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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 474/90

of 22 February 1990

amending, with a view to abolishing lodgement of the transit advice note on crossing an internal frontier of the Community, Regulation (EEC) No 222/77 on Community transit

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 Regulation (EEC) No 222/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 1674/87 ⁽⁵⁾, provides, *inter alia*, that the carrier is obliged to present a transit advice note to the customs office at the point of entry into each Member State through the territory of which goods pass in the course of a Community transit operation; whereas that same Regulation lays down that the purpose of the transit advice note is to make it possible, in cases where goods are not produced at the office of destination, to substantiate the presumption as to the Member State where the irregularity took place and where any charges payable are to be collected;

Whereas, at the meeting of the European Council held on 28 and 29 June 1985 in Milan, the Commission presented a White Paper on completing the internal market of the Community which set the end of 1992 as the deadline for achieving that goal; whereas the European Council endorsed that objective;

Whereas the said White Paper provided in particular that, as an intermediate stage, further measures should be introduced to simplify formalities at the internal frontiers of the Community and, in this connection, listed abolition of lodgement of the transit advice note as the first item in its timetable for completing the internal market by 1992;

Whereas abolition of the transit advice note at internal frontiers necessitates the adaptation of the legal framework with regard to determining the amount of charges payable in cases where goods are not produced at the office of destination and also the Member State empowered to collect such charges;

Whereas abolition of the transit advice note for intra-Community trade shall not lead to its reintroduction in another form,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 222/77 is hereby amended as follows:

1. Article 22 (1) is replaced by the following:

- '1. The carrier shall give a transit advice note only to:
- (a) each customs office at the point of exit from the Community when the consignment is leaving the territory of the Community in the course of a Community transit operation via a frontier between a Member State and a third country;
 - (b) each office of transit at the point of entry into the Community, where the goods have passed through the territory of a third country.

The design of the transit advice note required in the case of passage through the territory of a third country in transit shall be determined in accordance with the procedure laid down in Article 57¹;

2. Article 36 is amended as follows:

- (a) in paragraph 2, subparagraph (d) is deleted;
- (b) the following new paragraph 3 is added:

'3. When the consignment has not been produced at the office of destination and the place of the offence or irregularity cannot be established, such offence or irregularity shall be deemed to have been committed:

— in the Member State to which the office of departure belongs, or

⁽¹⁾ OJ No C 245, 26. 9. 1989, p. 4.

⁽²⁾ OJ No C 323, 27. 12. 1989, p. 62 and Decision of 14 February 1990 (not yet published in the Official Journal).

⁽³⁾ OJ No C 329, 30. 12. 1989, p. 58.

⁽⁴⁾ OJ No L 38, 9. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 157, 17. 6. 1987, p. 1.

— in the Member State to which the office of transit at the point of entry into the Community belongs and to which a transit advice note has been given,

unless, within a period to be determined, proof is furnished to the satisfaction of the competent authorities, of the regularity of the transit operation or of the place where the offence or irregularity has actually been committed.

If, in the absence of such proof, the said offence or irregularity remains deemed to have been committed in the Member State of departure or in the Member State of point of entry as referred to in the second indent, the duties and other taxes relating to the goods concerned shall be levied by that Member State in accordance with its laws, regulations and administrative provisions.

If, before expiry of the period of three years from the date of registration of the T1 declaration, the Member State where the said offence or irregularity was actually committed is determined, that Member State shall, in accordance with its laws, regulations and administrative provisions, recover the duties and other taxes (apart from those levied, pursuant to the second subparagraph, as own resources of the Community) relating to the goods concerned. In this case, once the proof of such recovery is provided, the duties and other taxes initially levied (apart from those levied as own resources of the Community) shall be refunded.

The guarantee covering the transit operation shall be released only at the end of the aforementioned three-year period or, where appropriate, after payment of duties and other taxes applicable in the

Member State where the said offence or irregularity was actually committed.

Member States shall take the necessary measures to deal with any offence or irregularity and to impose effective penalties.';

3. Article 42 (3) is replaced by the following:

'3. In cases where, in accordance with Article 22 (1) a transit advice note must still be given, the records kept by the railway authorities shall be substituted for transit advice notes.';

4. Article 57 is replaced by the following:

Article 57

The procedure laid down in Article 17 of Regulation (EEC) No 678/85 (*) shall be followed for the adoption of the provisions necessary:

- (a) for the implementation of this Regulation with the exception of Articles 1, 5, 6, 20, 21, 22, 26 to 31, 33, 36 (1) and (2), 37 and 40;
- (b) for the adaptation of the Community transit procedure so that certain Community measures entailing control of the use or destination of the goods may be applied;
- (c) for the simplification of formalities under the Community transit procedure, in particular in internal Community transit, or for their adaptation to requirements arising from the particular nature of certain goods.

(*) OJ No L 79, 21. 3. 1985, p. 1.'

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 22 February 1990.

For the Council

The President

D. J. O'MALLEY

COMMISSION REGULATION (EEC) No 475/90

of 26 February 1990

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 201/90⁽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 23 February 1990;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1915/89 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 February 1990.

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

Done at Brussels, 26 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

ANNEX

to the Commission Regulation of 26 February 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	34,06	134,06 ⁽²⁾ ⁽³⁾
0712 90 19	34,06	134,06 ⁽²⁾ ⁽³⁾
1001 10 10	41,81	183,88 ⁽¹⁾ ⁽⁵⁾
1001 10 90	41,81	183,88 ⁽¹⁾ ⁽⁵⁾
1001 90 91	34,84	143,87
1001 90 99	34,84	143,87
1002 00 00	59,97	131,51 ⁽⁶⁾
1003 00 10	51,14	116,45
1003 00 90	51,14	116,45
1004 00 10	42,54	122,91
1004 00 90	42,54	122,91
1005 10 90	34,06	134,06 ⁽²⁾ ⁽³⁾
1005 90 00	34,06	134,06 ⁽²⁾ ⁽³⁾
1007 00 90	51,14	140,07 ⁽⁴⁾
1008 10 00	51,14	31,01
1008 20 00	51,14	87,95 ⁽⁴⁾
1008 30 00	51,14	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	51,14	0,00
1101 00 00	62,80	216,31
1102 10 00	97,98	198,14
1103 11 10	79,49	299,69
1103 11 90	66,72	232,51

⁽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 products imported directly into the French overseas departments, 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 476/90**of 26 February 1990****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 201/90 ⁽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 23 February 1990;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 February 1990.

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

Done at Brussels, 26 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 26 February 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	0,82
0712 90 19	0	0	0	0,82
1001 10 10	0	0	0	2,19
1001 10 90	0	0	0	2,19
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	4,30
1003 00 90	0	0	0	4,30
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,82
1005 90 00	0	0	0	0,82
1007 00 90	0	0	0	1,15
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	3,61
1008 90 90	0	0	0	3,61
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	7,65	7,65
1107 10 99	0	0	0	5,72	5,72
1107 20 00	0	0	0	6,67	6,67

COMMISSION REGULATION (EEC) No 477/90
of 26 February 1990
on the supply of refined rape seed oil to non-governmental organizations
(NGOs) 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, by its Decision of 3 March 1989 on the supply of food aid to NGOs, the Commission allocated to the latter organizations 342 tonnes of refined rape seed oil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 26 February 1990.

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

1. **Operation Nos⁽¹⁾**: 721/89 to 734/89 and 736/89 to 737/89
2. **Programme**: 1989
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**: refined rape seed oil
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁴⁾ ⁽⁷⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.1)
8. **Total quantity**: 342 tonnes net
9. **Number of lots⁽⁵⁾**: one
10. **Packaging and marking⁽⁶⁾ ⁽¹⁰⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of 20 kilograms
 - the cans must carry the following wording: see Annex II
11. **Method of mobilization**: the Community market
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**: 24. 4. to 22. 5. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁹⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 13. 3. 1990. Tenders shall be valid until 12 midnight on 14. 3. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 27. 3. 1990. Tenders shall be considered valid until 12 midnight on 28. 3. 1990
 - (b) period for making the goods available at the port of shipment: 8. 5. to 5. 6. 1990
 - (c) deadline for the supply: —
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⁽⁸⁾**: 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 / 25670 B
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (⁴) Shipment to take place in 20-foot containers, condition FLC/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 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of cartons 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.
- (⁵) The supplier should send a duplicate of the original invoice to :
- MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (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.
- (⁸) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of these Annexes, 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 these Annexes,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁹) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (¹⁰) In addition, the packaging must satisfy the Requirements relating to butteroil, specified in *Official Journal of the European Communities* No C 216 of 14 August 1987 (under I.3.3).
-

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
I	342	15	Caritas I	Bolivia	Acción nº 721/89 / Aceite vegetal / 90292 / Potosí vía Antofagasta / Donación de la Comunidad Económica Europea / Destinado a la distribución gratuita
		15	CRS	Dominica	Action No 722/89 / Vegetable oil / 90129 / Roseau via Woodbridge Bay / Gift of the European Economic Community / For free distribution
		15	Caritas B	Burkina Faso	Action nº 723/89 / Huile végétale / 90260 / Bobo Dioulasso via Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
		15	SSI	Burkina Faso	Action nº 724/89 / Huile végétale / 93012 / Ouahigouya via Abidjan / Don de la Communauté économique européenne / Pour distribution gratuite
		30	Caritas I	Ghana	Action No 725/89 / Vegetable oil / 90651 / Accra via Tema / Gift of the European Economic Community / For free distribution
		15	Caritas I	Guiné-Bissau	Acção nº 726/89 / Óleo vegetal / 90647 / Bissau / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		30	Cinterad	Mali	Action nº 727/89 / Huile végétale / 93410 / Bamako via Dakar / Don de la Communauté économique européenne / Pour distribution gratuite
		15	Caritas G	Niger	Action nº 728/89 / Huile végétale / 90402 / Niamey via Lomé / Don de la Communauté économique européenne / Pour distribution gratuite

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
		15	AATM	Togo	Action n° 729/89 / Huile végétale / 91747 / Lomé / Don de la Communauté économique européenne / Pour distribution gratuite
		30	Caritas B	Zaïre	Action n° 730/89 / Huile végétale / 90269 / Kinshasa via Matadi / Don de la Communauté économique européenne / Pour distribution gratuite
		15	AATM	Madagascar	Action n° 731/89 / Huile végétale / 91748 / Fianarantsoa via Toamasina / Don de la Communauté économique européenne / Pour distribution gratuite
		45	Caritas G	Moçambique	Acção n° 732/89 / Óleo vegetal / 90440 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		12	Caritas G	Moçambique	Acção n° 733/89 / Óleo vegetal / 90444 / Maputo / Donativo da Comunidade Económica Europeia / Destinado a distribuição gratuita
		15	SCF	Uganda	Action No 734/89 / Vegetable oil / 92205 / Kampala via Mombasa / Gift of the European Economic Community / For free distribution
		45	Caritas I	Malawi	Action No 736/89 / Vegetable oil / 90649 / Lilongwe via Dar Es Salaam / Gift of the European Economic Community / For free distribution
		15	Cathwel	Gambia	Action No 737/89 / Vegetable oil / 90126 / Kanifing via Banjul / Gift of the European Economic Community / For free distribution

COMMISSION REGULATION (EEC) No 478/90

of 26 February 1990

on the supply of various consignments of cereals 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 33 000 tonnes of cereals;

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

Cereals 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, 26 February 1990.

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

LOT A

1. **Operation No (1):** 63/90
2. **Programme:** 1989
3. **Recipient:** Madagascar (Régie malgache des monopoles fiscaux (RMMF), 21, avenue de l'Indépendance, B.P. 23, Antananarivo 101
4. **Representative of the recipient (2):** Ambassade de la république démocratique de Madagascar, avenue de Tervuren 276, B-1150 tel. 770 17 26 Brussels; telex 61197 TELMAD B
5. **Place or country of destination:** Madagascar
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (3):** see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: moisture content: 13,5 % maximum
8. **Total quantity:** 10 000 tonnes
9. **Number of lots:** one
10. **Packaging:** in bulk, plus
 - 210 000 new woven-polypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light, 125 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high:
'ACTION N° 63/90 / FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À MADAGASCAR'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** Toamasina
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 where the supply is awarded at the port of shipment stage:** 1 — 15. 4. 1990
18. **Deadline for the supply:** 1. 5. 1990
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 13. 3. 1990 at 12 noon
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 27. 3. 1990 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: 15 — 30. 4. 1990
 - (c) deadline for the supply: 15. 5. 1990
22. **Amount of the tendering security:** 5 ECU per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus —
24. **Address for submission of tenders (4):** 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 or 25670 B
25. **Refund payable on request by the successful tenderer (5):** refund applicable on 1. 9. 1989 fixed by Regulation (EEC) No 225/90 (OJ No L 22, 27. 1. 1990, p. 66)

LOT B

1. **Operation No⁽¹⁾:** 537/89
2. **Programme:** 1989
3. **Recipient:** Nicaragua
4. **Representative of the recipient⁽²⁾:** Sr. W. Lanzas, Director General Enabas, Carretera Norte, km 3,5, Managua, tel. 226 80; telex 1314
5. **Place or country of destination:** Nicaragua
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods⁽³⁾:** see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity:** 10 000 tonnes
9. **Number of lots:** one
10. **Packaging and marking⁽⁴⁾:** See OJ No C 216 of 14. 8. 1987, p. 3 (under II.B.1.e):
'ACCIÓN Nº 537/89 / TRIGO BLANDO / DONACION DE LA COMUNIDAD ECONÓMICA EUROPEA A NICARAGUA'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Corinto
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 — 15. 4. 1990
18. **Deadline for the supply:** 15. 5. 1990
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 13. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 27. 3. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 30. 4. 1990
 - (c) deadline for the supply: 31. 5. 1990
22. **Amount of the tendering security:** 5 ECU/tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁵⁾:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels telex: 22037 AGREC B or 25670 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾:** Refund applicable on 27. 2. 1990 fixed by Regulation (EEC) No 225/90 (OJ No L 22, 27. 1. 1990, p. 66)

LOT C

1. **Operation No⁽¹⁾**: 109/90
2. **Programme**: 1989
3. **Recipient**: Lesotho Flour Mills, Private Bag A 62, Maseru 100, tel. 234 98, telex 329 BB
4. **Representative of the recipient⁽²⁾**: Manager, Food Management Unit, PO Box 527, Maseru, tel. 32 39 58
5. **Place or country of destination**: Lesotho
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods⁽³⁾ ⁽⁷⁾**: see OJ No C 216, 14. 8. 1987, p. 3 (under IIA.1)
8. **Total quantity**: 7 000 tonnes
9. **Number of lots**: one
10. **Packaging**: in bulk
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
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**: Lesotho Flour Mills, Private Bag A 62, Maseru 100, tel. 234 98, telex 329 BB
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 15. 4. 1990
18. **Deadline for the supply**: 15. 5 — 15. 6. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 13. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 3. 1990, 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: 1 to 15. 4. 1990
 - (c) deadline for the supply: 15. 5. — 15. 6. 1989
22. **Amount of the tendering security**: 5 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels, Telex: AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾**: refund applicable on 27. 2. 1988 fixed by Regulation (EEC) No 225/90 (OJ No L 22, 27. 1. 1990, p. 66)

LOT D, E

1. **Operation No (1):** 853/89 and 911/89
2. **Programme:** 1989
3. **Recipient:** Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge, service logistique, BP 372, CH-1211 Genève 19 (tel. 734 55 80; telex 22555 LRCS CH, telefax: 733 03 95)
4. **Representative of the recipient (2) (3):** Ethiopian Red Cross Society, Disaster Prevention Programme of the German Red Cross PO Box 195, Addis Ababa; tel. 44 93 64 / 15 90 74, telex 21338 ERCS ET)
5. **Place or country of destination:** Ethiopia
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (3):** see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: protein content 11 % minimum
8. **Total quantity:** 6 000 tonnes
9. **Number of lots:** two (lot D: 3 000 tonnes; lot E: 3 000 tonnes)
10. **Packaging and marking (4):** see OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1a)
Additional markings on the packing:
lot D: 'ACTION No 853/89 / WHEAT / a red cross measuring 10 × 10 cm / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE LEAGUE OF THE RED CROSS SOCIETIES (LICROSS) / FOR FREE DISTRIBUTION / ASSAB'
lot E: 'ACTION No 911/89 / WHEAT / a red cross measuring 10 × 10 cm / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE LEAGUE OF THE RED CROSS SOCIETIES (LICROSS) / FOR FREE DISTRIBUTION / ASSAB'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Assab
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 — 15. 4. 1990
18. **Deadline for the supply:** 15. 5. 1990
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 13. 3. 1990
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 27. 3. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 30. 4. 1990
 - (c) deadline for the supply: 31. 5. 1990
22. **Amount of the tendering security:** ECU 5/tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (5):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels, Telex: AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer (6):** refund applicable on 27. 2. 1990, fixed by Commission Regulation (EEC) No 225/90 (OJ No L 22, 27. 1. 1990, p. 66)

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 237, 7. 9. 1985, p. 4 (Lots D and E).
- Lot A : M.D.W. Schmidt, Immeuble Ny Havana — 67 hectares. B.P. 746, Antananarivo, Tél. (261-2) 24216/27527, tlx 222327 DELFED MG, Fax (261-2) 32169
 - Lot B : M.F. Cardesa, Bureau CEE à San José, Costa Rica, apartado 836, Centro Colón, 1007 San José, tel. 33 27 55, télex 3482 CCE Lux, telefax 210893
 - Lot C : M. A. Kratz, PO Box MS 518 Maseru, Lesotho (tel.31 37 26 ; telex DELEGEUR 4351 LO).
- (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) Since the goods may be rebagged, the successful tenderer must provide 2% of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the office referred to in point 24 of this Annex,
235 01 32,
236 10 97,
235 01 30,
236 20 05.
- (⁶) 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, 25. 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.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- phytosanitary certificate,
 - certificate of origin,
 - fumigation certificate (Lots : D and E).
- (⁸) 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.

COMMISSION REGULATION (EEC) No 479/90

of 26 February 1990

derogating from Regulation (EEC) No 19/82 laying down detailed rules for applying Regulation (EEC) No 2641/80 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 15 (2) thereof,

Having regard to Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 3013/89 and in particular Article 1 (2) thereof,

Whereas, in accordance with Article 14 of Regulation (EEC) No 3013/89, the levies applicable to the products in question are limited to those resulting from voluntary restraint agreements; whereas Article 7 (2) of Commission Regulation (EEC) No 19/82⁽²⁾, as amended by Regulation (EEC) No 3887/87⁽³⁾, stipulates that the levy payable in respect of imports under the voluntary restraint agreements is to be limited to 10 % *ad valorem*; whereas, by its Decision of 19 January 1990⁽⁴⁾, the Council approved on behalf of the Community an adaptation of the agreement between the European Economic Community and Uruguay on trade in mutton, lamb and goatmeat; whereas that adaptation, taking into account the dispositions of the mentioned agreement, provides for the levy to be reduced to zero;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 7 (2) of Regulation (EEC) No 19/82, box 20 of import licences issued up to 31

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽³⁾ OJ No L 365, 24. 12. 1987, p. 39.

⁽⁴⁾ Not yet published in the Official Journal.

December 1992 in response to export certificates issued and delivered by Uruguay shall show one of the following:

- Exacción limitada a cero (aplicación del Reglamento (CEE) n° 479/90)
- Importafgift begrænset til nul (jf. forordning (EØF) nr. 479/90)
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EWG) Nr. 479/90)
- Εισφορά περιοριζόμενη στο μηδέν (εφαρμογή του κανονισμού (ΕΟΚ) αριθ. 479/90)
- Levy limited to zero (application of Regulation (EEC) No 479/90)
- Prélèvement limité à zéro (application du règlement (CEE) n° 479/90)
- Prelievo limitato a zero (applicazione del regolamento (CEE) n. 479/90)
- Heffing beperkt tot nul (toepassing van Verordening (EEG) nr. 479/90)
- Direito nivelador limitado a zero (aplicação do Regulamento (CEE) n° 479/90).

Article 2

On application by the parties concerned and on presentation of proof that the products have been imported using an import licence issued since 1 January 1989, the Member States shall reimburse levies collected in accordance with Regulation (EEC) No 1430/79⁽⁵⁾.

Article 3

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

It shall apply from 1 March 1990, with the exception of the measure provided for in Article 2, which shall apply with effect from 1 January 1989.

⁽⁵⁾ OJ No L 175, 12. 7. 1979, p. 1.

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

Done at Brussels, 26 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 480/90

of 26 February 1990

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 201/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1806/89 ⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

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

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

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

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

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

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

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

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

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 26 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 26 February 1990 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	130,54	1104 22 30 100	148,43
1102 20 10 300	111,89	1104 22 30 900	—
1102 20 10 900	—	1104 22 50 000	—
1102 20 90 100	111,89	1104 23 10 100	139,86
1102 20 90 900	—	1104 23 10 300	107,23
1102 30 00 000	—	1104 23 10 900	—
1102 90 10 100	99,89	1104 29 11 000	—
1102 90 10 900	67,92	1104 29 15 000	—
1102 90 30 100	157,16	1104 29 19 000	—
1102 90 30 900	—	1104 29 91 000	79,38
1103 12 00 100	157,16	1104 29 95 000	79,38
1103 12 00 900	—	1104 30 10 000	16,77
1103 13 11 100	167,83	1104 30 90 000	23,31
1103 13 11 300	130,54	1107 10 11 000	119,37
1103 13 11 500	111,89	1107 10 91 000	118,53
1103 13 11 900	—	1108 11 00 100	134,12
1103 13 19 100	167,83	1108 11 00 900	—
1103 13 19 300	130,54	1108 12 00 100	149,18
1103 13 19 500	111,89	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	149,18
1103 13 90 100	111,89	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	79,38	1108 19 10 100	262,84
1103 19 30 100	103,21	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	68,40	1108 19 90 900	—
1103 29 20 000	67,92	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	95,10	1702 30 51 000	194,87
1104 11 90 100	99,89	1702 30 59 000	149,18
1104 11 90 900	—	1702 30 91 000	194,87
1104 12 90 100	174,62	1702 30 99 000	149,18
1104 12 90 300	139,70	1702 40 90 000	149,18
1104 12 90 900	—	1702 90 50 100	194,87
1104 19 10 000	68,40	1702 90 50 900	149,18
1104 19 50 110	149,18	1702 90 75 000	204,20
1104 19 50 130	121,21	1702 90 79 000	141,72
1104 19 50 150	—	2106 90 55 000	149,18
1104 19 50 190	—	2302 10 10 000	18,15
1104 19 50 900	—	2302 10 90 100	18,15
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	99,89	2302 20 10 000	18,15
1104 21 10 900	—	2302 20 90 100	18,15
1104 21 30 100	99,89	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	18,15
1104 21 50 100	133,18	2302 30 90 000	18,15
1104 21 50 300	106,54	2302 40 10 000	18,15
1104 21 50 900	—	2302 40 90 000	18,15
1104 22 10 100	139,70	2303 10 11 100	74,59
1104 22 10 900	—	2303 10 11 900	—

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

COMMISSION REGULATION (EEC) No 481/90

of 26 February 1990

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 201/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

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

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

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

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

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

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁸⁾, as amended by Regulation (EEC) No 3049/89 ⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

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

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

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

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal ;

whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal ;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 26 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 26 February 1990 fixing the export refunds on
cereal-based compound feedingstuffs

(ECU/tonne)

Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	5,13
	09	—
2309 10 11 190	01	3,68
	09	—
2309 10 11 210	01	10,26
	09	—
2309 10 11 290	01	7,35
	09	—
2309 10 11 310	01	20,51
	09	—
2309 10 11 390	01	14,70
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	5,13
	09	—
2309 10 13 190	01	3,68
	09	—
2309 10 13 210	01	10,26
	09	—
2309 10 13 290	01	7,35
	09	—
2309 10 13 310	01	20,51
	09	—
2309 10 13 390	01	14,70
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	5,13
	09	—
2309 10 31 190	01	3,68
	09	—
2309 10 31 210	01	10,26
	09	—
2309 10 31 290	01	7,35
	09	—
2309 10 31 310	01	20,51
	09	—
2309 10 31 390	01	14,70
	09	—
2309 10 31 410	01	30,77
	09	—
2309 10 31 490	01	22,05
	09	—
2309 10 31 510	01	41,03
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	29,41
	09	—
2309 10 31 610	01	51,28
	09	—
2309 10 31 690	01	36,76
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	5,13
	09	—
2309 10 33 190	01	3,68
	09	—
2309 10 33 210	01	10,26
	09	—
2309 10 33 290	01	7,35
	09	—
2309 10 33 310	01	20,51
	09	—
2309 10 33 390	01	14,70
	09	—
2309 10 33 410	01	30,77
	09	—
2309 10 33 490	01	22,05
	09	—
2309 10 33 510	01	41,03
	09	—
2309 10 33 590	01	29,41
	09	—
2309 10 33 610	01	51,28
	09	—
2309 10 33 690	01	36,76
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	5,13
	09	—
2309 10 51 190	01	3,68
	09	—
2309 10 51 210	01	10,26
	09	—
2309 10 51 290	01	7,35
	09	—
2309 10 51 310	01	20,51
	09	—
2309 10 51 390	01	14,70
	09	—
2309 10 51 410	01	30,77
	09	—
2309 10 51 490	01	22,05
	09	—
2309 10 51 510	01	41,03
	09	—
2309 10 51 590	01	29,41
	09	—
2309 10 51 610	01	51,28
	09	—

(ECU / tonne)		
Product code	Destination (°)	Amount of refund
2309 10 51 690	01	36,76
	09	—
2309 10 51 710	01	61,54
	09	—
2309 10 51 790	01	44,11
	09	—
2309 10 51 810	01	67,13
	09	—
2309 10 51 890	01	48,12
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	5,13
	09	—
2309 10 53 190	01	3,68
	09	—
2309 10 53 210	01	10,26
	09	—
2309 10 53 290	01	7,35
	09	—
2309 10 53 310	01	20,51
	09	—
2309 10 53 390	01	14,70
	09	—
2309 10 53 410	01	30,77
	09	—
2309 10 53 490	01	22,05
	09	—
2309 10 53 510	01	41,03
	09	—
2309 10 53 590	01	29,41
	09	—
2309 10 53 610	01	51,28
	09	—
2309 10 53 690	01	36,76
	09	—
2309 10 53 710	01	61,54
	09	—
2309 10 53 790	01	44,11
	09	—
2309 10 53 810	01	67,13
	09	—
2309 10 53 890	01	48,12
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	5,13
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,68
	09	—
2309 90 31 210	01	10,26
	09	—
2309 90 31 290	01	7,35
	09	—
2309 90 31 310	01	20,51
	09	—
2309 90 31 390	01	14,70
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	5,13
	09	—
2309 90 33 190	01	3,68
	09	—
2309 90 33 210	01	10,26
	09	—
2309 90 33 290	01	7,35
	09	—
2309 90 33 310	01	20,51
	09	—
2309 90 33 390	01	14,70
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	5,13
	09	—
2309 90 41 190	01	3,68
	09	—
2309 90 41 210	01	10,26
	09	—
2309 90 41 290	01	7,35
	09	—
2309 90 41 310	01	20,51
	09	—
2309 90 41 390	01	14,70
	09	—
2309 90 41 410	01	30,77
	09	—
2309 90 41 490	01	22,05
	09	—
2309 90 41 510	01	41,03
	09	—
2309 90 41 590	01	29,41
	09	—
2309 90 41 610	01	51,28
	09	—
2309 90 41 690	01	36,76
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	5,13
	09	—
2309 90 43 190	01	3,68
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 90 43 210	01	10,26
	09	—
2309 90 43 290	01	7,35
	09	—
2309 90 43 310	01	20,51
	09	—
2309 90 43 390	01	14,70
	09	—
2309 90 43 410	01	30,77
	09	—
2309 90 43 490	01	22,05
	09	—
2309 90 43 510	01	41,03
	09	—
2309 90 43 590	01	29,41
	09	—
2309 90 43 610	01	51,28
	09	—
2309 90 43 690	01	36,76
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	5,13
	09	—
2309 90 51 190	01	3,68
	09	—
2309 90 51 210	01	10,26
	09	—
2309 90 51 290	01	7,35
	09	—
2309 90 51 310	01	20,51
	09	—
2309 90 51 390	01	14,70
	09	—
2309 90 51 410	01	30,77
	09	—
2309 90 51 490	01	22,05
	09	—
2309 90 51 510	01	41,03
	09	—
2309 90 51 590	01	29,41
	09	—
2309 90 51 610	01	51,28
	09	—
2309 90 51 690	01	36,76
	09	—
2309 90 51 710	01	61,54
	09	—
2309 90 51 790	01	44,11
	09	—
2309 90 51 810	01	67,13
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 51 890	01	48,12
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	5,13
	09	—
2309 90 53 190	01	3,68
	09	—
2309 90 53 210	01	10,26
	09	—
2309 90 53 290	01	7,35
	09	—
2309 90 53 310	01	20,51
	09	—
2309 90 53 390	01	14,70
	09	—
2309 90 53 410	01	30,77
	09	—
2309 90 53 490	01	22,05
	09	—
2309 90 53 510	01	41,03
	09	—
2309 90 53 590	01	29,41
	09	—
2309 90 53 610	01	51,28
	09	—
2309 90 53 690	01	36,76
	09	—
2309 90 53 710	01	61,54
	09	—
2309 90 53 790	01	44,11
	09	—
2309 90 53 810	01	67,13
	09	—
2309 90 53 890	01	48,12
	09	—
2309 90 53 900	—	—

(1) The destinations are as follows:

- 01 Zones A, B, C, D and E as specified in Annex II to amended Regulation (EEC) No 1124/77,
- 09 Other destinations.

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

COMMISSION REGULATION (EEC) No 482/90

of 26 February 1990

fixing the refunds applicable for March 1990 to cereal and rice sector products
supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 201/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

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

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for March 1990 to cereals and rice sector products shall be as set out in the Annex.

Article 2

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

Article 3

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 26 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 26 February 1990 fixing the refunds applicable for March 1990 to cereal and rice sector products supplied as Community and national food aid

Product code	Refund (ECU/tonne)
1001 10 90 000	141,95
1001 90 99 000	62,40
1002 00 00 000	60,00
1003 00 90 000	70,75
1004 00 90 000	—
1005 90 00 000	82,45
1006 20 92 000	170,01
1006 20 94 000	170,01
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	212,51
1006 30 94 100	212,51
1006 30 94 900	212,51
1006 30 96 100	212,51
1006 30 96 900	212,51
1006 40 00 000	—
1007 00 90 000	82,45
1101 00 00 110	80,00
1101 00 00 120	80,00
1101 00 00 130	80,00
1102 20 10 100	130,73
1102 30 00 000	—
1102 90 10 100	99,98
1103 11 10 500	204,00
1103 11 90 100	87,00
1103 13 19 100	168,08
1103 14 00 000	—
1104 12 90 100	174,64
1104 21 50 100	133,30

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 February 1990

approving the draft measures for implementation in Luxembourg of Article 3b of Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

(Only the French text is authentic)

(90/79/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 ⁽¹⁾, as last amended by Regulation (EEC) No 3880/89 ⁽²⁾, and in particular the second subparagraph of Article 3b (1) thereof,

Whereas the abovementioned provisions stipulate that Member States are to notify the Commission of their draft national measures for the implementation of the said Article 3b and that these must first be approved by the Commission;

Whereas the draft measures notified by Luxembourg on 31 January 1990 should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The draft national measures for implementation in Luxembourg of Article 3b of Regulation (EEC) No 857/84, which provide for assignment of additional or special reference quantities to producers who have just set up or producers who execute a material improvement plan, are hereby approved.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 3.

COMMISSION DIRECTIVE**of 19 February 1990****amending Directive 86/547/EEC amending Annex III B to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products****(90/80/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Directive 89/439/EEC ⁽²⁾, and in particular the first indent of Article 13 (2) thereof,

Having regard to the requests made by Greece, Spain, France, Ireland, Italy, Portugal and the United Kingdom,

Whereas Directive 77/93/EEC laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products; whereas those measures include measures to be taken by Member States in respect of plants, plant products and other objects coming from third countries;

Whereas certain Member States have stricter measures in respect of those plants and plant products;

Whereas those stricter measures include, in the requesting Member States, certain restrictions applicable to certain products originating in a third country;

Whereas, by Commission Directive 86/547/EEC ⁽³⁾, Annex III. B to Directive 77/93/EEC was amended so that the Member States concerned could also impose the relevant prohibitions where the products concerned, originating in a third country, come from other Member States; whereas these amendments were only interim protective measures lasting for a period of three years;

Whereas that period was allotted for the Commission to study these protective measures in relation to the plant health situation existing in the various third countries concerned, in order to arrive, at the end of the period, at more permanent provisions;

Whereas it appears impossible to finalize this study within the period originally allotted by Directive 86/547/EEC; whereas this period should be extended accordingly;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Article 3 of Directive 86/547/EEC, '31 December 1989' is hereby replaced by '31 December 1990'.

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 19 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 212, 27. 7. 1989, p. 106.

⁽³⁾ OJ No L 323, 18. 11. 1986, p. 21.

COMMISSION DECISION

of 20 February 1990

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

(90/81/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas the applications for import licences submitted between 1 and 10 February 1990, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 March 1990, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12

December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 89/227/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 February 1990 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

— 300,0 tonnes originating in Botswana.

Germany:

— 210,0 tonnes originating in Botswana,

— 30,0 tonnes originating in Swaziland.

France:

— 60,0 tonnes originating in Swaziland.

The Netherlands:

— 195,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of March 1990 in respect of the following quantities of boned beef and veal:

Botswana	17 931,0	tonnes,
Kenya	142,0	tonnes,
Madagascar	7 579,0	tonnes,
Swaziland	3 273,0	tonnes,
Zimbabwe	8 100,0	tonnes.

Article 3

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

Done at Brussels, 20 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 93, 6. 4. 1989, p. 25.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3056/89 of 10 October 1989 establishing unit values for the determination of the customs value of certain perishable goods

(Official Journal of the European Communities No L 293 of 12 October 1989)

On Page 23, in the Annex, code 1.230, CN code 0709 51 30, column 'ECU':

for: '12,94',

read: '1 012,94'.
