

Official Journal

of the European Communities

ISSN 0378-6978

L 321

Volume 32

4 November 1989

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 3310/89 of 30 October 1989 opening and providing for the administration of a Community tariff quota for certain kinds of prepared or preserved tuna coming from Portugal (1990) 1
- ★ Council Regulation (EEC) No 3311/89 of 30 October 1989 opening and providing for the administration of Community tariff quotas for dried figs and certain dried grapes coming from Spain (1990) 3
- ★ Council Regulation (EEC) No 3312/89 of 30 October 1989 on the temporary import of containers 5
- Commission Regulation (EEC) No 3313/89 of 3 November 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 8
- Commission Regulation (EEC) No 3314/89 of 3 November 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 10
- Commission Regulation (EEC) No 3315/89 of 3 November 1989 fixing the import levies on rice and broken rice 12
- ★ Commission Regulation (EEC) No 3316/89 of 3 November 1989 fixing the premiums to be added to the import levies on rice and broken rice 14
- Commission Regulation (EEC) No 3317/89 of 31 October 1989 on the supply of whole milk powder as food aid 16
- Commission Regulation (EEC) No 3318/89 of 3 November 1989 on the supply of various lots of tomato concentrate as food aid 19
- Commission Regulation (EEC) No 3319/89 of 3 November 1989 on the supply of various lots of skimmed-milk powder as food aid 23

Contents (continued)

* Commission Regulation (EEC) No 3320/89 of 3 November 1989 concerning the stopping of fishing for mackerel by vessels flying the flag of a Member State	30
* Commission Regulation (EEC) No 3321/89 of 3 November 1989 amending Regulation (EEC) No 2836/89 as regards preventive withdrawals of apples for the 1989/90 marketing year	31
* Commission Regulation (EEC) No 3322/89 of 3 November 1989 determining the operative events applicable in the fruit and vegetables sector	32
* Commission Regulation (EEC) No 3323/89 of 3 November 1989 on securities relating to import licences, issued in respect of the third and fourth quarter of 1989	35
Commission Regulation (EEC) No 3324/89 of 3 November 1989 amending Regulation (EEC) No 2996/89 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)	36
Commission Regulation (EEC) No 3325/89 of 3 November 1989 fixing the import levies on white sugar and raw sugar	37
Commission Regulation (EEC) No 3326/89 of 3 November 1989 altering the import levies on products processed from cereals and rice	39
* Commission Regulation (EEC) No 3327/89 of 3 November 1989 fixing Community producer prices for carnations and roses for the application of the import arrangements for certain floricultural products originating in Cyprus, Israel, Jordan and Morocco	41
Commission Regulation (EEC) No 3328/89 of 3 November 1989 opening invitations to tender for the supply of certain citrus fruit to Poland in accordance with Council Regulation (EEC) No 2247/89	43

II Acts whose publication is not obligatory

Commission

89/574/ECSC :

* Commission Decision of 24 October 1989 establishing the delivery levels of ECSC steel products of Portuguese origin onto the rest of the Community market, excluding Spain	51
--	----

89/575/EEC :

* Commission Decision of 25 October 1989 amending the Seventh Council Decision 85/355/EEC on the equivalence of field inspections carried out in third countries on seed-producing crops	52
--	----

89/576/EEC :

* Commission Decision of 25 October 1989 amending Decision 81/888/EEC extending, as regards certain non-member countries, the periods relating to the checks on practices for the maintenance of varieties laid down in Council Directives 70/457/EEC and 70/458/EEC	53
--	----

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3310/89

of 30 October 1989

opening and providing for the administration of a Community tariff quota for certain kinds of prepared or preserved tuna coming from Portugal (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 Article 362 thereof;

Having regard to the proposal from the Commission;

Whereas Article 362 of the Act of Accession provides that during the period of progressive elimination of customs duties between the Community as constituted on 31 December 1985 and Portugal, certain kinds of sardine, tuna, fish of the genus *Euthynnus*, certain kinds of mackerel and fish of the species *Orcynopsis unicolor*, prepared or preserved, falling within CN codes ex 1604 13 10, ex 1604 20 50, 1604 14 10, 1604 19 30, 1604 20 70, 1604 15 10, 1604 19 50 and ex 1604 20 50 and coming from Portugal, may be imported free of duty into the Community as constituted on 31 December 1985 within the limits of annual Community tariff quotas of 5 000 tonnes, 1 000 tonnes and 1 000 tonnes respectively;

Whereas, by virtue of Regulations (EEC) No 3482/88⁽¹⁾, (EEC) No 839/88⁽²⁾ and (EEC) No 1673/89⁽³⁾, the customs duties applicable on import into the Community, excluding Spain, of certain prepared or preserved fish other than tuna, coming from Portugal, are suspended; whereas therefore it is appropriate to open, for 1990, only

the Community tariff quota laid down for the said tunas, prepared or preserved;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas it is appropriate to take the necessary measures to ensure effective Community administration of this tariff quota while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

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 concerning the administration of the quota may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1990 the customs duty on imports into the Community as constituted on 31 December 1985, for the following products from Portugal, shall be totally suspended within the limit of Community tariff quota as shown herewith:

Order No	CN code (a)	Description	Quantities (in tonnes)	Quota duties (%)
09.0502	ex 1604 14 10 ex 1604 20 70	Prepared or preserved fish : — Tuna — Tuna	} 1 000	free

(a) TARIC-CODE: 1604 14 10*10
1604 10 70*10

⁽¹⁾ OJ No L 306, 11. 11. 1988, p. 1.

⁽²⁾ OJ No L 87, 31. 3. 1988, p. 1.

⁽³⁾ OJ No L 164, 15. 6. 1989, p. 1.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the effective 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 declaration 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 declaration, 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 product concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume 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 Brussels, 30 October 1989.

For the Council

The President

J.-P. SOISSON

COUNCIL REGULATION (EEC) No 3311/89

of 30 October 1989

opening and providing for the administration of Community tariff quotas for dried figs and certain dried grapes coming from Spain (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 30 and 75 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Articles 30 and 75 of the Act of Accession, the customs duties applicable to imports into the Community as constituted on 31 December 1985 of the following products coming from Spain are to be phased out within the limits of Community tariff quotas of 200 tonnes of dried figs falling within CN code ex 0804 20 90 and 1 900 tonnes of certain dried grapes falling within CN code 0806 20 11, 0806 20 19, ex 0806 20 91 or ex 0806 20 99; whereas on 1 January 1990, the duties in question are to be reduced to 37,5 % of the basic duties; whereas the said basic duties are those laid down by Council Regulation (EEC) No 4161/87 of 22 December 1987 laying down, consequent on the entry into force of the combined nomenclature, the basic duties to be adopted within the Community as constituted at 31 December 1985 for the purpose of calculating the successive reductions provided for in the Act of Accession of Spain and Portugal⁽¹⁾; whereas the said tariff quotas should therefore be opened for 1990;

Whereas Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽²⁾, as last amended by Regulation (EEC) No 222/88⁽³⁾, lays down special arrangements for imports

into Portugal of the products in question coming from Spain; whereas the Community tariff quotas should therefore apply to only the Community as constituted at 31 December 1985;

Whereas all Community importers should be ensured equal and continuous access to the said quotas and the duty rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quota is exhausted; whereas it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January to 31 December 1990, the customs duties applicable to imports into the Community as constituted at 31 December 1985 of the following products coming from Spain shall be suspended at the levels indicated below and within the limits of Community tariff quotas as shown below:

Order No	CN code (a)	Description	Volume of tariff quota (in tonnes)	Rate of duty (%)
09.0301	ex 0804 20 90	Dried figs in immediate containers of a net capacity not exceeding 15 kg	200	1,1
09.0303	0806 20 11 0806 20 12 0806 20 18 ex 0806 20 91 ex 0806 20 92 ex 0806 20 98	Dried grapes in immediate containers of a net capacity not exceeding 15 kg	1 900	0

(a) TARIC codes: 0804 20 90'10
0806 20 91'10
0806 20 92'10
0806 20 98'10

⁽¹⁾ OJ No L 395, 31. 12. 1987, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽³⁾ OJ No L 28, 1. 2. 1988, p. 1.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective 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 the products covered by this Regulation and if that declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the amount of the tariff quotas.

The drawing requests, with indication of the date of acceptance of the said declaration, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of

the Member States 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 corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, 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 product concerned have equal and continuous access to the quotas for such time as the residual balance of the quota volume 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 Brussels, 30 October 1989.

For the Council

The President

J.-P. SOISSON

COUNCIL REGULATION (EEC) No 3312/89
of 30 October 1989
on the temporary import of containers

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2096/87 of 13 July 1987 on the temporary importation of containers⁽¹⁾ was annulled by the judgment of the Court of Justice on 2 February 1989 in case 275/87⁽²⁾; whereas, in accordance with the Court's judgment, the effects of the said Regulation remain until the entry into force of the measures to be taken by the Council in order to carry out the judgment;

Whereas Community legislation should cover temporary import of containers which do not satisfy the conditions laid down in Articles 9 and 10 of the Treaty; whereas the Member States are contracting parties to the Customs Convention on Containers, done at Geneva on 18 May 1956, or to the Customs Convention on Containers, done at Geneva on 2 December 1972; whereas these Conventions have an effect on the common customs legislation; whereas it is necessary, having regard to the specific requirements of the customs union, to lay down Community provisions; whereas these provisions constitute an essential instrument of the commercial policy of the Community;

Whereas it is necessary to ensure uniform implementation of this Regulation and, to this end, to make provision for a Community procedure whereby the relevant implementing provisions may be adopted; whereas close and effective cooperation in this field between the Member States and the Commission should be organized through the Committee for Customs Procedures established by Council Regulation (EEC) No 1999/85 of 16 July 1985 on inward processing relief arrangements⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Under temporary import arrangements containers, whether or not loaded with goods, which do not satisfy the conditions laid down in Articles 9 and 10 of the Treaty and which are intended to be subsequently re-exported outside the customs territory of the

Community, may be used within that territory in accordance with the conditions laid down in this Regulation, with total relief from import duties and with no prohibition or restriction on import.

Article 2

For the purposes of this Regulation:

- (a) 'container' shall mean an article of transport equipment (lift-van, movable tank, demountable body or other similar structure):
- fully or partially enclosed to constitute a compartment intended for containing goods,
 - of a permanent character and accordingly strong enough to be suitable for repeated use,
 - specially designed to facilitate the carriage of goods, by one or more modes of transport, without intermediate reloading,
 - designed for ready handling, particularly when being transferred from one mode of transport to another;
 - designed to be easy to fill and to empty, and having an internal volume of one cubic metre or more.

Platform flats shall be treated as containers.

Moreover, exceptions may be authorized in accordance with the procedure referred to in Article 15. In accordance with the procedure, the definition of containers may be supplemented to take account of technical developments.

The term 'container' shall include the accessories and equipment of the container, appropriate for the type concerned, provided that such accessories and equipment are carried with the container. The term 'container' shall not include vehicles, accessories or spare parts of vehicles, or packaging;

- (b) 'import duties' shall mean the duties defined in Article 1 (2) of Regulation (EEC) No 3599/82⁽⁴⁾, as amended by Regulation (EEC) No 1620/85⁽⁵⁾;
- (c) 'customs authority' shall mean any authority competent to apply customs rules, even if that authority is not part of the customs administration;
- (d) 'internal traffic' shall mean the carriage of goods loaded in the customs territory of the Community for subsequent unloading in that territory.

⁽¹⁾ OJ No L 196, 17. 7. 1987, p. 4.

⁽²⁾ OJ No C 66, 16. 3. 1989, p. 4.

⁽³⁾ OJ No L 188, 20. 7. 1985, p. 1.

⁽⁴⁾ OJ No L 376, 31. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 155, 14. 6. 1985, p. 54.

Article 3

1. The temporary import of containers approved for transport under customs seal or simply bearing marks shall be authorized without any formalities as soon as they are brought into the customs territory of the Community on behalf of their owners, their operators or the representatives of either of those.

2. Containers other than those referred to in paragraph 1 shall be admitted for temporary import if this is authorized by the customs authority of the Member State in which the placing of the said containers under such arrangements is requested.

Article 4

The rules concerning recognition of approval for the transport under customs seal of containers admitted for temporary import shall be determined in accordance with the procedure referred to in Article 15.

Article 5

Containers placed under temporary import arrangements may remain in the customs territory of the Community for a maximum period of 12 months. However, where particular circumstances so warrant, this period may be extended in order to permit their authorized use.

Article 6

The conditions concerning the placing of the containers referred to in Article 3 (2) and the goods referred to in Article 10 under temporary import arrangements shall be determined in accordance with the procedure referred to in Article 15.

Article 7

The cases where, and conditions under which, the placing of the containers referred to in Article 3 (2) and the goods referred to in Article 10 under temporary import arrangements is subject to the provision of a security shall be determined in accordance with the procedure referred to in Article 15.

Article 8

The customs authority shall take any supervision or control measures necessary to ensure that this Regulation is implemented correctly by the person benefiting from the arrangements or by the user of the container.

Article 9

Containers placed under temporary import arrangements may be used in internal traffic before being re-exported from the customs territory of the Community. However, the containers may be used only once during each stay in

a Member State for transporting goods which are loaded within the territory of that Member State and are intended to be unloaded within the territory of the same Member State, where the containers would otherwise have to make a journey unladen within the said Member State.

Article 10

The customs authority shall admit for temporary import any spare parts, accessories and normal equipment for containers which are imported separately from the containers for which they are intended.

Article 11

1. Temporary import arrangements shall be finally discharged when the container placed under them is exported outside the customs territory of the Community or placed with a view to subsequent export:

- in a free zone,
- under warehouse arrangements, or
- under inward processing arrangements with the system of suspension.

2. In exceptional cases, the customs authorities may finally discharge the temporary import arrangements by allowing the container to be:

- released for free circulation,
- placed under arrangements for processing under customs control,
- destroyed under the supervision of the customs authority (waste and scrap resulting from this destruction may itself be re-exported outside the customs territory of the Community or be dealt with in one of the other ways for which provision is made in this Article),
- abandoned to the exchequer where national regulations provide for this possibility.

Final discharge of the arrangements under the conditions referred to in the first subparagraph may take place either directly or after placing in a free zone or under one of the arrangements referred to in paragraph 1.

3. Defective parts and spare parts removed from containers as a result of repair or maintenance must be dealt with in one of the ways provided for in paragraphs 1 and 2.

Article 12

This Regulation shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security, the protection of health and life of humans, animals or plants, the protection of national treasures possessing artistic, historic or archaeological value, or the protection of industrial and commercial property.

Article 13

Until Community provisions are established in the field in question, this Regulation shall not affect the application by the Member States of reliefs in respect of armed forces stationed in the customs territory of a Member State in accordance with Article 136 of Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty⁽¹⁾, as last amended by Regulation (EEC) No 4235/88⁽²⁾.

Article 14

The Committee for Customs Procedures with Economic Impact may examine any matter concerning the application of this Regulation raised by its chairman

either on his own initiative or at the request of the representative of a Member State.

Article 15

The provisions necessary for the implementation of this Regulation shall be adopted in accordance with the procedure provided for in Article 31 of Regulation (EEC) No 1999/85.

Article 16

All references to Regulation (EEC) No 2096/87 shall be construed as referring to the present Regulation.

Article 17

This Regulation shall enter into force on the seventh day following its publication in the Official Journal.

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

Done at Brussels, 30 October 1989.

For the Council

The President

J.-P. SOISSON

⁽¹⁾ OJ No L 105, 23. 4. 1983, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 3313/89

of 3 November 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 2 November 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 4 November 1989.

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

Done at Brussels, 3 November 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 3 November 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	23,05	119,72
0712 90 19	23,05	119,72
1001 10 10	27,26	165,24 ⁽¹⁾ ⁽²⁾
1001 10 90	27,26	165,24 ⁽¹⁾ ⁽²⁾
1001 90 91	23,07	115,50
1001 90 99	23,07	115,50
1002 00 00	49,93	114,27 ⁽³⁾
1003 00 10	40,77	115,87
1003 00 90	40,77	115,87
1004 00 10	32,17	111,17
1004 00 90	32,17	111,17
1005 10 90	23,05	119,72 ⁽²⁾ ⁽³⁾
1005 90 00	23,05	119,72 ⁽²⁾ ⁽³⁾
1007 00 90	40,77	130,94 ⁽⁴⁾
1008 10 00	40,77	2,09
1008 20 00	40,77	68,80 ⁽⁴⁾
1008 30 00	40,77	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	40,77	0,00
1101 00 00	46,85	175,29
1102 10 00	84,22	173,56
1103 11 10	56,78	270,65
1103 11 90	49,97	188,68

⁽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 3314/89

of 3 November 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 2 November 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 4 November 1989.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 3 November 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
0709 90 60	0	0,32	0,32	0,64
0712 90 19	0	0,32	0,32	0,64
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	3,35
1001 90 99	0	0	0	3,35
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0,79
1004 00 90	0	0	0	0,79
1005 10 90	0	0,32	0,32	0,64
1005 90 00	0	0,32	0,32	0,64
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	11,88
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	4,69

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0	0	5,96	5,96
1107 10 19	0	0	0	4,46	4,46
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 3315/89
of 3 November 1989
fixing the import levies on rice and broken rice

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

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

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

Having regard to Commission Regulation (EEC) No
883/87 of 23 March 1987 laying down detailed rules for
the application of Council Regulation (EEC) No 3877/86
on imports rice of the long-grain aromatic Basmati variety
falling within CN codes 1006 10, 1006 20 and 1006 30⁽³⁾,
as amended by Regulation (EEC) No 1546/87⁽⁴⁾, and in
particular Article 8 thereof,

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 2637/89⁽⁵⁾, as
last amended by Regulation (EEC) No 3263/89⁽⁶⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2637/89 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 November
1989.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 255, 1. 9. 1989, p. 8.

⁽⁶⁾ OJ No L 317, 31. 10. 1989, p. 17.

ANNEX

to the Commission Regulation of 3 November 1989 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	140,97	289,14
1006 10 23	—	208,40	135,33	277,87
1006 10 25	—	208,40	135,33	277,87
1006 10 27	—	208,40	135,33	277,87
1006 10 92	—	—	140,97	289,14
1006 10 94	—	208,40	135,33	277,87
1006 10 96	—	208,40	135,33	277,87
1006 10 98	—	208,40	135,33	277,87
1006 20 11	—	—	177,11	361,42
1006 20 13	—	260,51	170,07	347,34
1006 20 15	—	260,51	170,07	347,34
1006 20 17	—	260,51	170,07	347,34
1006 20 92	—	—	177,11	361,42
1006 20 94	—	260,51	170,07	347,34
1006 20 96	—	260,51	170,07	347,34
1006 20 98	—	260,51	170,07	347,34
1006 30 21	13,05	—	229,37	482,60
1006 30 23	12,97	399,83	254,67	533,11
1006 30 25	12,97	399,83	254,67	533,11
1006 30 27	12,97	399,83	254,67	533,11
1006 30 42	13,05	—	229,37	482,60
1006 30 44	12,97	399,83	254,67	533,11
1006 30 46	12,97	399,83	254,67	533,11
1006 30 48	12,97	399,83	254,67	533,11
1006 30 61	13,90	—	244,63	513,97
1006 30 63	13,90	428,63	273,40	571,50
1006 30 65	13,90	428,63	273,40	571,50
1006 30 67	13,90	428,63	273,40	571,50
1006 30 92	13,90	—	244,63	513,97
1006 30 94	13,90	428,63	273,40	571,50
1006 30 96	13,90	428,63	273,40	571,50
1006 30 98	13,90	428,63	273,40	571,50
1006 40 00	0	—	62,94	131,88

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

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

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

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

COMMISSION REGULATION (EEC) No 3316/89**of 3 November 1989****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 ⁽³⁾, as last amended by Regulation (EEC) No 3264/89 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 6 November 1989.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.

⁽⁴⁾ OJ No L 317, 31. 10. 1989, p. 19.

ANNEX

to the Commission Regulation of 3 November 1989 fixing the premiums to be added to the import levies on rice and broken rice

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

COMMISSION REGULATION (EEC) No 3317/89
of 31 October 1989
on the supply of whole milk powder as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to the Tunisian Republic 3 000 tonnes of whole milk powder to be supplied;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 31 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOTS A, B and C

1. **Operation Nos⁽¹⁾:** 609 to 611/89 — Commission Decision of 20. 7. 1989
2. **Programme:** 1989
3. **Recipient:** Republic of Tunisia
4. **Representative of the recipient⁽²⁾:**
STIL, 25 rue Belhassen Ben, Chaabane, 1005 El Omrane, Tunis; (tel. 216-1/260 117, telex: 15322, telefax: 216-1/261 882)
5. **Place or country of destination:** Tunisia
6. **Product to be mobilized:** whole milk powder
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁴⁾:**
8. **Total quantity:** 3 000 tonnes
9. **Number of lots:** three (lot A: 1 000 tonnes; lot B: 1 000 tonnes; lot C: 1 000 tonnes)
10. **Packaging and marking:** 25 kg and OJ No C 216, 14. 8. 1987, pp. 4 and 5 (I.1.B.4. and I.1.B.4.1)
Supplementary markings on the packaging:
'ACTION N° 609/89, 610/89 et 611/89 / LAIT ENTIER EN POUDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE TUNISIENNE'
and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization:** Community market
The manufacture of the whole milk powder must be carried out after the award of the tender
12. **Stage of supply:** free at port of shipment
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** —
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment:** 1 to 20. 12. 1989
18. **Deadline for the supply:** —
19. **Procedure for determining the costs of supply:** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁵⁾:** 20. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 27. 11. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 8 to 27. 12. 1989
 - (c) deadline for the supply: —
22. **Amount of the tendering security:** ECU 20 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders:**
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾:** refund applicable on 13. 10. 1988 fixed by Commission Regulation (EEC) No 3080/89 (OJ No L 294, 13. 10. 1989, p. 22)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer:
M. Klaus von Helldorf, 21 avenue Jugurtha, Tunis.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁵) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The whole milk powder with 26 % minimum fat content must be obtained by the spray method and must be manufactured not more than one month before the date of shipment. The quality must be extra grade and the milk powder must have the following characteristics:
- | | |
|---|--|
| (a) fat content: | 26,0 % minimum; |
| (b) water content: | 2,5 % maximum; |
| (c) titratable acidity (in solids,/non-fat): ADMI | |
| — as ml of decinormal sodium hydroxide solution: | 3,0 % maximum; |
| — as lactic acid: | 0,15 % maximum; |
| (d) lactate content (in solids,/non-fat): | 150 mg/100 g maximum; |
| (e) additives: | none; |
| (f) phosphatase test: | negative, i.e. not more than 4 µg of phenol per g of reconstituted milk; |
| (g) solubility index: | 0,5 ml maximum; |
| (h) burnt: | 15,0 mg maximum, i.e. at least disc B; |
| (i) micro-organism content: | 50 000 per g maximum; |
| (k) coliform test: | negative in 0,1 g; |
| (l) buttermilk test: | negative; |
| (m) whey test: | negative; |
| (n) odour and flavour: | clean; |
| (o) appearance: | white or slightly yellowish, no impurities or coloured particles. |
-

COMMISSION REGULATION (EEC) No 3318/89

of 3 November 1989

on the supply of various lots of tomato concentrate as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 750 tonnes of tomato concentrate;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation Nos** ⁽¹⁾: 426/89 to 430/89
2. **Programme**: 1989
3. **Recipient** ⁽²⁾ ⁽³⁾: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna, telex 135310 UNRWA A
4. **Representative of the recipient** ⁽²⁾:
 - A: UNRWA Field Supply and Transport Officer, Syrian Arab Republic, PO Box 4313, Damascus, Syrian Arab Republic
 - B and C: Field Supply and Transport Officer, Jordan, PO Box 484, Amman, Jordan
 - D and E: UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem, Israel
5. **Place or country of destination**: Syrian Arab Republic; Jordan; Israel
6. **Product to be mobilized**: tomato concentrate
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁷⁾: Total solids 29-31 %, soluble solids (tomato) 26-28 %, salt contents (as NaCl) 1,3 %, acidity (acetic acid) 2-3 % and shall be of 1989 crop. The tomato concentrate must comply with the minimum quality standards provided for in Article 10 of Commission Regulation (EEC) No 1764/86 (OJ No L 153, 7. 6. 1986, p. 1)
8. **Total quantity**: 750 tonnes
9. **Number of lots**: 5 (A: 178 tonnes; B: 72 tonnes; C: 75 tonnes; D: 306 tonnes; E: 119 tonnes)
10. **Packaging and marking**: Tins of 440 grams net each, 500 grams gross, hermetically sealed with no corrosion on the seams or internal parts, labelled by means of lithography or paper label. The label shall detail/show the following:
 - (i) a list of ingredients
 - (ii) net tin contents in grams
 - (iii) name and address of manufacturer (code)
 - (iv) country of origin
 - (v) the wording 'NOT FOR SALE' in 5 mm black block letters on two sides
 - (vi) production date (code)

The packing of tins is to be affected in new cartons, suitable for sea-transport, containing 24 tins in each. Each carton should be sealed with adhesive tape. (in 20-foot containers 'FLC/LCL shipper's count-load and stowage') ⁽⁸⁾

Marking on the cartons:

 - A: 'ACTION No 428/89 / TOMATO PASTE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / LATAKIA'
 - B: 'ACTION No 429/89 / TOMATO PASTE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / AQABA'
 - C: 'ACTION No 430/89 / TOMATO PASTE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / AQABA'
 - D: 'ACTION No 426/89 / TOMATO PASTE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / ASHDOD'
 - E: 'ACTION No 427/89 / TOMATO PASTE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / ASHDOD'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: A: Latakia; B and C: Aqaba; D and E: Ashdod ⁽⁹⁾
16. **Address of the warehouse and, if appropriate, port of landing**: —

17. Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 1 to 20. 12. 1989
18. Deadline for the supply : 22. 1. 1990
19. Procedure for determining the costs of supply : invitation to tender
20. In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders : 21. 11. 1989 at 12 noon
21. In the case of a second invitation to tender :
 - (a) deadline for the submission of tenders : 5. 12. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 10 to 31. 12. 1989
 - (c) deadline for the supply : 7. 2. 1990
22. Amount of the tendering security(*) : ECU 15 per tonne
23. Amount of the delivery security : 10 % of the amount of the tender in ecus
24. Address for submission of tenders :

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Brussels ;
telex AGREC 22037 B
25. Refund payable on request by the successful tenderer : —

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer: see list published in OJ No C 227, 7. 9. 1985, page 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of the Annex,
 - or by telecopier on one of the following numbers in Brussels:
- 235 01 32
236 10 97
235 01 30
236 20 05
- (⁵) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁶) The supplier is to detail the Manager, Supply Division, UNRWA, Vienna, by telex 135310 UNRWA A, the name of the carrying vessel, names and addresses of shipping agent and insurance agent at port of discharge.
- (⁷) Certificates and documents required for each shipment:
- one original and two copies of insurance certificate,
 - one original and two copies of health certificate,
 - one original and two copies of inspection certificate regarding quality, quantity and packing,
 - one certificate of non-contamination by radioactivity.
- (⁸) Ashdod: Consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net; not more than 30 containers are to be shipped on any vessel.
- (⁹) Supply free at terminal, as provided for in Article 14 (5) (a) of Regulation (EEC) No 2200/87, implies that the following costs at the port of landing shall be borne by the successful tenderer:
- should containers be used on a FCL/FCL or LCL/FCL basis, all costs of unloading and transportation from the under hook stage up to the designated destuffing area via, if any, transit check shed area. The costs of destuffing the goods from the containers, local charges incurred at a later stage, and costs occasioned by delays of detention or returning the containers are to be borne by the recipient,
 - should containers be used on an LCL/LCL or FCL/LCL basis, all the costs of unloading and transportation from the under hook stage up to the designated destuffing area via, if any, transit check shed area and by way of derogation from the aforementioned paragraph 5 (a) of Article 14, the LCL charges (destuffing of the goods), the local charges incurred after the stage of destuffing the goods from the containers are to be borne by the recipient.
-

COMMISSION REGULATION (EEC) No 3319/89**of 3 November 1989****on the supply of various lots of skimmed-milk powder as food aid**

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 3 082 tonnes of skimmed-milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOT A and B

1. **Operation Nos** (1): 516/89 and 525/89 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, 00145 Rome; telex: 626675 i wfp
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Swaziland
6. **Product to be mobilized**: vitaminized skimmed milk powder
7. **Characteristics and quality of the goods** (3) (4) (5): see list OJ No C 216, 14. 8. 1987, p. 4, I.1.B.1 to I.1.B.3
8. **Total quantity**: 153 tonnes
9. **Number of lots**: two (A (516/89): 101 tonnes; B (525/89): 52 tonnes)
10. **Packaging and marking**: 25 kg and OJ No C 216, 14. 8. 1987, pp. 4 and 6 (I.1.B.4 and I.1.B.4.3)
Supplementary markings on packaging:
'ACTION No 516/89 / SWAZILAND 0063702 / DSM / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / DURBAN IN TRANSIT TO MATSAPHA, SWAZILAND'
'ACTION No 525/89 / SWAZILAND 0064602 / DSM / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / DURBAN IN TRANSIT TO MATSAPHA, SWAZILAND'
and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: Free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 — 20. 12. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (6): 20. 11. 1989, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 27. 11. 1989, 12 noon
 - (b) period for making the goods available at the port of shipment: 8 — 31. 12. 1989
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Bruxelles, telex 22037 AGREC B
25. **Refund payable on request by the successful tenderer** (7): refund applicable on 13. 10. 1989 fixed by Commission Regulation (EEC) No 3080/89, OJ No L 294, 13. 10. 1989, p. 22

LOTS C, D, E and F

1. **Operation Nos** ⁽¹⁾: 517/89 to 520/89 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, I-00145 Rome, telex 626675 I WFP
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Brazil
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾: see OJ No C 216, 14. 8. 1987, p. 4, I.1.B.1 to I.1.B.3
8. **Total quantity**: 2 387 tonnes
9. **Number of lots**: 4 (C: 186 tonnes; D: 1 545 tonnes; E: 392 tonnes; F: 264 tonnes)
10. **Packaging and marking**: 25 kg and OJ No C 216, 14. 8. 1987, pp. 4 and 6 (I.1.B.4 and I.1.B.4.3)
Supplementary markings on packaging: see Annex II and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free-at-port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 — 20. 12. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁶⁾: 20. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 27. 11. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 8 — 31. 12. 1989
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: Ecu 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: refund applicable on 13. 10. 1989 fixed by Commission Regulation (EEC) No 3080/89 (OJ No L 294, 13. 10. 1989, p. 22)

LOTS G and H

1. **Operation Nos** (1): 523/89 and 524/89 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, I-00145 Rome, telex 626675 I WFP
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Bolivia
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4) (5): see OJ No C 216, 14. 8. 1987, p. 4, I.1.B.1 to I.1.B.3
8. **Total quantity**: 82 tonnes
9. **Number of lots**: two (G (523/89): 32 tonnes; H (524/89): 50 tonnes)
10. **Packaging and marking**: 25 kg and OJ No C 216, 14. 8. 1987, pp. 4 and 6 (I.1.B.4 and I.1.B.4.3)
Supplementary markings on packaging:
'ACCIÓN N° 523/89 / BOLIVIA 0279501 / LEP / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / ANTOFAGASTA VÍA SUCRE, BOLIVIA'
'ACCIÓN N° 524/89 / BOLIVIA 0279501 / LEP / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / ARICA VÍA COCHABAMBA, BOLIVIA'
and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5)
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free-at-port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 — 20. 12. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders** (6): 20. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 27. 11. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 8 — 31. 12. 1989
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: Ecu 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (7): refund applicable on 13. 10. 1989 fixed by Commission Regulation (EEC) No 3080/89 (OJ No L 294, 13. 10. 1989, p. 22)

LOT I

1. **Operation No⁽¹⁾**: 614/89 — Commission Decision of 12. 4. 1989
2. **Programme**: 1989
3. **Recipient**: UNHCR, Case Postale 2500, CH-1211 Genève 2 Dépôt; tel. 739 81 11, telex 415740 UNHCR CH
4. **Representative of the recipient⁽²⁾**: Bureau du HCR, Ground Floor, EEC Building, Bole Road, Higher 18, Kebele 26, House No 519/001, Addis Ababa; tel. 51 01 14 / 51 02 43)
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods⁽³⁾(4)**: see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.1 to I.1.A.2)
8. **Total quantity**: 460 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg and OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.3)
Supplementary markings on packaging:
'ACTION No 614/89 / SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNHCR ASSISTANCE PROGRAMME / FOR SOMALI REFUGEES IN ETHIOPIA / FOR FREE DISTRIBUTION / DIRE DAWA'
and OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.4)
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free-at-port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Djibouti
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 20. 12. 1989
18. **Deadline for the supply**: 31. 1. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁵⁾**: 20. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 27. 11. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 8 — 31. 12. 1989
 - (c) deadline for the supply: 10. 2. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾**: refund applicable on 13. 10. 1989 fixed by Commission Regulation (EEC) No 3080/89 (OJ No L 294, 13. 10. 1989, p. 22)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
 - (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (³) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
 - (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
 - (⁵) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
 - (⁶) The successful tenderer shall give the beneficiaries' representative a health certificate at the time of delivery.
 - (⁷) the successful tenderer shall give the beneficiaries' representative a certificate of origin at the time of delivery.
-

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

Designación de la partida	Cantidad total de la partida (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario	Inscripción en el embalaje
Parti	Totalmængde (i tons)	Delmængde (i tons)	Modtager	Modtagerland	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country	Markings on the packaging
Désignation de la partie	Quantité totale de la partie (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland	Aanduiding op de verpakking
Designação da parte	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário	Inscrição na embalagem
C	2 387	186	WFP	Brasil	Acção nº 517/89 / Brasil 0273200 / LEP / Donativo da Comunidade Económica Europeia / Acção do Programa Alimentar Mundial / Belém
D		1 545	WFP	Brasil	Acção nº 518/89 / Brasil 0273200 / LEP / Donativo da Comunidade Económica Europeia / Acção do Programa Alimentar Mundial / Fortaleza
E		392	WFP	Brasil	Acção nº 519/89 / Brasil 0273200 / LEP / Donativo da Comunidade Económica Europeia / Acção do Programa Alimentar Mundial / Manaus
F		264	WFP	Brasil	Acção nº 520/89 / Brasil 0273200 / LEP / Donativo da Comunidade Económica Europeia / Acção do Programa Alimentar Mundial / Vitória Esp. SA.

COMMISSION REGULATION (EEC) No 3320/89**of 3 November 1989****concerning the stopping of fishing for mackerel by vessels flying the flag of a Member State**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,Whereas Council Regulation (EEC) No 4196/88 of 21 December 1988 allocating, for 1989, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen ⁽³⁾, as last amended by Regulation (EEC) No 1810/89 ⁽⁴⁾, provides for mackerel quotas for 1989;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of

ICES division II a (Norwegian waters north of 62° N) by vessels flying the flag of a Member State or registered in a Member State have reached the quota allocated for 1989;

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES division II a (Norwegian waters north of 62° N) by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1989.

Fishing for mackerel in the waters of ICES division II a (Norwegian waters north of 62° N) by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

*Article 2*This regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 3 November 1989.

For the Commission

Manuel MARÍN

Vice-President⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.⁽³⁾ OJ No L 369, 31. 12. 1988, p. 45.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 7.

COMMISSION REGULATION (EEC) No 3321/89

of 3 November 1989

amending Regulation (EEC) No 2836/89 as regards preventive withdrawals of apples for the 1989/90 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular Article 15a (2) thereof,

Whereas Commission Regulation (EEC) No 2836/89⁽³⁾ allocated the quantity of apples which may be subject to preventive withdrawals amongst the Member States; whereas the information available indicates that the quantities likely to be withdrawn by producer groups in some Member States exceed the total quantities allotted to them and that the reverse is true in other Member States; whereas in order to facilitate these preventive withdrawals as far as possible, the allocation of the total quantity amongst the Member States should be altered;

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

Article 1

Article 2 of Regulation (EEC) No 2836/89 is hereby replaced by the following:

'Article 2

1. Preventive withdrawals may not relate to more than 250 000 tonnes allocated by Member State in the following manner:

	<i>tonnes</i>
Belgium	8 700
Denmark	600
Germany	15 000
Greece	23 400
France	87 200
Ireland	500
Italy	93 000
Luxembourg	100
Netherlands	8 000
United Kingdom	13 500

2. Preventive withdrawals may relate only to apples of class II of the varieties listed in the Annex.

Article 2

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

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 273, 22. 9. 1989, p. 16.

COMMISSION REGULATION (EEC) No 3322/89

of 3 November 1989

determining the operative events applicable in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 5 (3) thereof,

Whereas many amounts expressed in ecus in the framework of the market organization for fruit and vegetables must be converted into the national currency of a Member State;

Whereas, pursuant to Articles 2 (1) and 4 of Regulation (EEC) No 1676/85, such amounts expressed in ecus are to be converted into the national currency of a Member State using the agricultural conversion rates in force at the time when the operative event for the relevant operation occurs;

Whereas, pursuant to Article 5 (1) of Regulation (EEC) No 1676/85, 'operative event' means the event whereby the economic objective of the operation is attained but another operative event may be used if the time when the economic objective of the operation is attained cannot be taken into consideration for reasons peculiar to this sector or the amount in question;

Whereas this is the case in the fruit and vegetables sector, as mentioned further, and whereas the operative event for all transactions for which amounts expressed in ecus must be converted into the national currency of a Member State should be determined for that sector; whereas these provisions should be brought together within a single Regulation; whereas the analogous provisions of Commission Regulation (EEC) No 1562/85 of 7 June 1985 laying down detailed rules for the application of measures to encourage the processing of oranges and the marketing of products processed from lemons⁽³⁾, as last amended by Regulation (EEC) No 1374/89⁽⁴⁾, and of Commission Regulation (EEC) No 2159/89 of 18 July 1989 laying down detailed rules for applying the specific

measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) No 1035/72⁽⁵⁾, should therefore be repealed;

Whereas, pursuant to Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of mandarins, satsumas, clementines and oranges⁽⁶⁾, as last amended by Regulation (EEC) No 1123/89⁽⁷⁾, and Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽⁸⁾, as last amended by Regulation (EEC) No 1124/89⁽⁹⁾, financial compensation is granted to processors of such products subject to the payment to the producer of a minimum price; whereas it is difficult to establish the date of processing of each consignment; whereas, in order to ensure the uniform application of these arrangements, the operative event for entitlement to financial compensation should therefore occur on the first day of the marketing year for oranges, mandarins, satsumas and clementines and on 1 June and 1 December of each year for lemons; whereas, given the link between the financial compensation and the minimum price paid to the producer, the conversion rate to be applied to the latter must be the same as that applicable to the financial compensation;

Whereas, pursuant to Article 2 (2) of Regulation (EEC) No 2601/69, the minimum price for oranges, mandarins, satsumas and clementines is equal, in the case of each product, to the highest withdrawal price applying during periods of substantial withdrawals; whereas the conversion rate applicable to withdrawal prices for the products in question must therefore be that applicable to the minimum price; whereas this should also hold for the conversion rate applicable to the minimum selling price of blood oranges withdrawn from the market for sale to the processing industry, as provided for in Article 2 of Commission Regulation (EEC) No 2448/77⁽¹⁰⁾, as last amended by Regulation (EEC) No 713/87⁽¹¹⁾;

Whereas, in order to ensure uniform application of the withdrawal arrangements in the fruit and vegetables sector and to maintain price relationships in this sector, an operative event should also be fixed for intervention operations carried out in respect of products other than citrus fruit under Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 152, 11. 6. 1985, p. 5.

⁽⁴⁾ OJ No L 137, 20. 5. 1989, p. 26.

⁽⁵⁾ OJ No L 207, 19. 7. 1989, p. 19.

⁽⁶⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 25.

⁽⁸⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽⁹⁾ OJ No L 118, 29. 4. 1989, p. 28.

⁽¹⁰⁾ OJ No L 285, 9. 11. 1977, p. 5.

⁽¹¹⁾ OJ No L 70, 13. 3. 1987, p. 21.

market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾; whereas, in that case, the operative event may occur, for each marketing year, on the day of the entry into force of the basic and buying-in prices; whereas the same rate must be applicable to transport costs resulting from the free distribution of products withdrawn from the market or bought in by intervention agencies, as referred to in Council Regulation (EEC) No 3247/81⁽³⁾, as last amended by Regulation (EEC) No 788/89⁽⁴⁾;

Whereas, in order to ensure the homogeneous nature of measures taken to encourage the marketing of citrus fruit, the rate to be used for the conversion into national currency of the financial compensation introduced by Council Regulation (EEC) No 2511/69 of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit⁽⁵⁾, as last amended by Regulation (EEC) No 1130/89⁽⁶⁾, must be that applicable in the case of the intervention and processing operations referred to above;

Whereas the maximum annual amount of aid for improving the quality and marketing of nuts and locust beans, as fixed in Article 2 of Council Regulation (EEC) No 790/89⁽⁷⁾, should be converted into national currency at the agricultural conversion rate applying on the first day of each marketing year;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for fruit and vegetables;

HAS ADOPTED THIS REGULATION:

Article 1

1. The operative event for intervention operations carried out pursuant to Articles 15, 15a, 15b, 19 and 19a of Regulation (EEC) No 1035/72 during a given marketing year shall occur, for each product, on the day of the entry into force of the basic and buying-in prices for that product for that marketing year,

2. However:

— the operative event for operations referred to in paragraph 1 relating to oranges, mandarins, clementines and satsumas during a given marketing year shall occur on 1 October of that marketing year,

— the operative event for operations referred to in paragraph 1 relating to lemons between 1 December of one year and 31 May of the following year shall occur on the first day of that period.

3. The conversion rate applicable to the minimum selling price for blood oranges withdrawn from the market and disposed of to the processing industry pursuant to Article 21 (1) (c) of Regulation (EEC) No 1035/72, as referred to in Article 2 of Regulation (EEC) No 2448/77, shall be the agricultural conversion rate applying on the date determined according to the first indent of paragraph 2.

4. For the purposes of the financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund of expenditure resulting from free distribution as provided for in Article 21 of Regulation (EEC) No 1035/72 the conversion rate applicable to the standard rates referred to in Article 7 of Regulation (EEC) No 3247/81 shall be the agricultural conversion rate applying on the date determined according to paragraphs 1 and 2.

Article 2

The operative event for entitlement to the financial compensation referred to in Article 6 of Regulation (EEC) No 2511/69 shall be deemed to have occurred, in the case of each product, on 1 October of the marketing year during which the product is marketed.

Article 3

1. The operative event for entitlement to the financial compensation referred to in Article 3 (1) of Regulation (EEC) No 2601/69 in the case of oranges, mandarins, satsumas and clementines and in Article 1 (3) of Regulation (EEC) No 1035/77 in the case of lemons shall be deemed to have occurred:

- in the case of oranges, mandarins, clementines and satsumas delivered for processing into juice on 1 October of the current marketing year or, in the case of clementines and satsumas in tinned segments, during that marketing year,
- in the case of lemons, respectively on 1 June and 1 December of the current marketing year depending on whether they are delivered for processing into juice during one or the other of the periods of that marketing year referred to in Article 7 (1) of Regulation (EEC) No 1562/85.

2. The conversion rate applicable to the minimum price referred to in Article 2 (2) of Regulation (EEC) No 2601/69 shall be the agricultural conversion rate applying:

- in the case of oranges, mandarins, clementines and satsumas delivered for processing into juice, on 1 October of the current marketing year or, in the case of clementines and satsumas in tinned segments, during that marketing year,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 218, 28. 7. 1989, p. 4.

⁽⁵⁾ OJ No L 318, 18. 12. 1969, p. 1.

⁽⁶⁾ OJ No L 119, 29. 4. 1989, p. 22.

⁽⁷⁾ OJ No L 85, 30. 3. 1989, p. 6.

— in the case of lemons, respectively on 1 June and 1 December of the current marketing year depending on whether they are delivered for processing into juice during one or the other of the periods of that marketing year referred to in Article 7 (1) of Regulation (EEC) No 1562/85.

Article 4

The rate to be applied each year for the conversion into national currency of the maximum amount of aid per hectare for improving the quality and the marketing of nuts and locust beans, as fixed in Article 2 of Regulation (EEC) No 790/89, shall be the agricultural conversion rate applying on the first day of the marketing year which commences during the reference period within the

meaning of Article 19 of Commission Regulation (EEC) No 2159/89.

Article 5

Article 11 of Regulation (EEC) No 1562/85 and Article 21 of Regulation (EEC) No 2159/89 are hereby repealed.

Article 6

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

It shall apply, for each of the products listed in Annex II to Regulation (EEC) No 1035/72 with effect from the first day of the 1989/90 marketing year.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3323/89**of 3 November 1989****on securities relating to import licences, issued in respect of the third and fourth quarter of 1989**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Articles 15 (2) and 25 thereof,

Having regard to Council Regulation (EEC) No 4075/88 of 19 December 1988 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 ⁽³⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 4148/88 ⁽⁴⁾ lays down detailed rules for the application of the import arrangements provided for in Council Regulations (EEC) No 4075/88 and (EEC) No 4077/88 ⁽⁵⁾ in the beef and veal sector;

Whereas Commission Regulation (EEC) No 2208/89 ⁽⁶⁾ and Commission Regulation (EEC) No 3151/89 ⁽⁷⁾ on the issue of import licences for high-quality fresh, chilled or frozen beef and veal determine the percentage of quantities applied for respectively in the third and fourth quarters of 1989 which may be imported;

Whereas Commission Decision 89/15/EEC ⁽⁸⁾, as last amended by Decision 89/353/EEC ⁽⁹⁾, suspends importation for human consumption of animals of the

bovine species and meat from the United States of America and Canada from 1 January 1989;

Whereas contacts entered into with the abovementioned countries with a view to finding a solution to enable the suspension in question to be lifted have resulted in the issuing of licences pursuant to Regulation (EEC) No 1030/89; whereas the licences issued could not be used, no such solution having been found; whereas provision should accordingly be made for the release of the securities with a view to obtaining the said licences, in the same way as were done for the first and second quarter;

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

HAS ADOPTED THIS REGULATION:

Article 1

On application by the parties concerned, securities relating to import licences issued pursuant to Regulations (EEC) No 2208/89 and (EEC) No 3151/89 shall be released within one month provided that imports could not be effected owing to Decision 89/15/EEC.

Applications with supporting documents must be submitted to the competent authority of the Member State in question by 15 January 1990.

Article 2

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

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

Done at Brussels, 3 November 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 359, 28. 12. 1988, p. 4.

⁽⁴⁾ OJ No L 362, 30. 12. 1988, p. 42.

⁽⁵⁾ OJ No L 359, 28. 12. 1988, p. 7.

⁽⁶⁾ OJ No L 209, 21. 7. 1989, p. 42.

⁽⁷⁾ OJ No L 305, 21. 10. 1989, p. 11.

⁽⁸⁾ OJ No L 8, 11. 1. 1989, p. 11.

⁽⁹⁾ OJ No L 146, 30. 5. 1989, p. 39.

COMMISSION REGULATION (EEC) No 3324/89

of 3 November 1989

amending Regulation (EEC) No 2996/89 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 2996/89⁽³⁾, as last amended by Regulation (EEC) No 3182/89⁽⁴⁾, introduced a countervailing charge on cucumbers originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of cucumbers originating in Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985 must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2996/89, 'ECU 62,61' is hereby replaced by 'ECU 53,78'.

Article 2

This Regulation shall enter into force on 4 November 1989.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 287, 5. 10. 1989, p. 13.

⁽⁴⁾ OJ No L 308, 25. 10. 1989, p. 12.

COMMISSION REGULATION (EEC) No 3325/89**of 3 November 1989****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 3202/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November 1989.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 309, 26. 10. 1989, p. 33.

ANNEX

to the Commission Regulation of 3 November 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	26,49 ⁽¹⁾
1701 11 90	26,49 ⁽¹⁾
1701 12 10	26,49 ⁽¹⁾
1701 12 90	26,49 ⁽¹⁾
1701 91 00	33,04
1701 99 10	33,04
1701 99 90	33,04 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 3326/89

of 3 November 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 3251/89⁽⁷⁾, as amended by Regulation (EEC) No 3306/89⁽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:

(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 314, 28. 10. 1989, p. 59.
 (⁸) OJ No L 320, 1. 11. 1989, p. 67.
 (⁹) OJ No L 182, 3. 7. 1987, p. 49.
 (¹⁰) OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 2 November 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⁾, 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 3251/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 6 November 1989.

(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, 3 November 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 3 November 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1102 30 00	3,02	140,83	143,85
1103 14 00	3,02	140,83	143,85
1103 29 50	3,02	140,83	143,85
1104 19 91	6,04	239,15	245,19
1108 19 10	30,83	201,95	232,78

COMMISSION REGULATION (EEC) No 3327/89

of 3 November 1989

fixing Community producer prices for carnations and roses for the application of the import arrangements for certain floricultural products originating in Cyprus, Israel, Jordan and Morocco

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

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (a) thereof,

Whereas, pursuant to Article 3 of the abovementioned Regulation (EEC) No 4088/87, Community producer prices applicable for fortnightly periods are fixed twice a year before 15 May and 15 October for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down certain detailed rules for the application of the arrangements for the import into the Community of certain flowers originating in Cyprus, Israel and Jordan⁽³⁾, as amended by Regulation (EEC) No 3556/88⁽⁴⁾, prices for roses are determined on the basis of the average daily prices recorded on the representative producer markets for the pilot varieties of quality grade 1 in the three preceding years; whereas for carnations those prices are fixed under the same conditions for the bloom and spray types; whereas, for the determination of the average, prices which differ by 40 % and more from the

average price recorded on the same market during the same period during the three preceding years are excluded;

Whereas the Community producer prices for the fortnightly periods to 3 June 1990 should be determined on the basis of data provided by the Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer prices for large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations provided for in Article 3 of Regulation (EEC) No 4088/87 for the fortnightly periods to 3 June 1990 shall be as set out in the Annex hereto.

Article 2

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

It shall apply with effect from 6 November 1989.

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁴⁾ OJ No L 311, 17. 11. 1988, p. 8.

ANNEX

Community producer prices

(ECU/100 pieces)

Weeks	Period	Uniflorous carnations (bloom)	Multiflorous carnations (spray)	Large-flowered roses	Small-flowered roses
45/46	6. 11. — 19. 11. 1989	14,83	12,50	32,93	16,49
47/48	20. 11. — 3. 12. 1989	13,92	11,92	34,24	16,57
49/50	4. 12. — 17. 12. 1989	15,26	11,63	38,97	19,54
51/52	18. 12. — 31. 12. 1989	19,34	12,54	40,39	19,01
1/ 2	1. 1. — 14. 1. 1990	15,95	10,57	45,20	21,29
3/ 4	15. 1. — 28. 1. 1990	15,84	10,42	54,28	25,07
5/ 6	29. 1. — 11. 2. 1990	15,81	11,72	72,93	25,14
7/ 8	12. 2. — 25. 2. 1990	13,42	11,44	62,85	28,93
9/10	26. 2. — 11. 3. 1990	11,73	9,55	66,04	23,56
11/12	12. 3. — 25. 3. 1990	13,29	11,28	50,36	20,61
13/14	26. 3. — 8. 4. 1990	12,85	10,69	29,89	15,46
15/16	9. 4. — 22. 4. 1990	12,46	12,34	33,19	16,81
17/18	23. 4. — 6. 5. 1990	12,91	11,24	28,49	18,31
19/20	7. 5. — 20. 5. 1990	12,40	10,18	26,76	16,12
21/22	21. 5. — 3. 6. 1990	10,64	10,58	26,26	15,30

COMMISSION REGULATION (EEC) No 3328/89

of 3 November 1989

opening invitations to tender for the supply of certain citrus fruit to Poland in
accordance with Council Regulation (EEC) No 2247/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2247/89 of 24 July 1989 on an emergency measure for the free supply of certain agricultural products to Poland ⁽¹⁾, and in particular Article 3 thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽³⁾, and in particular Article 2 ⁽⁴⁾ thereof,

Whereas the Council, by Regulation (EEC) No 2247/89, decided on the free supply to Poland of agricultural products withdrawn from the market by intervention; whereas, given the Community market situation and in agreement with the Polish authorities the products supplied in the fruit and vegetable sector are to be citrus fruits, that is to say lemons and oranges; whereas forecasts concerning the extent of withdrawals indicate that mobilization of products should be restricted to certain Mediterranean regions;

Whereas under Regulation (EEC) No 2247/89 supply costs are to be determined by tender; whereas all obligations in connection with the supply operation should be precisely defined, from the taking over of products withdrawn from the market under Article 15 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽⁵⁾, as last amended by Regulation (EEC) No 1119/88 ⁽⁶⁾, up to receipt by the Polish authorities at the place agreed for them to take the products over;

Whereas in view of the purpose of the operation and of the conditions under which it will be carried out, the citrus fruit to be delivered to Poland should meet the class I quality standard as defined in the Community rules;

Whereas determination of the lots to be tendered for must be in accordance with the latest forecasts and

information on product availability; whereas lots will be specified in the notices of individual invitation to tender drawn up and published by the competent authorities of the Member States in which the products are to be mobilized;

Whereas, in order to ensure that the supply operation is properly carried out, a check for conformity must be made before departure from the consignment zone or, at the latest, at the time of departure from the Member State in which the fruit is mobilized; whereas, likewise, Commission Regulation (EEC) No 569/88 of 16 February 1988 laying down common detailed rules for verifying the use and/or destination of products from intervention ⁽⁷⁾, as amended by Regulation (EEC) No 3060/89 ⁽⁸⁾, should apply; whereas, however, the successful tenderer may not be released from his obligations and conformity may not be finally assessed until the goods are taken over by the Polish authorities, as attested by a certificate of receipt;Whereas to ensure that tendering procedures operate smoothly and that supply operations are properly carried out adequate financial security must be required of tenderers and successful tenderers; whereas the provisions of Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products ⁽⁹⁾, as amended by Regulation (EEC) No 1181/87 ⁽¹⁰⁾, should apply to the lodging and the release of securities;Whereas the conversion rate to be used for supply costs must be specified; whereas a more balanced approach that is also closer to the economic reality determining these costs will be secured by applying the exchange rate published in the C series of the *Official Journal of the European Communities*;

Whereas all the notifications necessary for the satisfactory application of this Regulation, in particular those pertaining to withdrawals and the monitoring of supplies to Poland, should be specified;

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

⁽¹⁾ OJ No L 216, 27. 7. 1989, p. 5.⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 12.⁽⁶⁾ OJ No L 55, 1. 3. 1988, p. 1.⁽⁷⁾ OJ No L 293, 12. 10. 1989, p. 29.⁽⁸⁾ OJ No L 205, 3. 8. 1985, p. 5.⁽⁹⁾ OJ No L 113, 30. 4. 1987, p. 31.

HAS ADOPTED THIS REGULATION:

Article 1

1. In accordance with Regulation (EEC) No 2247/89, Poland shall be supplied with 20 000 tonnes of citrus fruit from the 1989/90 marketing year withdrawn from the market pursuant to Article 15 of Regulation (EEC) No 1035/72.

2. The supplies referred to in paragraph 1 shall consist of:

(a) 15 000 tonnes of lemons mobilized in the following Member States:

- in Italy: 8 000 tonnes,
- in Spain: 6 000 tonnes,
- in Greece: 1 000 tonnes;

(b) 5 000 tonnes of oranges mobilized in the following Member States:

- in Italy: 2 500 tonnes,
- in Spain: 1 000 tonnes,
- in Greece: 1 500 tonnes.

3. The geographical breakdown of the quantities shown in paragraph 2 may be altered according to the actual availability of products withdrawn from the market and the tenders submitted in accordance with Article 5.

4. The products referred to in paragraph 1 shall meet the class I quality standards laid down in Commission Regulation (EEC) No 920/89⁽¹⁾. Lemons shall be in the size range 4 to 7 and oranges in the size range 3 to 10.

Article 2

1. A special tendering procedure shall be opened to determine the supply costs from each of the Member States listed in Article 1 (2), and for each of the two products.

2. The supply operation shall comprise:

- the taking-over of products withdrawn from the market in accordance with the provisions of Regulation (EEC) No 1035/72, in particular as regards quality,
- the selection of the products satisfying the requirements of Article 1 (4),
- the sizing, packaging (maximum net weight of packages 25 kilograms) and marking, as provided in article 9 (2), and
- transport, as provided for in paragraph 3, to the place where the products are to be taken over by the agency designated by the Polish authorities.

3. Transport of the products indicated in Article 1 (1) shall be effected by land or sea by insulated means of transport. The products shall be delivered by the successful tenderer:

- if transported by sea, landed on the quay at the Polish port indicated in the notice of invitation to tender.
- if transported by rail, free-at-frontier at the Polish frontier point indicated in the notice of invitation to tender,
- if transported by road, to the place indicated in the notice of invitation to tender.

Article 3

1. The agencies authorized by Greece, Spain and Italy shall draw up the notices of invitation to tender necessary for the supply, under the conditions laid down in this Regulation, of the products referred to in Article 1 and shall see to it that they are published. The notices shall be published by 10 November 1989 at the latest. Further notices may be drawn up later if necessary.

A copy of the draft notices shall be sent forthwith to the Commission so that a notice may be published in the C series of the *Official Journal of the European Communities*.

2. Notices of invitation to tender shall contain particulars of the following matters:

- the nature, quality and quantity of the product to be supplied, and the lots involved,
- the area in which the products withdrawn are to be taken over and the list and location of the producers organizations liable to withdraw oranges and lemons and make available to successful tenderers fruit suitable for supply to Poland,
- the place of taking over of the product by the competent Polish authorities,
- the period during which the products are to be taken over at the departure point and the timetable fixed for the supply of the product, or the maximum transport period,
- the method of packaging the product,
- the deadline for the submission of tenders,
- the name and address of the agency to which the tender must be submitted,
- all other necessary information.

Article 4

Any natural person having the nationality of a Member State and established in the Community, and any company formed in accordance with the law of a Member State and having its company headquarters, central administration or a main establishment in the Community shall have the right to take part, on equal terms, in the tendering procedures referred to in Article 2.

Article 5

1. Interested parties shall take part in a tendering procedure by submitting their tender either by letter with acknowledgement of receipt to the agency designated by the Member State and named in the notice, or by registered letter or by any other means of written telecommunication, to the address of the abovementioned agency.

⁽¹⁾ OJ No L 97, 11. 4. 1989, p. 19.

2. Tenders shall include :

- the tendering procedure reference,
- the name or business name and address of the tenderer,
- particulars of the lot to which the tender relates,
- the total supply costs tendered, in ecus per tonne, itemized as follows :
 - the costs involved in taking over the products withdrawn from the market,
 - the costs involved in selecting, sizing and packaging products satisfying the requirements of Article 1 (4), transport and delivery costs,
- any other information required in the notice of invitation to tender.

3. Tenders shall be valid only if :

- they are submitted in full before the expiry of the deadline fixed for the submission of tenders,
- they contain all the information referred to in paragraph 2 and comply with the requirements of the notice of invitation to tender,
- they are accompanied by an undertaking on the part of the tenderer to supply the products on the terms laid down if he should be successful,
- they are accompanied by proof that a tendering security of ECU 20 per tonne has been provided in accordance with Title III of Regulation (EEC) No 2220/85 in respect of the lot to which the tender relates.

4. Tenders may not be changed or withdrawn.

Article 6

1. The agency referred to in Article 5 shall forward to the Commission by telex not later than 24 hours after the expiry of the deadline fixed for the submission of tenders, using the layout set out in Annex I, all the tenders which meet the requirements of Article 5,

2. On the basis of the tenders forwarded pursuant to paragraph 1, a decision may be taken, in respect of one or more lots :

- to make no award, or
- to fix a maximum amount per tonne for the supply costs, or to reject tenders which do not appear to be in line with normal market prices.

3. Where a maximum amount is fixed for supply costs, the contract to supply the lot or lots concerned shall be awarded to the tenderer submitting the lowest tender.

4. Where several tenders are for the same amount, the contract shall be awarded by drawing lots.

Article 7

1. Within 48 hours following the adoption of the decision pursuant to Article 6 (2) the competent agency referred to in Article 5 shall inform all tenderers, by

written telecommunication, of the outcome of their participation in the tendering procedure and shall notify each successful tenderer of the award to him of the contract to supply the lot or lots.

Article 8

The agency designated by the Member State concerned shall ensure that the products taken over by the successful tenderer are in conformity with the rules relating to withdrawals. It shall also ensure that products taken over by the successful tenderer but not selected for supply are not marketed.

Article 9

1. The taking over of the products by the successful tenderer is subject to the provision of a delivery security in accordance with Title III of Regulation (EEC) No 2220/85 for an amount per tonne equal to the purchase price applicable during the month of takeover plus 10 % of the basic price.

2. The quality standard provisions laid down in Regulation (EEC) No 920/89 concerning quality, sizing, tolerances, presentation and marking shall apply to supplies furnished under this Regulation. In addition, the packaging shall bear, in Polish and in one official Community language, the words: 'Product of the European Economic Community'. The packaging shall not bear any trade name.

Article 10

1. Before departure from the consigning zone or, at the latest, at the time of departure from the Member State concerned the agency designated by that Member State shall check that the products in question are in conformity with the requirements of this Regulation and of the notice of invitation to tender. A certificate of conformity, in the form set out in Annex II, shall be issued to the successful tenderer. If not certificate is issued he must replace or supplement the consignment.

2. Except in cases of *force majeure*, the successful tenderer shall bear all the risks — particularly of loss and deterioration — associated with the supply of the product until it is taken over by the competent Polish authorities. He shall take out suitable insurance against these risks.

Evidence that the product has been taken over shall be provided by the issue of a certificate drawn up, immediately following unloading, at the request of the successful tenderer by the Polish authorities, in the form set out in Annex III.

3. Without prejudice to paragraph 4, the product shall be deemed to have been supplied if at least 97 % of the quantity to be supplied is taken over by the Polish authorities in accordance with the provisions of the tendering procedure.

4. The successful tenderer shall receive payment of the supply costs from the agency authorized by the Member State concerned on presentation of the certificate showing that the quantity actually delivered referred to in the document has been taken over. To that end, on way of derogation from Article 2 of Regulation (EEC) No 1676/85, the tender amount shall be converted into national currency at the rate applicable on the last day of the period fixed for the submission of tenders and published in the C series of the *Official Journal of the European Communities*.

Article 11

1. The primary requirements within the meaning of Articles 20 of Regulation (EEC) No 2220/85 shall be as follows:

(a) for the tendering security referred to in Article 5 (3):

- maintenance of the tender,
- lodging of the delivery security;

(b) for the delivery security referred to in Article 9:

- taking over of the product to be supplied, as provided for in the notice of invitation to tender,
- supply in accordance with this Regulation and the provisions of the notice of invitation to tender.

2. The tendering security shall be released:

- forthwith where a decision is taken to make no award,
- forthwith where the tender is not accepted,
- in the event of the tender being accepted, when the primary requirements referred to in point 1 of paragraph 1 have been met.

3. The delivery security shall be released on presentation of the takeover certificate duly stamped by the competent Polish authorities and of the T5 control copy or equivalent document.

Article 12

The provisions of Regulation (EEC) No 569/88 shall apply in respect of the supply of products provided for in this Regulation.

Article 13

In Part I of the Annex to Regulation (EEC) No 569/88 entitled 'Products to be exported in the same state as that in which they were removed from intervention stock', the following is added:

- '51. Commission Regulation (EEC) No 3328/89 of 3 November 1989 opening invitations to tender for the free supply of certain types of citrus fruit

to Poland in accordance with Council Regulation (EEC) No 2247/89⁽⁵¹⁾,

⁽⁵¹⁾ OJ No L 321, 4.11.1989, p. 43'.

Article 14

1. For the purposes of this Regulation: Greece, Spain and Italy shall notify to the Commission:

- Within 10 days of the entry into force of this Regulation, for each type of citrus fruit in question, the producers' organizations liable to have products available for supply to Poland and a forecast of available quantities,
- from the entry into force of this Regulation or from 1 November, whichever is the later, every week by Tuesday at the latest, the quantities of lemons and oranges withdrawn under Article 15 of Regulation (EEC) No 1035/72 and taken over by a successful tenderer during the previous week specifying precisely the producers' organizations which effected the withdrawal,
- from the entry into force of this Regulation or from 1 December, whichever is the later, every week by Tuesday at the latest, the quantities of oranges and lemons consigned to Poland under this Regulation.

2. The Member States shall notify as quickly as possible any occurrence likely to create difficulties for the supply of the products to Poland.

Article 15

1. For the purposes of the payment of the financial compensation referred to in Article 18 of Regulation (EEC) No 1035/72, the Member States concerned shall keep separate accounts in respect of products withdrawn from the market and taken over for supply to Poland in accordance with this Regulation.

2. For EAGGF Guarantee accounting purposes the book value of the products supplied to Poland shall be:

- for lemons: ECU 32,5 per tonne for Italy and Greece, and ECU 77,0 per tonne for Spain,
- for oranges: ECU 149,8 per tonne for Italy and Greece, and ECU 134,8 per tonne for Spain.

Conversion of these values into national currency shall be at the agricultural conversion rate applying on 1 December 1989.

Article 16

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

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

Done at Brussels, 3 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

MODEL FOR TRANSMISSION OF TENDERS TO THE COMMISSION IN THE TENDERING
PROCEDURE OPENED BY COMMISSION REGULATION (EEC) No 3328/89

Member State :

Product :

Lot No

quantity :

month of departure :

fortnight of departure :

region of takeover :

zone of takeover :

means of transport :

Numbering of tenderers	Supply costs requested (ECU/tonne)
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	

NB:

- The Member State certifies that the tenders conform with the requirements of Articles 4 and 5.
- Tenders are to be transmitted on the basis of an anonymous list. Tenders are to be classified in ascending order, starting with the lowest amount tendered.
- The total supply cost is to be itemized as indicated in Article 5(2).

ANNEX II

MODEL CERTIFICATE OF CONFORMITY OF CITRUS FRUIT FOR SUPPLY TO POLAND
UNDER REGULATION (EEC) No 2247/89

(Article 10 (1) of Regulation (EEC) No 3328/89)

I, the undersigned :
(surname, first name, business name)

acting on behalf of the Polish Government, hereby certify that the following goods to be supplied to Poland under Regulation (EEC) No 2247/89 conform with the requirements of Regulation (EEC) No 3328/89 and of the notice of invitation to tender :

— Place and date of check :

— Product :

— Tonnage (net weight) :

— Packaging :

— Number :

— kg net per unit :

— marks (particulars) :

The quality of the goods delivered is in conformity with that laid down in the notice of invitation to tender.

Comments :

.....

.....

.....

COMPETENT AUTHORITY RESPONSIBLE FOR COMPLETING AND STAMPING CERTIFICATE :

ANNEX III

MODEL CERTIFICATE SHOWING THAT A PRODUCT HAS BEEN TAKEN OVER BY THE
POLISH AUTHORITIES

I, the undersigned :
(surname, first name, business name)

acting on behalf of the Polish Government, hereby certify that the goods listed below have been taken over :

— Place and date of taking over :

— Product :

— Tonnage (net weight)

.....

— marks

— Number :

— kg net per unit :

— marks (particulars) :

Comments :

.....

.....

.....

COMPETENT AUTHORITY RESPONSIBLE FOR COMPLETING AND STAMPING CERTIFICATE :

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 October 1989

establishing the delivery levels of ECSC steel products of Portuguese origin onto the rest of the Community market, excluding Spain

(Only the Portuguese text is authentic)

(89/574/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Protocol 20 thereto,

Having received the assent of the Council,

Whereas Protocol 20, which covers the restructuring of the Portuguese iron and steel industry, and the Joint Declaration on the Portuguese iron and steel industry provide that deliveries of ECSC steel products of Portuguese origin onto the Community market must be subject to quantitative limits in 1989;

Whereas, pursuant to the second subparagraph of paragraph 5 (a) of Protocol 20, it falls upon the Commission, with the assent of the Council, to establish the level of these deliveries;

Whereas, by the terms of the fourth subparagraph of paragraph 3 (a) of the said Joint Declaration, the level of deliveries must be compatible with the forecasts used to calculate the evolution of the Community market;

Whereas the deliveries of ECSC steel products of Portuguese origin onto the rest of the Community market, excluding Spain, were not permitted to exceed 100 000 tonnes in 1988;

Whereas pursuant to the third subparagraph of paragraph 5 (a) of Protocol 20, these deliveries must be liberalized as

soon as the transitional period ends, and in order to ensure a harmonious transition the level of the deliveries may be subject to increase before the end of this regime;

Whereas, following the results of a study on the viability of steel undertakings, the Portuguese authorities have agreed to implement measures additional to the plan for the restructuring of the Portuguese steel industry,

HAS ADOPTED THIS DECISION:

Article 1

Deliveries of ECSC steel products of Portuguese origin onto the rest of the Community market, excluding Spain, may not exceed 110 000 tonnes during the year 1989.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 24 October 1989.

For the Commission

Martin BANGEMANN

Vice-President

COMMISSION DECISION

of 25 October 1989

amending the Seventh Council Decision 85/355/EEC on the equivalence of field inspections carried out in third countries on seed-producing crops

(89/575/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Commission Directive 89/2/EEC⁽²⁾,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽³⁾, as last amended by Directive 88/380/EEC⁽⁴⁾,

Having regard to the Seventh Council Decision 85/355/EEC of 27 June 1985 on the equivalence of field inspections carried out in third countries on seed-producing crops⁽⁵⁾, as last amended by Decision 89/532/EEC⁽⁶⁾, and in particular Article 2 thereof,

Whereas, in Decision 85/355/EEC, the Council determined that field inspections carried out in certain third countries on seed-producing crops of certain species satisfy the conditions laid down in the Community Directives;

Whereas for beet seed that determination includes Turkey;

Whereas examination of the rules of Turkey and of the manner in which they are applied has shown that the prescribed field inspections in Turkey satisfy the conditions laid down in Annex I to Directive 66/402/EEC for sorghum, Sudan grass, hybrids resulting from the crossing of sorghum and Sudan grass and maize and the conditions laid down in Annex I to Directive 69/208/EEC for soya bean and sunflower;

Whereas the existing equivalence for Turkey should therefore be extended accordingly;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 85/355/EEC is hereby amended as follows:

In columns 3 and 4 of the section of the table in Part I (2) relating to Turkey, after the indent

3	4
— 66/400 <i>Beta vulgaris</i> ⁽¹⁾	,

the following indents are added:

3	4
— 66/402 <i>Sorghum bicolor</i> <i>Sorghum sudanense</i> <i>Sorghum bicolor</i> × <i>Sorghum sudanense</i> <i>Zea mays</i>	(b) (b) (b)
— 69/208 <i>Glycine max</i> <i>Helianthus annuus</i>	,

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 5, 7. 1. 1989, p. 31.

⁽³⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁴⁾ OJ No L 187, 16. 7. 1988, p. 31.

⁽⁵⁾ OJ No L 195, 26. 7. 1985, p. 1.

⁽⁶⁾ OJ No L 279, 28. 9. 1989, p. 34.

COMMISSION DECISION

of 25 October 1989

amending Decision 81/888/EEC extending, as regards certain non-member countries, the periods relating to the checks on practices for the maintenance of varieties laid down in Council Directives 70/457/EEC and 70/458/EEC

(89/576/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species⁽¹⁾, as last amended by Directive 88/380/EEC⁽²⁾, and in particular the third sentence of Article 21 (2) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed⁽³⁾, as last amended by Directive 88/380/EEC, and in particular the third sentence of Article 32 (2) thereof,

Whereas, pursuant to Article 21 (1) of Directive 70/457/EEC and Article 32 (1) of Directive 70/458/EEC, the Council shall determine, on a proposal from the Commission, whether the checks on practices for the maintenances of varieties carried out in third countries afford the same guarantees as those carried out by the Member States;

Whereas by Decision 78/476/EEC⁽⁴⁾, as last amended by Decision 88/574/EEC⁽⁵⁾, the Council has determined the equivalence of those checks as regards a number of third countries;

Whereas, taking into account the fact that the information available did not enable this question to be determined as regards other third countries, and in order to prevent certain Member States' traditional trade patterns from being disturbed, Commission Decision 81/888/EEC⁽⁶⁾, as last amended by Decision 88/480/EEC⁽⁷⁾, extended until 30 June 1990, for certain third countries, the periods provided for in Article 21 (2)

of Directive 70/457/EEC and in Article 32 (2) of Directive 70/458/EEC, during which Member States are free to take decisions themselves as regards checks on practices for the maintenance of varieties which had already been accepted or entered for acceptance before 1 July 1988 in the Member State making use of the authorization;

Whereas information presently available still does not enable this question to be determined as regards Switzerland in respect of agricultural and vegetable species, Finland and Japan in respect of agricultural species and Hungary, the Republic of Korea, and Taiwan in respect of vegetable species;

Whereas, for the abovementioned reasons and under the same conditions, the periods provided for in Article 21 (2) of Directive 70/457/EEC and Article 32 (2) of Directive 70/458/EEC should therefore be extended once again as regards the aforementioned third countries; whereas this extension must be limited to the varieties which are accepted or entered for acceptance before 1 July 1990 in the Member State making use of the authorization;

Whereas, owing to changes in trade patterns, Member States no longer need to take decisions themselves or on practices for the maintenance of varieties of vegetable species in respect of Canada, Mexico or Turkey; whereas these third countries should therefore be excluded from the scope of Decision 81/888/EEC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 81/888/EEC is hereby amended as follows:

1. In paragraph 1, '30 June 1990' is replaced by '30 June 1992';

⁽¹⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽²⁾ OJ No L 187, 16. 7. 1988, p. 31.

⁽³⁾ OJ No L 225, 12. 10. 1970, p. 7.

⁽⁴⁾ OJ No L 152, 8. 6. 1978, p. 17.

⁽⁵⁾ OJ No L 313, 19. 11. 1988, p. 45.

⁽⁶⁾ OJ No L 324, 12. 11. 1981, p. 28.

⁽⁷⁾ OJ No L 234, 24. 8. 1988, p. 24.

2. In paragraph 2, 'Canada, Hungary, the Republic of Korea, Mexico, Switzerland, Taiwan and Turkey' is replaced by 'Hungary, the Republic of Korea, Switzerland and Taiwan' and '30 June 1990' is replaced by '30 June 1992';

3. In paragraph 3, '1 July 1988' is replaced by '1 July 1990'.

Article 2

This Decision is addressed to all the Member States.

Done at Brussels, 25 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission
