 19 October 1989.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

COMMISSION DECISION

of 20 October 1989

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland and Zimbabwe

(89/571/EEC)

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 486/85 of
26 February 1985 on the arrangements applicable to
agricultural products and certain goods resulting from the
processing of agricultural products originating in the
African, Caribbean and Pacific States or in the overseas
countries and territories ⁽¹⁾, as last amended by Regulation
(EEC) No 967/89 ⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No
2377/80 of 4 September 1980 on special detailed rules for
the application of the system of import and export
licences in the beef and veal sector ⁽³⁾, as last amended by
Regulation (EEC) No 3182/88 ⁽⁴⁾, and in particular Article
15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the
possibility of issuing import licences for beef and veal
products; whereas, however, imports must take place
within the limits of the quantities specified for each of
these exporting non-member countries;

Whereas the applications for import licences submitted
between 1 and 10 October 1989, expressed in terms of
boned meat, in accordance with Article 15 (1) (b) of
Regulation (EEC) No 2377/80, do not exceed, in respect
of products originating from Botswana, Kenya,
Madagascar, Swaziland and Zimbabwe the quantities
available from these States; whereas it is therefore
possible to issue import licences in respect of the
quantities requested;

Whereas the remaining quantities, in respect of which
licences may be applied for from 1 November 1989,
should be fixed within the scope of the total quantity of
30 000 tonnes to which should be added, where
appropriate, automatically, the additional quantity of
8 100 tonnes referred to in Article 5 (2) and (3) of
Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is
without prejudice to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine
and fresh meat from third countries ⁽⁵⁾, as last amended by
Directive 89/227/EEC ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 October
1989 import licences concerning beef and veal products,
expressed in terms of boned meat, originating from
certain African, Caribbean and Pacific States, in respect of
the quantities and the countries of origin stated:

United Kingdom

297,0 tonnes originating in Botswana,

Germany

101,5 tonnes originating in Botswana,

Netherlands

336,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance
with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80
during the first 10 days of November 1989 in respect of
the following quantities of boned beef and veal:

Botswana	10 639,262 tonnes,
Kenya	142,00 tonnes,
Madagascar	7 579,00 tonnes,
Swaziland	3 363,00 tonnes,
Zimbabwe	6 252,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the
exception of Portugal.

Done at Brussels, 20 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 93, 6. 4. 1989, p. 25.