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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3456/89**of 17 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 16 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 18 November 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 17 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 17 November 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	23,05	118,15
0712 90 19	23,05	118,15
1001 10 10	27,26	164,57 ⁽¹⁾ ⁽²⁾
1001 10 90	27,26	164,57 ⁽¹⁾ ⁽²⁾
1001 90 91	23,07	114,05
1001 90 99	23,07	114,05
1002 00 00	49,93	114,27 ⁽³⁾
1003 00 10	40,77	113,11
1003 00 90	40,77	113,11
1004 00 10	32,17	110,33
1004 00 90	32,17	110,33
1005 10 90	23,05	118,15 ⁽³⁾ ⁽⁴⁾
1005 90 00	23,05	118,15 ⁽³⁾ ⁽⁴⁾
1007 00 90	40,77	124,87 ⁽⁵⁾
1008 10 00	40,77	2,92
1008 20 00	40,77	61,47 ⁽⁶⁾
1008 30 00	40,77	0,00 ⁽⁷⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	40,77	0,00
1101 00 00	46,85	172,25
1102 10 00	84,22	174,17
1103 11 10	56,78	269,61
1103 11 90	49,97	185,94

⁽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 3457/89

of 17 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 16 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 18 November 1989.

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

Done at Brussels, 17 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 17 November 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 11	1st period 12	2nd period 1	3rd period 2
0709 90 60	0	0,56	0,56	1,40
0712 90 19	0	0,56	0,56	1,40
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	4,24
1001 90 99	0	0	0	4,24
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	0,56	0,56	1,40
1005 90 00	0	0,56	0,56	1,40
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	5,94

B. Malt

CN code	(ECU/tonne)				
	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	0	7,55	7,55
1107 10 19	0	0	0	5,64	5,64
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 3458/89
of 17 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 3384/89 ⁽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 20 November
1989.

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

Done at Brussels, 17 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 326, 11. 11. 1989, p. 12.

ANNEX

to the Commission Regulation of 17 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⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	140,97	289,14
1006 10 23	—	217,67	141,51	290,22
1006 10 25	—	217,67	141,51	290,22
1006 10 27	—	217,67	141,51	290,22
1006 10 92	—	—	140,97	289,14
1006 10 94	—	217,67	141,51	290,22
1006 10 96	—	217,67	141,51	290,22
1006 10 98	—	217,67	141,51	290,22
1006 20 11	—	—	177,11	361,42
1006 20 13	—	272,09	177,79	362,78
1006 20 15	—	272,09	177,79	362,78
1006 20 17	—	272,09	177,79	362,78
1006 20 92	—	—	177,11	361,42
1006 20 94	—	272,09	177,79	362,78
1006 20 96	—	272,09	177,79	362,78
1006 20 98	—	272,09	177,79	362,78
1006 30 21	13,05	—	229,37	482,60
1006 30 23	12,97	414,47	264,43	552,63
1006 30 25	12,97	414,47	264,43	552,63
1006 30 27	12,97	414,47	264,43	552,63
1006 30 42	13,05	—	229,37	482,60
1006 30 44	12,97	414,47	264,43	552,63
1006 30 46	12,97	414,47	264,43	552,63
1006 30 48	12,97	414,47	264,43	552,63
1006 30 61	13,90	—	244,63	513,97
1006 30 63	13,90	444,32	283,86	592,42
1006 30 65	13,90	444,32	283,86	592,42
1006 30 67	13,90	444,32	283,86	592,42
1006 30 92	13,90	—	244,63	513,97
1006 30 94	13,90	444,32	283,86	592,42
1006 30 96	13,90	444,32	283,86	592,42
1006 30 98	13,90	444,32	283,86	592,42
1006 40 00	0	—	77,82	161,65

(⁽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 3459/89**of 17 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 3385/89⁽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 20 November 1989.

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

Done at Brussels, 17 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 326, 11. 11. 1989, p. 14.

ANNEX

to the Commission Regulation of 17 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 3460/89
of 17 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 Euronaid 8 935 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 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, 17 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

LOTS A, B, C, D, E, F, G, H, I, K, L, M, N, O, P and Q

1. **Operation No** ⁽¹⁾: see Annex II — Commission Decision of 3. 3. 1989
2. **Programme**: Lots A, B, C, G, H, I, K, L, M, N, O and Q: 1989; Lots D, E, F and P: 1988
3. **Recipient**: Euronaid, PO box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3). Lot C: ⁽⁹⁾ ⁽¹⁰⁾
8. **Total quantity**: 8 935 tonnes
9. **Number of lots**: 16
10. **Packaging and marking**: 25 kilograms
(See OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3). Lots A, D, E, F, G, H, I, K, L, M, N, O, P and Q ⁽²⁾)
Supplementary markings on the packaging: see Annex II
(See OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5))
11. **Method of mobilization** ⁽¹²⁾: the Community market. Lots A, D, E, F, G, H, I, K, L, M, N, O, P and Q ⁽¹¹⁾
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**: 26. 12. 1989 — 10. 1. 1990
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** ⁽¹⁾: 4. 12. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 11. 12. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 2 — 17. 1. 1990
 - (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** ⁽¹⁾: refund applicable on 27. 10. 1989, fixed in Commission Regulation (EEC) No 3220/89 (OJ No L 312, 27. 10. 1989, p. 27)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Shipment to take place in 20-foot containers, conditions FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 3 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.
- (³) Commission delegate to be contracted by the successful tenderer : see list in OJ No C 227, 7. 9. 1985, p. 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 or one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), 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) At the request of the beneficiary the successful tenderer shall deliver, for each action number/shipping number, 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.
- (⁷) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a health certificate for each action number/shipping number.
- (⁸) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a certificate of origin for each action number/shipping number.
- (⁹) Radiation certificate must be issued by official authorities and be legalized Sudan.
- (¹⁰) The Radiation certificate must indicate the levels of :
 - Caesium-134 and -137,
 - Iodine 131.
- (¹¹) The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender. The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.
- (¹²) The supplier should send a duplicate of the original invoice to :

MM. De Keyzer and Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
(1)	(2)	(3)	(4)	(5)	(6)
A	750	A1 : 75	Euronaid	Liban	Action n° 738/89 / Lait en poudre / 90319 B / Saïda / Don de la Communauté économique européenne / Pour distribution gratuite
		A2 : 75			Action n° 739/89 / Lait en poudre / 90322 B / Jounieh / Don de la Communauté économique européenne / Pour distribution gratuite
		A3 : 300			Action n° 740/89 / Lait en poudre / 90435 B / Jounieh / Don de la Communauté économique européenne / Pour distribution gratuite
		A4 : 300			Action n° 741/89 / Lait en poudre / 93300 B / Saïda / Don de la Communauté économique européenne / Pour distribution gratuite
B	1 065	B1 : 60	Euronaid	Chile	Acción n° 623/89 / Leche en polvo / 91755 / Coyahique <i>via</i> Chacabuco / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		B2 : 15		Brasil	Ação n° 624/89 / Leite em pó / 94211 / Belém / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		B3 : 300		Algérie	Action n° 625/89 / Lait en poudre / 90284 / Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		B4 : 300		Algérie	Action n° 626/89 / Lait en poudre / 90712 / Tindouf <i>via</i> Alger / Don de la Communauté économique européenne / Pour distribution gratuite

(1)	(2)	(3)	(4)	(5)	(6)
B		B5: 300	Euronaid	Algérie	Action n° 627/89 / Lait en poudre / 90828 / Tindouf <i>via</i> Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		B6: 60		Comores	Action n° 628/89 / Lait en poudre / 90507 / Moroni / Don de la Communauté économique européenne / Pour distribution gratuite
		B7: 30		Madagascar	Action n° 629/89 / Lait en poudre / 91761 Toliary / Don de la Communauté économique européenne / Pour distribution gratuite
C	1 005	C1: 120	Euronaid	Sudan	Action No 630/89 / Milk powder / 90632 / Khartoum <i>via</i> Port Sudan / Gift of the European Economic Community / For free distribution
		C2: 150			Action No 631/89 / Milk powder / 90635 / El Obeid <i>via</i> Port Sudan / Gift of the European Economic Community / For free distribution
		C3: 420			Action No 632/89 / Sudan / 90837 / Port Sudan (!)
		C4: 300			Action No 633/89 / Sudan / 91128 / Port Sudan (!)
		C5: 15			Action No 634/89 / Milk powder / 94614 / Khartoum <i>via</i> Port Sudan / Gift of the European Economic Community / For free distribution
D	1 085	D1: 15	Euronaid	Bolivia	Acción n° 635/89 / Leche en polvo / Bolivia / Caritas Belgica / 90290 / Potosí <i>via</i> Antofagasta / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		D2: 135		Ecuador	Acción n° 636/89 / Leche en polvo / Ecuador / Caritas Española / 96004 / Guayaquil / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		D3: 45		Dominica	Action No 637/89 / Milk powder / Cathwel / 90125 / Roseau <i>via</i> Woodbridge Bay / Gift of the European Economic Community / For free distribution
		D4: 120		Haïti	Action n° 638/89 / Lait en poudre / Caritas Belgica / 90281 / Port au Prince / Don de la Communauté économique européenne / Pour distribution gratuite
		D5: 210		Haïti	Action n° 639/89 / Lait en poudre / Caritas Neerlandica / 90332 / Port au Prince / Don de la Communauté économique européenne / Pour distribution gratuite
		D6: 110		Haïti	Action n° 640/89 / Lait en poudre / Protos / 91505 / Port au Prince / Don de la Communauté économique européenne / Pour distribution gratuite

(1)	(2)	(3)	(4)	(5)	(6)
D		D7 : 360	Euronaid	Haïti	Action n° 641/89 / Lait en poudre / Protos / 91510 / Port au Prince / Don de la Communauté économique européenne / Pour distribution gratuite
		D8 : 90		República Dominicana	Acción n° 642/89 / Leche en polvo / Republica Dominicana / Oxfam B / 90833 / Santo Domingo / Donación de la Comunidad Economica Europea / Destinado a la distribución gratuita
E	575	E1 : 80	Euronaid	Bénin	Action n° 643/89 / Lait en poudre / Benin / Caritas France / 90506 / Bohicon <i>via</i> Cotonou / Don de la Communauté économique européenne / Pour distribution gratuite
		E2 : 480		Burkina Faso	Action n° 644/89 / Lait en poudre / Burkina Faso / Cathwel / 90123 / Ouagadougou <i>via</i> Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
		E3 : 15		Burkina Faso	Action n° 645/89 / Lait en poudre / Burkina Faso / Caritas Bélgica / 90259 / Bobo Dioulasso <i>via</i> Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
F	600	F1 : 15	Euronaid	Côte d'Ivoire	Action n° 646/89 / Lait en poudre / Cote d'Ivoire / AATM / 91762 B / Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
		F2 : 150		Ghana	Action No 647/89 / Milk powder / Ghana / Cathwel / 90122 / Tema / Gift of the European Economic Community / For free distribution
		F3 : 150		Ghana	Action No 648/89 / Milk powder / Ghana / Caritas Italiana / 90652 / Accra <i>via</i> Tema / Gift of the European Economic Community / For free distribution
		F4 : 120		Guiné-Bissau	Acção n° 649/89 / Leite em pó / Guiné-Bissau / Caritas Italiana / 90644 / Bissau / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		F5 : 90		Mali	Action n° 650/89 / Lait en poudre / Mali / Caritas France / 90509 / Bamako <i>via</i> Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
		F6 : 30		Mali	Action n° 651/89 / Lait en poudre / Mali / Caritas France / 90510 / Mopti <i>via</i> Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite

(1)	(2)	(3)	(4)	(5)	(6)
F		F7: 15	Euronaid	Mali	Action n° 652/89 / Lait en poudre / Mali / SSI / 93011 / Bamako <i>via</i> Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
		F8: 30		Mali	Action n° 653/89 / Lait en poudre / Mali / Cinterad / 93411 / Bamako <i>via</i> Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
G	315	G1: 30	Euronaid	Niger	Action n° 654/89 / Lait en poudre / Niger / Caritas Allemagne / 90401 / Niamey <i>via</i> Lomé / Don de la Communauté économique européenne / Pour distribution gratuite
		G2: 45		Niger	Action n° 655/89 / Lait en poudre / Niger / Caritas Allemagne / 90462 / Niamey <i>via</i> Lomé / Don de la Communauté économique européenne / Pour distribution gratuite
		G3: 90		Sénégal	Action n° 656/89 / Lait en poudre / Sénégal / Caritas Italiana / 90655 / Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
		G4: 15		Sénégal	Action n° 657/89 / Lait en poudre / Sénégal / AATM / 91757 / Bambey <i>via</i> Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
		G5: 45		Sénégal	Action n° 658/89 / Lait en poudre / Sénégal / AATM / 91758 / Saint Louis <i>via</i> Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
		G6: 90		Togo	Action n° 659/89 / Lait en poudre / Togo / AATM / 91756 / Lomé / Don de la Communauté économique européenne / Pour distribution gratuite
H	270	H1: 60	Euronaid	Angola	Acção n° 660/89 / Leite em pó / Angola / Caritas Neerlandica / 90323 / Lobito / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		H2: 60		Angola	Acção n° 661/89 / Leite em pó / Angola / Caritas Neerlandica / 90324 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		H3: 15		Angola	Acção n° 662/89 / Leite em pó / Angola / WOW / 93601 / Luanda / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		H4: 45		Congo	Action n° 663/89 / Lait en poudre / Congo / Caritas France / 90508 / Brazzaville <i>via</i> Pointe Noire / Don de la Communauté économique européenne / Pour distribution gratuite

(1)	(2)	(3)	(4)	(5)	(6)
H		H5: 15	Euronaid	Congo	Action n° 664/89 / Lait en poudre / Congo / SBLB / 94509 / Pointe Noire / Don de la Communauté économique européenne / Pour distribution gratuite
		H6: 45		République Centrafricaine	Action n° 665/89 / Lait en poudre / République Centrafricaine / AATM / 91763 / Bangui <i>via</i> Douala / Don de la Communauté économique européenne / Pour distribution gratuite
		H7: 30		Tchad	Action n° 666/89 / Lait en poudre / Tchad / Caritas France / 90511 / Moundou <i>via</i> Douala / Don de la Communauté économique européenne / Pour distribution gratuite
I	360		Euronaid	Zaïre	Action n° 667/89 / Lait en poudre / Zaïre / Caritas Belgique / 90267 / Kinshasa <i>via</i> Matadi / Don de la Communauté économique européenne / Pour distribution gratuite
K	345	K1: 15	Euronaid	Madagascar	Action n° 668/89 / Lait en poudre / Madagascar / AATM / 91759 / Fianarantsoa <i>via</i> Tomasina / Don de la Communauté économique européenne / Pour distribution gratuite
		K2: 30		Madagascar	Action n° 669/89 / Lait en poudre / Madagascar / AATM / 91760 / Tomasina / Don de la Communauté économique européenne / Pour distribution gratuite
		K3: 30		Madagascar	Action n° 670/89 / Lait en poudre / Madagascar / OPEM / 94213 / Manakara <i>via</i> Tomasina / Don de la Communauté économique européenne / Pour distribution gratuite
		K4: 120		Moçambique	Acção n° 671/89 / Leite em pó / Moçambique / Caritas Alemana / 90441 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		K5: 60		Moçambique	Acção n° 672/89 / Leite em pó / Moçambique / Caritas Alemana / 90442 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		K6: 60		Moçambique	Acção n° 673/89 / Leite em pó / Moçambique / Caritas Alemana / 90443 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		K7: 30		Moçambique	Acção n° 674/89 / Leite em pó / Moçambique / OpeM / 94214 / Matola <i>via</i> Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita

(1)	(2)	(3)	(4)	(5)	(6)
L	195	L1 : 135	Euronaid	Burundi	Action n° 675/89 / Lait en poudre / Burundi / Caritas Belgica / 90257 / Bujumbura <i>via</i> Mombasa / Don de la Communauté économique européenne / Pour distribution gratuite
		L2 : 30		Somalia	Action No 676/89 / Milk powder / Somalia / Caritas Italiana / 90641 / Mogadishu / Gift of the European Economic Community / For free distribution
		L3 : 30		Bangladesh	Action No 677/89 / Milk powder / Bangladesh / CAM / 92039 / Chittagong / Gift of the European Economic Community / For free distribution
M	930	M1 : 390	Euronaid	Malawi	Action No 678/89 / Milk powder / Malawi / Caritas Italiana / 90650 / Lilongwe <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution
		M2 : 60		Zaire	Action n° 679/89 / Lait en poudre / Zaire / CIM / 91801 / Lubumbashi <i>via</i> Dar Es Salaam / Don de la Communauté économique européenne / Pour distribution gratuite
		M3 : 30		Zambia	Action No 680/89 / Milk powder / Zambia / Caritas Germany / 90453 / Chipata <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution
		M4 : 30		Zambia	Action No 681/89 / Milk powder / Zambia / Caritas Germany / 90454 / Solwezi <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution
		M5 : 30		Zambia	Action No 682/89 / Milk powder / Zambia / Caritas Germany / 90455 / Kasama <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution
		M6 : 30		Zambia	Action No 683/89 / Milk powder / Zambia / Caritas Germany / 90456 / Mbala <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution
		M7 : 30		Zambia	Action No 684/89 / Milk powder / Zambia / Caritas Germany / 90457 / Lusaka <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution
		M8 : 30		Zambia	Action No 685/89 / Milk powder / Zambia / Caritas Germany / 90458 / Mansa <i>via</i> Dar Es Salaam / Gift of the European Economic Community / For free distribution

(1)	(2)	(3)	(4)	(5)	(6)
N	710	N1 : 400	Euronaid	India	Action No 686/89 / Milk powder / India / Caritas Germany / 90459 / Madras / Gift of the European Economic Community / For free distribution
		N2 : 310			Action No 687/89 / Milk powder / India / Caritas Germany / 90460 / Bombay / Gift of the European Economic Community / For free distribution
O	295	O1 : 250	Euronaid	India	Action No 688/89 / Milk powder / India / Caritas Germany / 90461 / Calcutta / Gift of the European Economic Community / For free distribution
		O2 : 30			Action No 689/89 / Milk powder / India / ACA / 91605 / Madras / Gift of the European Economic Community / For free distribution
		O3 : 15			Action No 690/89 / Milk powder / India / ACA / 91604 / Cochin / Gift of the European Economic Community / For free distribution
P	285	P1 : 15	Euronaid	India	Action No 691/89 / Milk powder / India / ACA / 91603 / Kanyakumari via Tuticorin / Gift of the European Economic Community / For free distribution
		P2 : 30			Action No 692/89 / Milk powder / ACA / 91606 / Bombay / Gift of the European Economic Community / For free distribution
		P3 : 150			Action No 693/89 / Milk powder / India / CAM / 92033 / Bombay / Gift of the European Economic Community / For free distribution
		P4 : 30			Action No 694/89 / Milk powder / India / SBLB / 94507 / Tuticorin / Gift of the European Economic Community / For free distribution
		P5 : 60			Action No 695/89 / Milk powder / India / SBLB / 94508 / Tuticorin / Gift of the European Economic Community / For free distribution
Q	150		Euronaid	Pakistan	Action No 696/89 / Milk powder / Pakistan / Cathwel / 90121 / Karachi / Gift of the European Economic Community / For free distribution

(¹) Las instrucciones complementarias [DO n° C 216 del 14. 8. 1987 (I.I.B.5)] no son aplicables.

(²) Yderligere påskrifter [EFT nr. C 216 af 14. 8. 1987 (I.I.B.5)] anvendes ikke.

(³) Die ergänzenden Aufschriften [ABl. Nr. C 216 vom 14. 8. 1987 (I.I.B.5)] sind nicht anzuwenden.

(⁴) Οι συμπληρωματικές ενδείξεις [ΕΕ αριθ. C 216 της 14. 8. 1987 (I.I.B.5)] δεν εφαρμόζονται.

(⁵) The supplementary markings [OJ No C 216, 14. 8. 1987 (I.I.B.5)] not to apply.

(⁶) Les inscriptions complémentaires [JO n° C 216 du 14. 8. 1987 (I.I.B.5)] ne sont pas applicables.

(⁷) Le iscrizioni supplementari [GU n. C 216 del 14. 8. 1987 (I.I.B.5)] non sono applicabili.

(⁸) De bijkomende vermeldingen [PB nr. C 216 van 14. 8. 1987 (I.I.B.5)] zijn niet van toepassing.

(⁹) As inscrições complementares [JO n° C 216 de 14. 8. 1987 (I.I.B.5)] não são aplicáveis.

COMMISSION REGULATION (EEC) No 3461/89**of 17 November 1989****re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Council Regulation (EEC) No 4234/88 of 19 December 1988 establishing ceilings and Community surveillance for imports of certain products originating in Yugoslavia (1989)⁽²⁾, and in particular Article 1 thereof,

Whereas the abovementioned Protocol 1 and Article 15 of the Cooperation Agreement provide that the products listed in the Annex hereto are imported exempt of customs duty into the Community, subject to the annual ceiling shown in the Annex hereto, above which the customs duties applicable to third countries may be re-established;

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 21 November to 31 December 1989, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the products listed in the Annex, originating in Yugoslavia.

Article 2

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

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

Done at Brussels, 17 November 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 372, 31. 12. 1988, p. 15.

ANNEX

Order No	CN code	Description	Ceiling (tonnes)
04.0030	7202	Ferro-alloys	7 344
		— Ferro-silicon :	
	7202 21	— — Containing by weight more than 55 % of silicon :	
	7202 21 10	— — — Containing by weight more than 55 % but not more than 80 % of silicon	
	7202 21 90	— — — Containing by weight more than 80 % of silicon	
	7202 29 00	— — Other	
04.0040	7202 30 00	— Ferro-silico-manganese	1 179

COMMISSION REGULATION (EEC) No 3462/89

of 17 November 1989

amending Regulation (EEC) No 1577/81 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1224/80 of 28 May 1980 on the valuation of goods for customs purposes ⁽¹⁾, as last amended by Regulation (EEC) No 1055/85 ⁽²⁾, and in particular Article 16a (3) thereof,

Whereas Commission Regulation (EEC) No 1577/81 ⁽³⁾, as last amended by Regulation (EEC) No 3773/87 ⁽⁴⁾, established a system of simplified procedures for the determination of the customs value of certain perishable goods;

Whereas experience in the Member States reveals that it is necessary to include new products in the list of goods subject to unit values set out in Annex I to Regulation (EEC) No 1577/81 and to amend the wording of certain others; whereas, furthermore, it is necessary to take into

account certain amendments arising in the combined nomenclature; whereas Annexes I and II of the same Regulation should be adjusted accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EEC) No 1577/81 shall be replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 January 1990.

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

Done at Brussels, 17 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 1.

⁽²⁾ OJ No L 112, 25. 4. 1985, p. 50.

⁽³⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽⁴⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX I

Classification of goods subject to unit values

Heading	CN code	Description	
		Species	Varieties
1.10	0701 90 51 } 0701 90 59 }	New potatoes	
1.20	0702 00 10 } 0702 00 90 }	Tomatoes	
1.30	0703 10 19	Onions (other than seed)	
1.40	0703 20 00	Garlic	
1.50	ex 0703 90 00	Leeks	
1.60	ex 0704 10 10 } ex 0704 10 90 }	Cauliflowers	
1.70	0704 20 00	Brussels sprouts	
1.80	0704 90 10	White cabbages and red cabbages	
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	
1.100	ex 0704 90 90	Chinese cabbage	
1.110	0705 11 10 } 0705 11 90 }	Cabbage lettuce (head lettuce)	
1.120	ex 0705 29 00	Endives	
1.130	ex 0706 10 00	Carrots	
1.140	ex 0706 90 90	Radishes	
1.150	0707 00 11 } 0707 00 19 }	Cucumbers	
1.160	0708 10 10 } 0708 10 90 }	Peas (<i>Pisum sativum</i>)	
1.170	0708 20 10 } 0708 20 90 }	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	
1.180	ex 0708 90 00	Broad beans	
1.190	0709 10 00	Globe artichokes	
1.200		Asparagus	
1.200.1	ex 0709 20 00		— green
1.200.2	ex 0709 20 00		— other
1.210	0709 30 00	Aubergines (egg-plants)	
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	
1.230	0709 51 30	Chantarelles	
1.240	0709 60 10	Sweet peppers	
1.250	0709 90 50	Fennel	
1.260	0709 90 70	Courgettes	
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	
2.30	ex 0804 30 00	Pineapples, fresh	
2.40	ex 0804 40 10 } ex 0804 40 90 }	Avocados, fresh	
2.50	ex 0804 50 00	Guavas and mangoes, fresh	
2.60		Sweet oranges, fresh :	
2.60.1	0805 10 11 } 0805 10 21 } 0805 10 31 } 0805 10 41 }		Sanguines and semi-sanguines

Heading	CN code	Description	
		Species	Varieties
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45		Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49		Others
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:	
2.70.1	ex 0805 20 10		Clementines
2.70.2	ex 0805 20 30		Monreales and Satsumas
2.70.3	ex 0805 20 50		Mandarins and wilkings
2.70.4	ex 0805 20 70 ex 0805 20 90		Tangerines and others
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	
2.90		Grapefruit, fresh:	
2.90.1	ex 0805 40 00		— white
2.90.2	ex 0805 40 00		— pink
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	
2.110	0807 10 10	Water-melons	
2.120		Melons (other than water-melons)	
2.120.1	ex 0807 10 90		— Amarillo, Cuper, Honey dew, Onteniente, Piel de Sapo, Rochet, Tendral
2.120.2	ex 0807 10 90		— other
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus pyrifolia</i>))	
2.150	0809 10 00	Apricots	
2.160	0809 20 10 0809 20 90	Cherries	
2.170	ex 0809 30 00	Peaches	
2.180	ex 0809 30 00	Nectarines	
2.190	0809 40 11 0809 40 19	Plums	
2.200	0810 10 10 0810 10 90	Strawberries	
2.205	0810 20 10	Raspberries	
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	
2.230	ex 0810 90 80	Pomegranates	
2.240	ex 0810 90 80	Khakis	
2.250	ex 0810 90 30	Lychees	

ANNEX II

Marketing centres for the purpose of calculating unit prices by classification heading

Heading	CN code	Germany				Denmark	France				Ireland		Italy				Netherlands	UK	BLEU	
		Cologne	Frankfurt	Hamburg	Munich	Copenhagen	Le Havre	Marseilles	Perpignan	Rungis	Cork	Dublin	Civitavecchia	Genoa	Leghorn	Milan	Rotterdam	London	Antwerp	Brussels
1.10	0701 90 51 0701 90 59				x			x	x								x	x		
1.20	0702 00 10 0702 00 90	x	x	x	x			x	x	x		x					x	x		x
1.30	0703 10 19	x	x		x			x	x			x					x	x		
1.40	0703 20 00		x				x	x	x								x			x
1.50	ex 0703 90 00				x															x
1.60	ex 0704 10 10 ex 0704 10 90	x	x						x									x		
1.70	0704 20 00	x	x		x					x								x		x
1.80	0704 90 10				x													x		
1.90	ex 0704 90 90 (Broccoli)		x	x					x								x	x		
1.100	ex 0704 90 90 (Chinese cabbage)		x		x			x								x	x	x		x
1.110	0705 11 10 0705 11 90		x		x												x			
1.120	ex 0705 29 00	x	x													x	x			x
1.130	ex 0706 10 00	x	x						x									x		
1.140	ex 0706 90 90		x					x									x	x		
1.150	0707 00 11 0707 00 19				x				x								x	x		
1.160	0708 10 10 0708 10 90	x	x						x									x		x
1.170	0708 20 10 0708 20 90	x	x		x				x								x			x
1.180	ex 0708 90 00	x	x						x											x
1.190	0709 10 00		x						x									x		x
1.200.1	ex 0709 20 00 (Green asparagus)			x														x		
1.200.2	ex 0709 20 00 (Other asparagus)		x		x															x
1.210	0709 30 00		x		x			x	x								x			
1.220	ex 0709 40 00							x	x								x	x		x
1.230	0709 51 30			x	x															
1.240	0709 60 10		x		x			x	x	x							x	x		x
1.250	0709 90 50		x						x											x
1.260	0709 90 70		x						x											
1.270	0714 20 10							x	x											x
2.10	ex 0802 40 00		x						x											x
2.20	ex 0803 00 10						x	x			x		x	x	x		x		x	
2.30	ex 0804 30 00		x	x																
2.40	ex 0804 40 10 ex 0804 40 90		x					x		x							x	x		
2.50	ex 0804 50 00		x							x							x	x		
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	x		x		x	x	x	x	x		x					x	x	x	x

Heading	CN code	Germany				Den- mark	France				Ireland		Italy				Nether- lands	UK	BLEU	
		Cologne	Frankfurt	Hamburg	Munich	Copenhagen	Le Havre	Marseilles	Perpignan	Rungis	Cork	Dublin	Civitavecchia	Genoa	Leghorn	Milan	Rotterdam	London	Antwerp	Brussels
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	x		x	x	x	x	x	x	x		x					x	x	x	x
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	x		x	x	x	x	x	x	x		x					x	x	x	x
2.70.1	ex 0805 20 10	x	x	x		x	x	x	x	x							x	x	x	x
2.70.2	ex 0805 20 30	x	x			x			x	x							x	x	x	x
2.70.3	ex 0805 20 50	x	x			x		x	x	x							x	x	x	x
2.70.4	ex 0805 20 70 ex 0805 20 90			x	x	x	x	x	x	x							x	x	x	x
2.80	ex 0805 30 10	x		x		x	x	x	x	x							x	x	x	x
2.85	ex 0805 30 90									x							x			x
2.90.1	ex 0805 40 00 (Grapefruit, white)			x	x	x	x	x	x	x						x	x	x	x	x
2.90.2	ex 0805 40 00 (Grapefruit, pink)			x	x	x	x	x	x	x						x	x	x	x	x
2.100	0806 10 11 0806 10 15 0806 10 19	x	x	x	x				x			x					x	x	x	
2.110	0807 10 10		x		x			x	x							x	x			x
2.120.1	ex 0807 10 90 (Melons : Amarillo, etc.)		x						x								x	x		x
2.120.2	ex 0807 10 90 (Melons : other)		x						x								x	x		x
2.130	0808 10 91 0808 10 93 0808 10 99			x	x	x	x	x	x	x		x				x	x	x	x	x
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39		x	x	x		x	x	x	x						x	x	x	x	x
2.150	0809 10 00		x	x	x				x							x		x		x
2.160	0809 20 10 0809 20 90				x															x
2.170	ex 0809 30 00 (Peaches)		x		x			x	x	x							x	x	x	x
2.180	ex 0809 30 00 (Nectarines)		x	x	x				x	x							x		x	x
2.190	0809 40 11 0809 40 19		x	x	x				x	x							x	x	x	x
2.200	0810 10 10 0810 10 90		x		x			x	x	x							x			x
2.205	0810 20 10		x	x	x					x										
2.210	0810 40 30			x	x															x
2.220	0810 90 10	x	x	x				x		x							x	x		x
2.230	ex 0810 90 80 (Pomegranates)		x		x				x							x				x
2.240	ex 0810 90 80 (Khakis)			x													x			
2.250	ex 0810 90 30 (Lychees)			x													x			x

COMMISSION REGULATION (EEC) No 3463/89

of 17 November 1989

amending Regulation (EEC) No 756/70 on grating aid for skimmed milk
processed into casein and caseinates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Whereas Article 2 (4) of Council Regulation (EEC) No
987/68 of 15 July 1968 laying down general rules for
granting aid for skimmed milk processed into casein or
caseinates⁽³⁾, as last amended by Regulation (EEC) No
3554/88⁽⁴⁾, provides that the aid granted may be limited to
certain uses of casein and caseinates where the market
situation so requires; whereas, pursuant to that provision,
Commission Regulation (EEC) No 756/70⁽⁵⁾, as last
amended by Regulation (EEC) No 3129/89⁽⁶⁾, lays down
the cases and the conditions in which the aid may be
granted;

Whereas the addition of certain chemical substances to
skimmed milk or raw casein on the manufacture of casein
or caseinates is compatible with the requirements as to
composition laid down in the Annexes to Regulation
(EEC) No 756/70 and also permits any use in the
manufacture of foodstuffs to be ruled out; whereas it
should accordingly be stipulated that such denaturing
constitutes utilization in accordance with Article 4 (6) of
that Regulation;

Whereas Article 4a of that Regulation provides that where
a check on the use of casein and caseinates is carried out,
the dispatch of the products to a Member State other than
that of production is to be effected under cover of the T 5
document; whereas from the outset that document
permits two specific uses or destinations, namely export
to third countries or utilization within Community
territory; whereas, on import into the Member State of
destination or utilization, it is possible to stipulate one or
both of the destinations or utilizations mentioned;
whereas provision should accordingly be made for the
laying down the destination or utilization selected by the
importer in the T 5 document issued by the customs
office of departure, the new T 5 document in that case
being issued at the customs office of destination and
under its responsibility;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 756/70 is hereby amended as
follows:

1. the following is added to the fourth subparagraph of
Article 4 (6):

— casein and caseinates which, by the addition of
chemical substances on manufacture, have
become unusable for the manufacture of products
falling within Chapter 4 of the combined
nomenclature although they comply with the
requirements as to composition laid down in the
Annexes shall be treated in the same way as end
products.’;

2. the following Article 4b is inserted:

Article 4b

1. Where products are dispatched to a second
Member State in accordance with the provisions of
Article 4a, the first customs office of destination shall
act as customs office of departure and, on application
by the parties concerned, shall issue or have issued
under its responsibility one or more T 5 control copies.

The new T 5 control copy or copies shall be issued in
respect of products declared:

either

- (a) as redispached to another Member State for
incorporation; or
- (b) as exported to a third country.

The T 5 control copy or copies shall be completed
taking account of the information appearing on the
original document. The number and date of issue of
the original document and the customs office which
issued it shall be entered in section 106 of the new T 5
control copy or copies.

2. Where the particulars to be noted in the section
headed ‘Control as to use and/or destination’ of the
T 5 control copy depends on information from T 5
control copies received from customs authorities of
other Member States or national documents received

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁴⁾ OJ No L 311, 17. 11. 1988, p. 6.

⁽⁵⁾ OJ No L 91, 25. 4. 1970, p. 28.

⁽⁶⁾ OJ No L 301, 19. 10. 1989, p. 19.

by other national authorities, the customs office of destination referred to in paragraph 1 shall enter the number of numbers of the T 5 control copies or of the national documents concerned under 'Remarks'.

3. Where only part of the products mentioned in the T 5 control copy has satisfied the conditions laid down, the customs office of destination shall indicate the quantity of products which has satisfied those conditions and the date of processing in the section headed 'Control as to use and/or destination' of the T 5 control copy.

4. The national documents which must be issued by a Member State to accompany products coming from

another Member State shall contain the same particulars as those laid down in paragraphs 1, 2 and 3 regarding the completion of the T 5 control copies.'

Article 2

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

On application by the parties concerned, it shall apply to casein and caseinates manufactured from 1 March 1989.

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

Done at Brussels, 17 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3464/89
of 17 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 last amended by Regulation (EEC) No 3421/89⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

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

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

Whereas these exchange rates being those recorded on 16 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⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 3251/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 20 November 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 314, 28. 10. 1989, p. 59.

⁽⁸⁾ OJ No L 329, 15. 11. 1989, p. 36.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 17 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 17 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	172,84	175,86
1103 14 00	3,02	172,84	175,86
1103 29 50	3,02	172,84	175,86
1104 19 91	6,04	293,51	299,55
1108 19 10	30,83	247,85	278,68

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 13 November 1989

coordinating regulations on insider dealing

(89/592/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas Article 100a (1) of the Treaty states that the Council shall adopt the measures for the approximation of the provisions laid down by law, regulation or administrative action in Member States which have as their object the establishment and functioning of the internal market;

Whereas the secondary market in transferable securities plays an important role in the financing of economic agents;

Whereas, for that market to be able to play its role effectively, every measure should be taken to ensure that market operates smoothly;

Whereas the smooth operation of that market depends to a large extent on the confidence it inspires in investors;

Whereas the factors on which such confidence depends include the assurance afforded to investors that they are placed on an equal footing and that they will be protected against the improper use of inside information;

Whereas, by benefiting certain investors as compared with others, insider dealing is likely to undermine that

confidence and may therefore prejudice the smooth operation of the market;

Whereas the necessary measures should therefore be taken to combat insider dealing;

Whereas in some Member States there are no rules or regulations prohibiting insider dealing and whereas the rules or regulations that do exist differ considerably from one Member State to another;

Whereas it is therefore advisable to adopt coordinated rules at a Community level in this field;

Whereas such coordinated rules also have the advantage of making it possible, through cooperation by the competent authorities, to combat transfrontier insider dealing more effectively;

Whereas, since the acquisition or disposal of transferable securities necessarily involves a prior decision to acquire or to dispose taken by the person who undertakes one or other of these operations, the carrying-out of this acquisition or disposal does not constitute in itself the use of inside information;

Whereas insider dealing involves taking advantage of inside information; whereas the mere fact that market-makers, bodies authorized to act as *contrepartie*, or stockbrokers with inside information confine themselves, in the first two cases, to pursuing their normal business of buying or selling securities or, in the last, to carrying out an order should not in itself be deemed to constitute use of such inside information; whereas likewise the fact of carrying out transactions with the aim of stabilizing the price of new issues or secondary offers of transferable securities should not in itself be deemed to constitute use of inside information;

⁽¹⁾ OJ No C 153, 11. 6. 1987, p. 8 and OJ No C 277, 27. 10. 1988, p. 13.

⁽²⁾ OJ No C 187, 18. 7. 1987, p. 93 and Decision of 11 October 1989 (not yet published in the Official Journal).

⁽³⁾ OJ No C 35, 8. 2. 1989, p. 22.

Whereas estimates developed from publicly available data cannot be regarded as inside information and whereas, therefore, any transaction carried out on the basis of such estimates does not constitute insider dealing within the meaning of this Directive;

Whereas communication of inside information to an authority, in order to enable it to ensure that the provisions of this Directive or other provisions in force are respected, obviously cannot be covered by the prohibitions laid down by this Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive:

1. 'inside information' shall mean information which has not been made public of a precise nature relating to one or several issuers of transferable securities or to one or several transferable securities, which, if it were made public, would be likely to have a significant effect on the price of the transferable security or securities in question;

2. 'transferable securities' shall mean:

- (a) shares and debt securities, as well as securities equivalent to shares and debt securities;
- (b) contracts or rights to subscribe for, acquire or dispose of securities referred to in (a);
- (c) futures contracts, options and financial futures in respect of securities referred to in (a);
- (d) index contracts in respect of securities referred to in (a),

when admitted to trading on a market which is regulated and supervised by authorities recognized by public bodies, operates regularly and is accessible directly or indirectly to the public.

Article 2

1. Each Member State shall prohibit any person who:
- by virtue of his membership of the administrative, management or supervisory bodies of the issuer,
 - by virtue of his holding in the capital of the issuer, or
 - because he has access to such information by virtue of the exercise of his employment, profession or duties,

possesses inside information from taking advantage of that information with full knowledge of the facts by acquiring or disposing of for his own account or for the account of a third party, either directly or indirectly, transferable securities of the issuer or issuers to which that information relates.

2. Where the person referred to in paragraph 1 is a company or other type of legal person, the prohibition laid down in that paragraph shall apply to the natural

persons who take part in the decision to carry out the transaction for the account of the legal person concerned.

3. The prohibition laid down in paragraph 1 shall apply to any acquisition or disposal of transferable securities effected through a professional intermediary.

Each Member State may provide that this prohibition shall not apply to acquisitions or disposals of transferable securities effected without the involvement of a professional intermediary outside a market as defined in Article 1 (2) *in fine*.

4. This Directive shall not apply to transactions carried out in pursuit of monetary, exchange-rate or public debt-management policies by a sovereign State, by its central bank or any other body designated to that effect by the State, or by any person acting on their behalf. Member States may extend this exemption to their federated States or similar local authorities in respect of the management of their public debt.

Article 3

Each Member State shall prohibit any person subject to the prohibition laid down in Article 2 who possesses inside information from:

- (a) disclosing that inside information to any third party unless such disclosure is made in the normal course of the exercise of his employment, profession or duties;
- (b) recommending or procuring a third party, on the basis of that inside information, to acquire or dispose of transferable securities admitted to trading on its securities markets as referred to in Article 1 (2) *in fine*.

Article 4

Each Member State shall also impose the prohibition provided for in Article 2 on any person other than those referred to in that Article who with full knowledge of the facts possesses inside information, the direct or indirect source of which could not be other than a person referred to in Article 2.

Article 5

Each Member State shall apply the prohibitions provided for in Articles 2, 3 and 4, at least to actions undertaken within its territory to the extent that the transferable securities concerned are admitted to trading on a market of a Member State. In any event, each Member State shall regard a transaction as carried out within its territory if it is carried out on a market, as defined in Article 1 (2) *in fine*, situated or operating within that territory.

Article 6

Each Member State may adopt provisions more stringent than those laid down by this Directive or additional provisions, provided that such provisions are applied generally. In particular it may extend the scope of the prohibition laid down in Article 2 and impose on persons referred to in Article 4 the prohibitions laid down in Article 3.

Article 7

The provisions of Schedule C.5 (a) of the Annex to Directive 79/279/EEC⁽¹⁾ shall also apply to companies and undertakings the transferable securities of which, whatever their nature, are admitted to trading on a market as referred to in Article 1 (2) *in fine* of this Directive.

Article 8

1. Each Member State shall designate the administrative authority or authorities competent, if necessary in collaboration with other authorities to ensure that the provisions adopted pursuant to this Directive are applied. It shall so inform the Commission which shall transmit that information to all Member States.

2. The competent authorities must be given all supervisory and investigatory powers that are necessary for the exercise of their functions, where appropriate in collaboration with other authorities.

Article 9

Each Member State shall provide that all persons employed or formerly employed by the competent authorities referred to in Article 8 shall be bound by professional secrecy. Information covered by professional secrecy may not be divulged to any person or authority except by virtue of provisions laid down by law.

Article 10

1. The competent authorities in the Member States shall cooperate with each other whenever necessary for the purpose of carrying out their duties, making use of the powers mentioned in Article 8 (2). To this end, and notwithstanding Article 9, they shall exchange any information required for that purpose, including information relating to actions prohibited, under the options given to Member States by Article 5 and by the second sentence of Article 6, only by the Member State requesting cooperation. Information thus exchanged shall be covered by the obligation of professional secrecy to which the persons employed or formerly employed by the competent authorities receiving the information are subject.

2. The competent authorities may refuse to act on a request for information:

- (a) where communication of the information might adversely affect the sovereignty, security or public policy of the State addressed;
- (b) where judicial proceedings have already been initiated in respect of the same actions and against the same persons before the authorities of the State addressed or where final judgment has already been passed on such

persons for the same actions by the competent authorities of the State addressed.

3. Without prejudice to the obligations to which they are subject in judicial proceedings under criminal law, the authorities which receive information pursuant to paragraph 1 may use it only for the exercise of their functions within the meaning of Article 8 (1) and in the context of administrative or judicial proceedings specifically relating to the exercise of those functions. However, where the competent authority communicating information consents thereto, the authority receiving the information may use it for other purposes or forward it to other States' competent authorities.

Article 11

The Community may, in conformity with the Treaty, conclude agreements with non-member countries on the matters governed by this Directive.

Article 12

The Contact Committee set up by Article 20 of Directive 79/279/EEC shall also have as its function:

- (a) to permit regular consultation on any practical problems which arise from the application of this Directive and on which exchanges of view are deemed useful;
- (b) to advise the Commission, if necessary, on any additions or amendments to be made to this Directive.

Article 13

Each Member State shall determine the penalties to be applied for infringement of the measures taken pursuant to this Directive. The penalties shall be sufficient to promote compliance with those measures.

Article 14

1. Member States shall take the measures necessary to comply with this Directive before 1 June 1992. They shall forthwith inform the Commission thereof.

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

Article 15

This Directive is addressed to the Member States.

Done at Brussels, 13 November 1989.

For the Council

The President

P. BÉRÉGOVOY

⁽¹⁾ OJ No L 66, 16. 3. 1979, p. 21.