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Contents

I *Acts whose publication is obligatory*

- * Council Regulation (EEC) No 490/90 of 26 February 1990 repealing Regulations (EEC) No 1826/84 and (EEC) No 1282/81 imposing definitive anti-dumping duties on imports of vinyl acetate monomer originating in Canada and the United States of America respectively 1**
- * Council Regulation (EEC) No 491/90 of 26 February 1990 amending Regulation (EEC) No 2967/89 relating to the continued import of New Zealand butter into the United Kingdom on special terms 4**
- Commission Regulation (EEC) No 492/90 of 28 February 1990 fixing the import levies on rice and broken rice 5
- Commission Regulation (EEC) No 493/90 of 28 February 1990 fixing the premiums to be added to the import levies on rice and broken rice 7
- Commission Regulation (EEC) No 494/90 of 28 February 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal 9
- Commission Regulation (EEC) No 495/90 of 28 February 1990 fixing the premiums to be added to the import levies on cereals, flour and malt 11
- Commission Regulation (EEC) No 496/90 of 28 February 1990 fixing the import levies on products processed from cereals and rice 13
- Commission Regulation (EEC) No 497/90 of 28 February 1990 fixing the import levies on compound feedingstuffs 18
- Commission Regulation (EEC) No 498/90 of 28 February 1990 fixing the export refunds on white sugar and raw sugar exported in its unaltered state 20
- Commission Regulation (EEC) No 499/90 of 28 February 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state 22

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(Continued overleaf)

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

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

Contents (continued)

Commission Regulation (EEC) No 500/90 of 28 February 1990 fixing the import levies on syrups and certain other products in the sugar sector	25
Commission Regulation (EEC) No 501/90 of 28 February 1990 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries	27
Commission Regulation (EEC) No 502/90 of 28 February 1990 fixing the maximum export refund for white sugar for the 43rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89	28
Commission Regulation (EEC) No 503/90 of 28 February 1990 fixing the import levies on milk and milk products	29
Commission Regulation (EEC) No 504/90 of 28 February 1990 fixing for March 1990 the levy applicable in Spain to products subject to the price control system	34
Commission Regulation (EEC) No 505/90 of 28 February 1990 fixing the export refunds on olive oil	35
Commission Regulation (EEC) No 506/90 of 28 February 1990 fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables	37
Commission Regulation (EEC) No 507/90 of 28 February 1990 fixing the export refunds on oil seeds	38
Commission Regulation (EEC) No 508/90 of 28 February 1990 fixing the amount of the subsidy on oil seeds	41
Commission Regulation (EEC) No 509/90 of 28 February 1990 fixing the amount of aid for peas, field beans and sweet lupins	45
Commission Regulation (EEC) No 510/90 of 28 February 1990 fixing the rate of the aid for dried fodder	52
Commission Regulation (EEC) No 511/90 of 28 February 1990 fixing the aid for soya beans	55
Commission Regulation (EEC) No 512/90 of 28 February 1990 fixing the aid for cotton	57
Commission Regulation (EEC) No 513/90 of 28 February 1990 altering the corrective amount applicable to the refund on cereals	58
Commission Regulation (EEC) No 514/90 of 28 February 1990 fixing the specific levies on beef and veal from Portugal	60
Commission Regulation (EEC) No 515/90 of 28 February 1990 fixing the import levies on live cattle and on beef and veal other than frozen	62
Commission Regulation (EEC) No 516/90 of 28 February 1990 fixing the import levies on frozen beef and veal	64
Commission Regulation (EEC) No 517/90 of 28 February 1990 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat	66
Commission Regulation (EEC) No 518/90 of 28 February 1990 fixing the import levies on frozen sheepmeat and goatmeat	68
Commission Regulation (EEC) No 519/90 of 28 February 1990 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty	70

(Continued on inside back cover)

Commission Regulation (EEC) No 520/90 of 28 February 1990 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty	73
Commission Regulation (EEC) No 521/90 of 28 February 1990 fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty	76
* Commission Regulation (EEC) No 522/90 of 27 February 1990 establishing unit values for the determination of the customs value of certain perishable goods	79
* Commission Regulation (EEC) No 523/90 of 28 February 1990 amending Regulation (EEC) No 3846/87 establishing the agricultural product nomenclature for export refunds	82
* Commission Regulation (EEC) No 524/90 of 28 February 1990 amending Regulation (EEC) No 2169/86 laying down detailed rules for the control and payment of the production refunds in the cereals and rice sector	83
* Commission Regulation (EEC) No 525/90 of 28 February 1990 amending Regulation (EEC) No 19/82 laying down detailed rules for applying Council Regulation (EEC) No 2641/90 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries	84
* Commission Regulation (EEC) No 526/90 of 28 February 1990 establishing for the 1989/90 stock-marketing-year sowings the list of flint maize varieties on which production aid can be granted	85
* Commission Regulation (EEC) No 527/90 of 28 February 1990 amending Regulation (EEC) No 3946/89 fixing certain additional detailed rules for the application of the supplementary trade mechanism to fruit and vegetables as regards artichokes, carrots, strawberries, lettuce, melons, table grapes and tomatoes and bringing broad-leaf endives under these rules	87
Commission Regulation (EEC) No 528/90 of 28 February 1990 fixing the maximum export refunds on olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89	89
Commission Regulation (EEC) No 529/90 of 28 February 1990 fixing the import levies on white sugar and raw sugar	91
Commission Regulation (EEC) No 530/90 of 28 February 1990 amending Regulation (EEC) No 440/90 introducing a countervailing charge on fresh lemons originating in Cyprus	93

Corrigenda

* Corrigendum to Commission Regulation (EEC) No 117/90 of 17 January 1990 opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1989/90 wine year from certain detailed rules for the application thereof (OJ No L 14 of 18.1.1990)	94
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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 490/90

of 26 February 1990

repealing Regulations (EEC) No 1826/84 and (EEC) No 1282/81 imposing definitive anti-dumping duties on imports of vinyl acetate monomer originating in Canada and the United States of America respectively

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Articles 9 and 14 thereof,

Having regard to the proposal submitted by the Commission after consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

- (1) A definitive anti-dumping duty was imposed on imports of vinyl acetate monomer (VAM) originating in Canada by Council Regulation (EEC) No 1826/84⁽²⁾, as amended by Regulation (EEC) No 2879/87⁽³⁾.

A definitive anti-dumping duty on imports of VAM originating in the United States of America was imposed by Council Regulation (EEC) No 1282/81⁽⁴⁾, as amended by Regulation (EEC) No 2357/87⁽⁵⁾.

In November 1988 the Commission received a request lodged on behalf of Quantum Chemical Corporation, a US producer/exporter, for a review of the anti-dumping measures applicable to

imports of VAM originating in the United States of America.

In that request, based on Article 14 of Regulation (EEC) No 2423/88, it was claimed that dumping was no longer taking place and that the imports of VAM from the USA had ceased to cause injury to the Community industry. The Commission considered that there was sufficient evidence to warrant a review of the measures.

In view of the allegations made by the US producer/exporter and the consequent possibility that exports of VAM originating in Canada were also no longer being dumped or causing injury to the Community industry, the Commission considered it appropriate to extend the review to include imports of VAM originating in Canada to ensure that the duty would remain in force only to the extent necessary to counteract dumping which is causing injury.

- (2) The Commission accordingly announced, by a notice in the *Official Journal of the European Communities*⁽⁶⁾, the initiation of a review of anti-dumping measures concerning imports into the Community of VAM originating in Canada and the United States of America and commenced an investigation.
- (3) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting country and the complainants, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

The Conseil Européen des Fédérations de l'Industrie Chimique (Cefic), the Community producers of VAM, most exporters and some importers made their views known in writing, Cefic and some importers requested, and were granted, hearings.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 70.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 129, 15. 5. 1981, p. 1.

⁽⁵⁾ OJ No L 213, 4. 8. 1987, p. 32.

⁽⁶⁾ OJ No C 105, 25. 4. 1989, p. 3.

One of the largest free market consumers of VAM in the Community made its views known in writing and requested, and was granted, a hearing.

- (4) The Commission sought and verified all information it deemed to be necessary for the purpose of its determination and carried out investigations at the premises of the following companies:

Community producers:

- BP Chemicals Ltd, London, United Kingdom,
- Montedipe Srl, Milan, Italy,
- Wacker Chemie GmbH, Munich, Germany,
- Rhône Poulenc SA, Paris, France.

Canadian producer/exporter:

- Celanese Canada Inc. Toronto, Canada.

US producers/exporters:

- Hoechst Celanese Chemical Group, Dallas, USA,
- Quantum Chemical Corporation, Cincinnati, USA.

Importers related to an exporter:

- Quantum Chemical Europe BV, Bavel, the Netherlands,
- Hoechst Celanese NV, Brussels, Belgium.

- (5) The investigation of dumping covered the period from October 1988 to March 1989 inclusive.

B. Dumping

I. Normal value

- (6) Normal value was established for all producers/exporters involved in the proceeding on the basis of the weighted average domestic prices of sales to independent customers. These prices were net of all discounts and rebates directly related to the sales of VAM. It was also established that domestic sales of the companies investigated in Canada and the United States of America were profitable.

One exporter, however, did not provide details on its profitability of domestic sales. The Commission considered that the data concerning profitability constituted an essential part of the information needed and therefore informed the company that, in the absence of such information, normal value would be established on the basis of the facts available in accordance with Article 7 (7) (b) of Regulation (EEC) No 2423/88. In this connection, the Commission considered that the results of its investigation provided the most appropriate basis for determination of normal value and established

normal value on the basis of the highest weighted average domestic price found for the exporters which did fully cooperate.

II. Export price

- (7) With regard to exports by Canadian and US producers/exporters directly to independent importers in the Community, export prices were determined on the basis of the prices actually paid or payable for the product sold.

When exports to the Community were made to subsidiary companies, it was considered appropriate, in view of the relationship between exporter and importer, that export prices be constructed on the basis of prices at which the imported product was first resold to an independent buyer. Discounts and rebates were, where appropriate, deducted from the price to the first independent buyer. Suitable adjustments were made to take account of ail costs incurred between import and resale plus a 5 % profit on sales turnover.

One related importer disagreed with the rate of profit used by the Commission. However, the Council considered that 5 % was a minimum profit required for an independent importer of a chemical product like VAM. Moreover, a 5 % profit had also been used during the previous review proceeding.

Where cost allocations were necessary in constructing export prices they were made on the basis of turnover. The costs and turnover used for this purpose were generally those of the related importers' last available financial year and accordingly based on audited accounts.

C. Comparison

- (8) For the purpose of a fair comparison between normal value and export price, and in accordance with Article 2 (9) and (10) of Regulation (EEC) No 2423/88, the Council took account of differences affecting price comparability, such as differences in terms of sale, where claims of a direct relationship of these differences to the sales under consideration could be satisfactorily demonstrated. This was the case in respect of differences in transport, insurance, handling and ancillary costs, credit terms, commissions and salaries paid to salesmen. All comparisons were made at ex-works level.

D. Dumping margins

- (9) Normal value, which was established on a weighted average basis for each of the producers' domestic sales of VAM and in one case on the basis of the highest domestic price of another producer, was

compared with the export prices on a transaction-by-transaction basis. The examination of the facts showed that export prices exceeded normal value for every exporter investigated in both Canada and the United States of America.

E. Injury

- (10) In view of the above findings with respect to dumping, it is considered unnecessary to deal with the issue of injury.

F. Termination

- (11) In the light of the above findings, it is concluded that in the absence of dumping, this review proceeding should be terminated and the anti-dumping duties referred to under recital (1) should be repealed.

The Community producers concerned were informed of the essential facts and considerations on the basis of which it was intended to terminate the review proceeding and were given the opportunity to comment. The industry considered that the situation prevalent during the investigation period was abnormal, since prices in the market had increased abnormally following a shortage of raw materials and, consequently, of VAM. It was claimed that, once the shortage was eliminated from the market, this would lead to a recurrence of

dumping and injury. The industry suggested therefore that the measures remain in force.

After giving due consideration to the objections raised by the industry, however, it is concluded that, in the absence of any dumping throughout the investigation period, the proceeding should be terminated and the anti-dumping measures repealed.

- (12) No objections to the termination of this proceeding were raised in the Advisory Committee.

HAS ADOPTED THIS REGULATION :

Article 1

Regulations (EEC) No 1826/84 and (EEC) No 1282/81 are hereby repealed.

Article 2

The anti-dumping proceedings concerning imports of vinyl acetate monomer originating in Canada and the United States of America and falling under CN code 2915 32 00 are hereby terminated.

Article 3

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

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

Done at Brussels, 26 February 1990.

For the Council

The President

M. SMITH

COUNCIL REGULATION (EEC) No 491/90**of 26 February 1990****amending Regulation (EEC) No 2967/89 relating to the continued import of New Zealand butter into the United Kingdom on special terms**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2967/89 ⁽¹⁾, as amended by Regulation (EEC) No 3894/89 ⁽²⁾, temporarily authorizes the United Kingdom to import a certain quantity of New Zealand butter on special terms until 31 December 1992 ;

Whereas the rate of the special levy should be adjusted in accordance with Article 3 (2) of Regulation (EEC) No 2967/89,---

HAS ADOPTED THIS REGULATION :

Article 1

The special levy of ECU 44,02 per 100 kilograms provided for in Article 3 (1) of Regulation (EEC) No 2967/89 is hereby replaced by a special levy of ECU 42,92 per 100 kilograms.

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

It shall apply from 1 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 Council**The President*

M. SMITH

⁽¹⁾ OJ No L 281, 30. 9. 1989, p. 114.⁽²⁾ OJ No L 378, 27. 12. 1989, p. 23.

COMMISSION REGULATION (EEC) No 492/90
of 28 February 1990
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 460/90⁽⁶⁾;

Whereas Council Regulation (EEC) No 486/85⁽⁷⁾, as last amended by Regulation (EEC) No 3530/89⁽⁸⁾, lays down 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; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

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 48, 24. 2. 1990, p. 8.

⁽⁷⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁸⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 28 February 1990 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	—	—	152,01	311,23
1006 10 23	—	217,27	141,24	289,69
1006 10 25	—	217,27	141,24	289,69
1006 10 27	—	217,27	141,24	289,69
1006 10 92	—	—	152,01	311,23
1006 10 94	—	217,27	141,24	289,69
1006 10 96	—	217,27	141,24	289,69
1006 10 98	—	217,27	141,24	289,69
1006 20 11	—	—	190,92	389,04
1006 20 13	—	271,58	177,45	362,11
1006 20 15	—	271,58	177,45	362,11
1006 20 17	—	271,58	177,45	362,11
1006 20 92	—	—	190,92	389,04
1006 20 94	—	271,58	177,45	362,11
1006 20 96	—	271,58	177,45	362,11
1006 20 98	—	271,58	177,45	362,11
1006 30 21	13,05	—	245,39	514,63
1006 30 23	12,97	439,23	280,93	585,64
1006 30 25	12,97	439,23	280,93	585,64
1006 30 27	12,97	439,23	280,93	585,64
1006 30 42	13,05	—	245,39	514,63
1006 30 44	12,97	439,23	280,93	585,64
1006 30 46	12,97	439,23	280,93	585,64
1006 30 48	12,97	439,23	280,93	585,64
1006 30 61	13,90	—	261,69	548,09
1006 30 63	13,90	470,86	301,55	627,81
1006 30 65	13,90	470,86	301,55	627,81
1006 30 67	13,90	470,86	301,55	627,81
1006 30 92	13,90	—	261,69	548,09
1006 30 94	13,90	470,86	301,55	627,81
1006 30 96	13,90	470,86	301,55	627,81
1006 30 98	13,90	470,86	301,55	627,81
1006 40 00	2,17	—	77,70	161,41

(⁽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 493/90**of 28 February 1990****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 ⁽³⁾, as last amended by Regulation (EEC) No 461/90 ⁽⁴⁾;

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

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

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 48, 24. 2. 1990, p. 10.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 3	1st period 4	2nd period 5	3rd period 6
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 494/90

of 28 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 rela-

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

Whereas these exchange rates being those recorded on 27 February 1990;

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

Whereas Council Regulation (EEC) No 486/85⁽⁶⁾, as last amended by Regulation (EEC) No 3530/89⁽⁷⁾, lays down 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; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 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.

⁽⁶⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁷⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 28 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	35,37	134,49 ⁽²⁾ ⁽³⁾
0712 90 19	35,37	134,49 ⁽²⁾ ⁽³⁾
1001 10 10	43,59	184,49 ⁽¹⁾ ⁽³⁾
1001 10 90	43,59	184,49 ⁽¹⁾ ⁽³⁾
1001 90 91	36,15	143,87
1001 90 99	36,15	143,87
1002 00 00	61,28	131,51 ⁽⁶⁾
1003 00 10	52,45	116,45
1003 00 90	52,45	116,45
1004 00 10	43,85	122,91
1004 00 90	43,85	122,91
1005 10 90	35,37	134,49 ⁽²⁾ ⁽³⁾
1005 90 00	35,37	134,49 ⁽²⁾ ⁽³⁾
1007 00 90	52,45	140,81 ⁽⁴⁾
1008 10 00	52,45	30,07
1008 20 00	52,45	88,02 ⁽⁴⁾
1008 30 00	52,45	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	52,45	0,00
1101 00 00	64,78	216,36
1102 10 00	99,96	199,24
1103 11 10	82,30	300,69
1103 11 90	68,70	232,41

⁽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 495/90

of 28 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 27 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 1 March 1990.

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

Done at Brussels, 28 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 28 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0,67	0,67	0,67
0712 90 19	0	0,67	0,67	0,67
1001 10 10	0	2,21	2,19	2,21
1001 10 90	0	2,21	2,19	2,21
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	4,34	4,30	3,62
1003 00 90	0	4,34	4,30	3,62
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0,67	0,67	0,67
1005 90 00	0	0,67	0,67	0,67
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	7,73	7,65	6,44	6,44
1107 10 99	0	5,77	5,72	4,81	4,81
1107 20 00	0	6,73	6,67	5,61	5,61

COMMISSION REGULATION (EEC) No 496/90

of 28 February 1990

fixing 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 201/90⁽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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined,

increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽⁹⁾, as last amended by Regulation (EEC) No 1009/86⁽¹⁰⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of 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⁽¹¹⁾, as last amended by Regulation (EEC) No 3530/89⁽¹²⁾; Whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas Council Regulation (EEC) No 3899/89 of 18 December 1989 reducing for 1989 the levies on certain agricultural products originating in developing countries⁽¹³⁾ reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tons a year;

⁽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. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹⁰⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽¹²⁾ OJ No L 347, 28. 11. 1989, p. 3.

⁽¹³⁾ OJ No L 383, 30. 12. 1989, p. 125.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 10, 0714 10 90 and 0714 90 10 originating in certain third countries⁽¹⁾, as amended by Regulation (EEC) No 3837/88⁽²⁾, and Council Regulation (EEC) No 885/89 of 5 April 1989 on the arrangements applying to imports for 1989 of products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in third countries which are not members of the GATT, other than China⁽³⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽⁴⁾, as amended by Regulation (EEC) No 222/88⁽⁵⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

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 Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged 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 shall be as set out in the Annex hereto.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 340, 10. 12. 1988, p. 1.

⁽³⁾ OJ No L 94, 7. 4. 1989, p. 1.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁵⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 (*)	55,42	116,39	121,22
0714 10 91	52,40	116,39	118,20
0714 10 99	55,42	116,39	121,22
0714 90 11	52,40	116,39 (*)	118,20
0714 90 19	55,42	116,39 (*)	121,22
1102 20 10	69,62	246,01	252,05
1102 20 90	39,05	139,40	142,42
1102 30 00	5,32	183,30	186,32
1102 90 10	100,36	212,76	218,80
1102 90 30	84,88	223,78	229,82
1102 90 90	56,47	144,88	147,90
1103 12 00	84,88	223,78	229,82
1103 13 11	69,62	246,01	252,05
1103 13 19	69,62	246,01	252,05
1103 13 90	39,05	139,40	142,42
1103 14 00	5,32	183,30	186,32
1103 19 10	116,25	235,78	241,82
1103 19 30	100,36	212,76	218,80
1103 19 90	56,47	144,88	147,90
1103 21 00	71,02	258,17	264,21
1103 29 10	116,25	235,78	241,82
1103 29 20	100,36	212,76	218,80
1103 29 30	84,88	223,78	229,82
1103 29 40	69,62	246,01	252,05
1103 29 50	5,32	183,30	186,32
1103 29 90	56,47	144,88	147,90
1104 11 10	56,47	120,56	123,58
1104 11 90	110,84	236,40	242,44
1104 12 10	47,70	126,81	129,83
1104 12 90	93,64	248,64	254,68
1104 19 10	71,02	258,17	264,21
1104 19 30	116,25	235,78	241,82
1104 19 50	69,62	246,01	252,05
1104 19 91	9,95	311,26	317,30
1104 19 99	100,36	255,67	261,71
1104 21 10	86,86	189,12	192,14
1104 21 30	86,86	189,12	192,14
1104 21 50	137,04	295,50	301,54
1104 21 90	56,47	120,56	123,58
1104 22 10 10 (*)	47,70	126,81	129,83
1104 22 10 90 (*)	81,86	223,78	226,80
1104 22 30	81,86	223,78	226,80
1104 22 50	73,10	198,91	201,93
1104 22 90	47,70	126,81	129,83
1104 23 10	59,53	218,67	221,69
1104 23 30	59,53	218,67	221,69

(ECU/tonne)

CN code	Import levies		Third countries (other than ACP or OCT)
	Portugal	ACP or OCT	
1104 23 90	39,05	139,40	142,42
1104 29 11	51,03	190,76	193,78
1104 29 15	84,46	174,22	177,24
1104 29 19	86,86	227,26	230,28
1104 29 31	60,78	229,49	232,51
1104 29 35	100,99	209,58	212,60
1104 29 39	86,86	227,26	230,28
1104 29 91	39,84	146,30	149,32
1104 29 95	65,47	133,61	136,63
1104 29 99	56,47	144,88	147,90
1104 30 10	33,12	107,57	113,61
1104 30 90	32,53	102,50	108,54
1106 20 10	55,42	114,57 ^(b)	121,22
1106 20 91	77,42	216,41 ^(b)	240,59
1106 20 99	77,42	216,41 ^(b)	240,59
1107 10 11	75,14	255,31	266,19
1107 10 19	58,89	190,76	201,64
1107 10 91	104,15	210,40	221,28 ^(b)
1107 10 99	80,57	157,21	168,09
1107 20 00	92,10	183,21	194,09 ^(b)
1108 11 00	99,97	315,55	336,10
1108 12 00	77,42	220,04	240,59
1108 13 00	77,42	220,04	240,59 ^(c)
1108 14 00	77,42	110,02	240,59
1108 19 10	34,13	262,84	293,67
1108 19 90	77,42	110,02 ^(b)	240,59
1109 00 00	325,74	573,72	755,06
1702 30 51	170,89	287,01	383,73
1702 30 59	123,36	220,04	286,53
1702 30 91	170,89	287,01	383,73
1702 30 99	123,36	220,04	286,53
1702 40 90	123,36	220,04	286,53
1702 90 50	123,36	220,04	286,53
1702 90 75	174,42	300,67	397,39
1702 90 79	120,53	209,11	275,60
2106 90 55	123,36	220,04	286,53
2302 10 10	23,33	55,76	61,76
2302 10 90	43,15	119,49	125,49
2302 20 10	23,33	55,76	61,76
2302 20 90	43,15	119,49	125,49
2302 30 10	23,33	55,76	61,76
2302 30 90	43,15	119,49	125,49
2302 40 10	23,33	55,76	61,76
2302 40 90	43,15	119,49	125,49
2303 10 11	251,98	273,34	454,68

(¹) 6 % *ad valorem*, subject to certain conditions.

(²) In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

(³) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :

— arrow-root falling within CN codes 0714 90 11 and 0714 90 19,

— flours and meal of arrow-root falling within CN code 1106 20,

— arrow-root starch falling within CN code 1108 19 90.

(⁴) TARIC code : clipped oats.

(⁵) TARIC code : CN code 1104 22 10, other than 'clipped oats'.

(⁶) Under Regulation (EEC) No 3899/89, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed amount of 5 000 tons.

COMMISSION REGULATION (EEC) No 497/90
of 28 February 1990
fixing the import levies on 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 Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of 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⁽⁵⁾, as last amended by Regulation (EEC) No 3530/89⁽⁶⁾; Whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁷⁾, as last amended by Regulation (EEC) No 1806/89⁽⁸⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁹⁾, as last amended by Regulation (EEC) No 3296/88⁽¹⁰⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹¹⁾, as last amended by Regulation (EEC) No 31/76⁽¹²⁾, and taking into account the situation with regard to market prices in Portugal; whereas, in the case of imports into Spain, the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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 Council Regulation (EEC) No 1676/85⁽¹³⁾, as last amended by Regulation (EEC) No 1636/87⁽¹⁴⁾,

⁽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. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 61, 26. 2. 1985, p. 4.

⁽⁶⁾ OJ No L 347, 28. 11. 1989, p. 3.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁸⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽¹⁰⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽¹¹⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹²⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	ACP and OCT	Third countries (other than ACP and OCT)
2309 10 11	10,88	21,87	32,75
2309 10 13	10,88	538,77	549,65
2309 10 31	10,88	68,34	79,22
2309 10 33	10,88	585,24	596,12
2309 10 51	10,88	136,67	147,55
2309 10 53	10,88	653,57	664,45
2309 90 31	10,88	21,87	32,75
2309 90 33	10,88	538,77	549,65
2309 90 41	10,88	68,34	79,22
2309 90 43	10,88	585,24	596,12
2309 90 51	10,88	136,67	147,55
2309 90 53	10,88	653,57	664,45

COMMISSION REGULATION (EEC) No 498/90

of 28 February 1990

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for

sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1990.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	24,79 ⁽¹⁾	
1701 11 90 910	24,79 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	24,79 ⁽¹⁾	
1701 12 90 910	24,79 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2695
1701 99 10 100	26,95	
1701 99 10 910	26,95	
1701 99 10 950	26,95	
1701 99 90 100		0,2695

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 499/90

of 28 February 1990

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

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

Whereas the refunds referred to above must be fixed every month ; whereas they may be altered in the intervening period ;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation ;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal ; whereas, in the light of the situation and the level of

prices no refund should be fixed in the case of exports to Portugal ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 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 28 February 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		26,95
1702 60 10 000		26,95
1702 60 90 000	0,2695	
1702 90 30 000		26,95
1702 90 60 000	0,2695	
1702 90 71 000	0,2695	
1702 90 90 900	0,2695	
2106 90 30 000		26,95
2106 90 59 000	0,2695	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

COMMISSION REGULATION (EEC) No 500/90

of 28 February 1990

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 201/90⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3354	—
1702 20 90	0,3354	—
1702 30 10	—	43,21
1702 40 10	—	43,21
1702 60 10	—	43,21
1702 60 90	0,3354	—
1702 90 30	—	43,21
1702 90 60	0,3354	—
1702 90 71	0,3354	—
1702 90 90	0,3354	—
2106 90 30	—	43,21
2106 90 59	0,3354	—

COMMISSION REGULATION (EEC) No 501/90

of 28 February 1990

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 260/90 ⁽⁴⁾, fixes the

reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 18,06 per 100 kilograms.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.⁽³⁾ OJ No L 58, 1. 3. 1986, p. 18.⁽⁴⁾ OJ No L 30, 1. 2. 1990, p. 16.

COMMISSION REGULATION (EEC) No 502/90

of 28 February 1990

fixing the maximum export refund for white sugar for the 43rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 999/89 of 17 April 1989 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 1381/89⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 999/89, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 43rd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 43rd partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 29,625 per 100 kilograms.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 107, 19. 4. 1989, p. 6.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

COMMISSION REGULATION (EEC) No 503/90
of 28 February 1990
fixing the import levies on milk and milk products

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

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 247/90 ⁽³⁾, as amended by Regulation (EEC) No 379/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 247/90 to the prices 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

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 27, 31. 1. 1990, p. 19.

⁽⁴⁾ OJ No L 41, 15. 2. 1990, p. 11.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		18,00
0401 10 90		16,79
0401 20 11		24,35
0401 20 19		23,14
0401 20 91		29,06
0401 20 99		27,85
0401 30 11		72,96
0401 30 19		71,75
0401 30 31		138,93
0401 30 39		137,72
0401 30 91		231,64
0401 30 99		230,43
0402 10 11		130,20
0402 10 19		122,95
0402 10 91	(¹)	1,2295/kg + 24,03
0402 10 99	(¹)	1,2295/kg + 16,78
0402 21 11		187,21
0402 21 17		179,96
0402 21 19		179,96
0402 21 91		226,28
0402 21 99		219,03
0402 29 11	(¹) (²)	1,7996/kg + 24,03
0402 29 15	(¹)	1,7996/kg + 24,03
0402 29 19	(¹)	1,7996/kg + 16,78
0402 29 91	(¹)	2,1903/kg + 24,03
0402 29 99	(¹)	2,1903/kg + 16,78
0402 91 11		31,00
0402 91 19		31,00
0402 91 31		38,75
0402 91 39		38,75
0402 91 51		138,93
0402 91 59		137,72
0402 91 91		231,64
0402 91 99		230,43
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,3530/kg + 20,41
0402 99 39	(¹)	1,3530/kg + 19,20
0402 99 91	(¹)	2,2801/kg + 20,41
0402 99 99	(¹)	2,2801/kg + 19,20

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

CN code	Note	Import levy
0403 10 11		26,76
0403 10 13		31,47
0403 10 19		75,37
0403 10 31	(¹)	0,2072/kg + 22,82
0403 10 33	(¹)	0,2543/kg + 22,82
0403 10 39	(¹)	0,6933/kg + 22,82
0403 90 11		130,20
0403 90 13		187,21
0403 90 19		226,28
0403 90 31	(¹)	1,2295/kg + 24,03
0403 90 33	(¹)	1,7996/kg + 24,03
0403 90 39	(¹)	2,1903/kg + 24,03
0403 90 51		26,76
0403 90 53		31,47
0403 90 59		75,37
0403 90 61	(¹)	0,2072/kg + 22,82
0403 90 63	(¹)	0,2543/kg + 22,82
0403 90 69	(¹)	0,6933/kg + 22,82
0404 10 11		26,99
0404 10 19	(¹)	0,2699/kg + 16,78
0404 10 91	(²)	0,2699/kg
0404 10 99	(²)	0,2699/kg + 16,78
0404 90 11		130,20
0404 90 13		187,21
0404 90 19		226,28
0404 90 31		130,20
0404 90 33		187,21
0404 90 39		226,28
0404 90 51	(¹)	1,2295/kg + 24,03
0404 90 53	(¹) (³)	1,7996/kg + 24,03
0404 90 59	(¹)	2,1903/kg + 24,03
0404 90 91	(¹)	1,2295/kg + 24,03
0404 90 93	(¹) (³)	1,7996/kg + 24,03
0404 90 99	(¹)	2,1903/kg + 24,03
0405 00 10		238,65
0405 00 90		291,15
0406 10 10		230,79
0406 10 90		284,55
0406 20 10	(³)	400,79
0406 20 90		400,79
0406 30 10	(³)	182,06
0406 30 31	(³)	174,29
0406 30 39	(³)	182,06
0406 30 90	(³)	278,78
0406 40 00	(³)	158,11
0406 90 11	(³)	223,59

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

CN code	Note	Import levy
0406 90 13	(³)	234,53
0406 90 15	(³)	234,53
0406 90 17	(³)	234,53
0406 90 19	(³)	400,79
0406 90 21	(³)	223,59
0406 90 23	(³)	187,83
0406 90 25	(³)	187,83
0406 90 27	(³)	187,83
0406 90 29	(³)	187,83
0406 90 31	(³)	187,83
0406 90 33		187,83
0406 90 35	(³)	187,83
0406 90 37	(³)	187,83
0406 90 39	(³)	187,83
0406 90 50	(³)	187,83
0406 90 61		400,79
0406 90 63		400,79
0406 90 69		400,79
0406 90 71		230,79
0406 90 73		187,83
0406 90 75		187,83
0406 90 77		187,83
0406 90 79		187,83
0406 90 81		187,83
0406 90 83		187,83
0406 90 85		187,83
0406 90 89	(³)	187,83
0406 90 91		230,79
0406 90 93		230,79
0406 90 97		284,55
0406 90 99		284,55
1702 10 10		35,49
1702 10 90		35,49
2106 90 51		35,49
2309 10 15		94,63
2309 10 19		122,91
2309 10 39		115,26
2309 10 59		95,32
2309 10 70		122,91
2309 90 35		94,63
2309 90 39		122,91
2309 90 49		115,26
2309 90 59		95,32
2309 90 70		122,91

-
- (¹) The levy on 100 kg of product falling within this subheading is equal to the sum of the following :
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product ; and
 - (b) the other amount indicated.
- (²) The levy on 100 kg of product falling within this subheading is equal to :
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (³) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
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COMMISSION REGULATION (EEC) No 504/90**of 28 February 1990****fixing for March 1990 the levy applicable in Spain to products subject to the price control system**

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

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

Having regard to Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 3474/89 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 338,07 per tonne of oil for March 1990.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 337, 21. 11. 1989, p. 19.

COMMISSION REGULATION (EEC) No 505/90

of 28 February 1990

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾;

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

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾
1509 10 90 100	63,50
1509 10 90 900	99,50
1509 90 00 100	72,31
1509 90 00 900	105,09
1510 00 90 100	15,91
1510 00 90 900	47,66

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

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

COMMISSION REGULATION (EEC) No 506/90

of 28 February 1990

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of March and April 1990, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 111,00 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- ECU 52,44 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 57,93 per 100 kilograms for olive oil utilized in Spain,
- ECU 100,22 per 100 kilograms for olive oil utilized in Portugal.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 15.

COMMISSION REGULATION (EEC) No 507/90
of 28 February 1990
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 448/90⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2216/88⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 2662/87⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the

1989/90 marketing year were fixed by Regulations (EEC) No 1228/89⁽¹⁰⁾ and (EEC) No 1229/89⁽¹¹⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹²⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89⁽¹³⁾;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 1815/84⁽¹⁵⁾, provides that the amount of the refund must be calculated on the

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 47, 23. 1. 1990, p. 8.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹⁰⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽¹¹⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹³⁾ OJ No L 254, 31. 8. 1989, p. 9.

⁽¹⁴⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁵⁾ OJ No L 170, 29. 6. 1984, p. 46.

basis of the weight of exported seeds ; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed ; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter ; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount ;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84 ⁽¹⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary ;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84 ⁽²⁾, as last amended by Regulation (EEC) No 431/89 ⁽³⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate ;

(b) for the other Member States, the difference between :

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage ; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84 ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation ; whereas it is not necessary to fix a refund for sunflower seed ;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants ; whereas in the interests of sound market management a reduction should be made ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 March 1990.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 50, 22. 2. 1989, p. 7.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
1. Gross refunds (ECU):						
— Spain	19,330	19,608	—	—	—	—
— Portugal	22,900	23,178	—	—	—	—
— other Member States	21,500	21,778	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	51,12	51,78	—	—	—	—
— Netherlands (Fl)	56,71	57,45	—	—	—	—
— BLEU (Bfrs/Lfrs)	1 038,17	1 051,59	—	—	—	—
— France (FF)	162,76	164,90	—	—	—	—
— Denmark (Dkr)	192,00	194,48	—	—	—	—
— Ireland (£ Irl)	18,115	18,353	—	—	—	—
— United Kingdom (£)	13,131	13,326	—	—	—	—
— Italy (Lit)	35 628	36 101	—	—	—	—
— Greece (Dr)	3 637,31	3 687,81	—	—	—	—
— Spain (Pta)	2 989,66	3 032,16	—	—	—	—
— Portugal (Esc)	4 484,37	4 539,90	—	—	—	—

COMMISSION REGULATION (EEC) No 508/90
of 28 February 1990
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 448/90⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 339/90⁽⁷⁾, as last amended by Regulation (EEC) No 471/90⁽⁸⁾;

Whereas, in the absence of the target price for the 1990/91 marketing year for colza and rape seed, the abatement of the subsidy from the system of maximum guaranteed quantities, the amount of the subsidy in the case of advance fixing for this period for colza and rape seed has been obtainable only provisionally on the basis of the latest proposals from the Commission to the Council on price and abatement; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative

prices and where appropriate, the effects of the application of the system of maximum guaranteed quantities of the 1990/91 marketing year are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 339/90 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.

4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza, and rape seed will be confirmed or replaced as from 1 March 1990 to take into account the target price, and where appropriate, the effects for the 1990/91 marketing year of the application of the system of maximum guaranteed quantities for colza and rape seed for this marketing year.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 47, 23. 2. 1990, p. 8.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 37, 9. 2. 1990, p. 14.

⁽⁸⁾ OJ No L 48, 24. 2. 1990, p. 38.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 ⁽¹⁾	5th period 8 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,170	1,170	1,770	1,770
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	25,717	25,795	25,823	23,060	23,043	24,099
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	60,99	61,18	61,25	54,82	54,74	57,38
— Netherlands (Fl)	67,84	68,04	68,12	60,83	60,78	63,75
— BLEU (Bfrs/Lfrs)	1 241,80	1 245,56	1 246,91	1 113,50	1 112,68	1 163,67
— France (FF)	195,90	196,47	196,65	174,96	175,09	183,38
— Denmark (Dkr)	229,65	230,35	230,60	205,93	205,78	215,02
— Ireland (£ Irl)	21,803	21,867	21,887	19,473	19,487	20,410
— United Kingdom (£)	16,597	16,633	16,614	14,316	14,707	15,492
— Italy (Lit)	43 024	43 149	43 185	38 342	39 766	41 523
— Greece (Dr)	4 567,70	4 576,81	4 549,62	3 909,55	4 619,03	4 770,19
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	270,63	270,63
— in another Member State (Pta)	3 634,44	3 646,78	3 649,17	3 225,09	3 311,00	3 451,14
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 349,22	5 363,96	5 357,09	4 769,03	4 979,33	5 149,55

⁽¹⁾ Subject in the case of advance fixing for the 1990/91 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)
1. Gross aids (ECU):						
— Spain	3,670	3,670	3,670	3,670	4,270	4,270
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	28,217	28,295	28,323	25,560	25,543	26,599
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	66,89	67,08	67,15	60,72	60,65	63,29
— Netherlands (Fl)	74,43	74,64	74,71	67,42	67,38	70,35
— BLEU (Bfrs/Lfrs)	1 362,51	1 366,28	1 367,63	1 234,21	1 233,39	1 284,38
— France (FF)	215,14	215,72	215,90	194,20	194,33	202,62
— Denmark (Dkr)	251,98	252,68	252,93	228,25	228,10	237,34
— Ireland (£ Irl)	23,945	24,009	24,029	21,615	21,629	22,552
— United Kingdom (£)	18,358	18,394	18,374	16,077	16,482	17,267
— Italy (Lit)	47 274	47 399	47 435	42 592	44 106	45 863
— Greece (Dr)	5 047,63	5 056,74	5 029,56	4 389,49	5 142,81	5 293,97
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	561,13	561,13	652,87	652,87
— in another Member State (Pta)	4 016,68	4 029,02	4 031,41	3 607,33	3 693,24	3 833,38
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	499,40	499,40	499,40	512,33	512,33
— in another Member State (Esc)	5 848,62	5 863,36	5 856,50	5 268,44	5 491,65	5 661,88

(1) Subject in the case of advance fixing for the 1990/91 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	35,041	35,231	34,754	32,275	32,275
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	83,02	83,47	82,36	76,60	76,60
— Netherlands (Fl)	92,43	92,93	91,68	85,14	85,14
— BLEU (Bfrs/Lfrs)	1 692,02	1 701,20	1 678,16	1 558,46	1 558,46
— France (FF)	267,58	269,03	265,24	245,77	245,77
— Denmark (Dkr)	312,92	314,62	310,36	288,22	288,22
— Ireland (£ Irl)	29,781	29,943	29,521	27,354	27,354
— United Kingdom (£)	23,098	23,220	22,782	20,714	20,714
— Italy (Lit)	58 845	59 163	58 312	53 966	53 966
— Greece (Dr)	6 341,47	6 373,84	6 232,44	5 653,93	5 653,93
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	4 362,73	4 392,03	4 318,30	3 936,32	3 936,32
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	7 820,64	7 858,93	7 745,23	7 203,14	7 203,14
— in another Member State (Esc)	7 649,71	7 687,16	7 575,95	7 045,70	7 045,70
3. Compensatory aids:					
— in Spain (Pta)	4 333,25	4 362,95	4 289,22	3 907,24	3 907,24
4. Special aid:					
— in Portugal (Esc)	7 649,71	7 687,16	7 575,95	7 045,70	7 045,70

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
DM	2,045660	2,041480	2,037160	2,033150	2,033150	2,022470
Fl	2,304220	2,300870	2,297190	2,293070	2,293070	2,281230
Bfrs/Lfrs	42,618200	42,603100	42,581800	42,553300	42,553300	42,491100
FF	6,929620	6,928250	6,926580	6,926710	6,926710	6,925560
Dkr	7,869760	7,878530	7,887010	7,894460	7,894460	7,921050
£Irl	0,770436	0,770424	0,770642	0,770544	0,770544	0,772189
£	0,715508	0,717888	0,720214	0,722473	0,722473	0,728405
Lit	1 512,70	1 515,39	1 518,09	1 520,44	1 520,44	1 526,28
Dr	193,24800	194,31500	196,25700	197,96400	197,96400	203,61600
Esc	179,87300	180,54700	181,52300	182,60500	182,60500	185,70800
Pta	131,81800	132,19100	132,62500	133,03600	133,03600	134,22400

COMMISSION REGULATION (EEC) No 509/90

of 28 February 1990

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1104/88 ⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3870/88 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2904/89 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1247/89 ⁽⁸⁾;

Whereas, since there are no valid activating threshold or guide prices for the 1990/91 marketing year for peas, field beans and sweet lupins, the amount of the subsidy in the case of advance fixing for this marketing year for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the prices valid for the 1989/90 marketing year; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1990/91 marketing year are known, and notably those concerning the application of the guaranteed maximum quantities;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

— in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹³⁾,

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 280, 29. 9. 1989, p. 4.

⁽⁷⁾ OJ No L 129, 11. 5. 1989, p. 7.

⁽⁸⁾ OJ No L 129, 11. 5. 1989, p. 9.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1938/89⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 March 1990 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1990/91 marketing year and, particularly those concerning the application of maximum guaranteed quantities.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 187, 1. 7. 1989, p. 68.

⁽²⁾ OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)	6th period 9 (1)
Peas used :							
— in Spain	6,738	6,896	6,896	6,896	5,632	5,632	5,790
— in Portugal	6,770	6,928	6,928	6,928	5,664	5,664	5,822
— in another Member State	7,006	7,164	7,164	7,164	5,900	5,900	6,058
Field beans used :							
— in Spain	7,006	7,164	7,164	7,164	5,900	5,900	6,058
— in Portugal	6,770	6,928	6,928	6,928	5,664	5,664	5,822
— in another Member State	7,006	7,164	7,164	7,164	5,900	5,900	6,058

Products used in animal feed :

(ECU per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)	6th period 9 (1)
A. Peas used :							
— in Spain	11,777	11,934	12,063	12,063	10,803	10,803	10,961
— in Portugal	11,843	12,001	12,129	12,129	10,869	10,869	11,026
— in another Member State	11,843	12,001	12,129	12,129	10,869	10,869	11,026
B. Field beans used :							
— in Spain	11,777	11,934	12,063	12,063	10,803	10,803	10,961
— in Portugal	11,843	12,001	12,129	12,129	10,869	10,869	11,026
— in another Member State	11,843	12,001	12,129	12,129	10,869	10,869	11,026
C. Sweet lupins harvested in Spain and used :							
— in Spain	13,810	13,810	13,982	13,982	13,982	13,982	13,982
— in Portugal	13,899	13,899	14,069	14,069	14,069	14,069	14,069
— in another Member State	13,899	13,899	14,069	14,069	14,069	14,069	14,069
D. Sweet lupins harvested in another Member State and used :							
— in Spain	13,800	13,800	13,972	13,972	13,972	13,972	13,972
— in Portugal	13,889	13,889	14,059	14,059	14,059	14,059	14,059
— in another Member State	13,889	13,889	14,059	14,059	14,059	14,059	14,059

[illegible]

Corrective amount to be added to the amounts in Annex III

[illegible]

Partial aids

[illegible]

ANNEX VI:

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

[illegible]

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed:

(in national currency per 100 kg)

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	27,21	0,00	0,00	0,00	0,00	0,00	0,00	31,70
— Denmark (Dkr)	0,00	0,00	0,00	5,03	0,00	0,00	0,00	0,00	0,00	0,00	5,86
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,33	0,00	0,00	0,00	0,00	0,00	0,00	1,55
— Greece (Dr)	0,00	0,00	0,00	118,25	0,00	0,00	0,00	0,00	0,00	0,00	137,75
— Spain (Pta)	0,00	0,00	0,00	86,90	0,00	0,00	0,00	0,00	0,00	0,00	101,23
— France (FF)	0,00	0,00	0,00	4,34	0,00	0,00	0,00	0,00	0,00	0,00	5,05
— Ireland (£ Irl)	0,000	0,000	0,000	0,483	0,000	0,000	0,000	0,000	0,000	0,000	0,562
— Italy (Lit)	0	0	0	963	0	0	0	0	0	0	1 122
— Netherlands (Fl)	0,00	0,00	0,00	1,49	0,00	0,00	0,00	0,00	0,00	0,00	1,73
— Portugal (Esc)	0,00	0,00	0,00	112,56	0,00	0,00	0,00	0,00	0,00	0,00	131,13
— United Kingdom (£)	0,000	0,000	0,000	0,441	0,000	0,000	0,000	0,000	0,000	0,000	0,513

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,1679	7,79845	2,04446	191,642	131,345	6,85684	0,763159	1 529,70	2,30358	178,906	0,713603

(¹) Subject, in cases of advance fixing for the 1990/91 marketing year, to application of the provisions to be adopted on prices, related measures and maximum guaranteed quantity arrangements for that marketing year.

COMMISSION REGULATION (EEC) No 510/90

of 28 February 1990

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1111/89 of 27 April 1989 fixing for the 1989/90 marketing year the guide price for dried fodder⁽³⁾;

Whereas, in the absence of the guide price for dried fodder and of the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1990/91 marketing year, the rate of the aid in case of advance fixing for the months concerned has been obtainable only provisionally and should be confirmed or replaced once the guide price, related measures and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1990/91 marketing year are known;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first

and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 2293/89⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 118, 29. 4. 1989, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 218, 28. 7. 1989, p. 30.

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

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

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of

Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

2. The rate of the aid in case of advance fixing for the 1990/91 marketing year shall, however, be confirmed or replaced with effect from 1 March 1990 to take into account the guide price which is fixed for dried fodder, related measures and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1990/91 marketing year.

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, 28 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 28 February 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 March 1990 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States		Portugal	Other Member States
Aid	77,128	89,372	90,368		56,372	57,368

Aid in case of advance fixing for the month of:

(ECU/tonne)

April 1990	73,164	85,363	86,404		52,363	53,404
May 1990 ⁽¹⁾	78,142	85,938	86,972		52,938	53,972
June 1990 ⁽¹⁾	78,142	85,938	86,972		52,938	53,972
July 1990 ⁽¹⁾	78,139	85,935	86,969		52,935	53,969
August 1990 ⁽¹⁾	78,139	85,935	86,969		52,935	53,969
September 1990 ⁽¹⁾	77,377	85,164	86,207		52,164	53,207
October 1990 ⁽¹⁾	79,094	86,900	87,924		53,900	54,924
November 1990 ⁽²⁾	0,000	0,000	0,000		0,000	0,000
December 1990 ⁽²⁾	0,000	0,000	0,000		0,000	0,000
January 1991 ⁽²⁾	0,000	0,000	0,000		0,000	0,000
February 1991 ⁽²⁾	0,000	0,000	0,000		0,000	0,000
March 1991 ⁽²⁾	0	0	0		0	0

⁽¹⁾ Subject to the fixing for the 1990/91 marketing year of the guide price for dried fodder and of the percentages mentioned in Article 5 of Regulation EEC No 1117/78 and related measures.

⁽²⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 511/90

of 28 February 1990

fixing the aid for soya beans

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

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

Having regard to Council Regulation (EEC) No 1491/85
of 23 May 1985 laying down special measures in respect
of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No
2217/88 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to Council Regulation 2286/88 of 19 July
1988 providing for the granting of special aid for soya
beans produced and processed in Portugal ⁽³⁾,

Whereas the amount of the aid referred to in Article 2 (1)
of Regulation (EEC) No 1491/85 was fixed by Commis-
sion Regulation (EEC) No 268/90 ⁽⁴⁾, as amended by
Regulation (EEC) No 423/90 ⁽⁵⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 268/90 to

the information at present available to the Commission
that the amount of the aid at present in force should be
altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 30, 1. 2. 1990, p. 37.

⁽⁵⁾ OJ No L 44, 20. 2. 1990, p. 24.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	27,979	27,979
— Portugal	20,052	27,979 (*)	27,979
— another Member State	20,052	27,979	27,979
Seed processed in first period			
— Spain	0,000	27,897	27,897
— Portugal	19,970	27,897 (*)	27,897
— another Member State	19,970	27,897	27,897
Seed processed in second period			
— Spain	0,000	28,567	28,567
— Portugal	20,640	28,567 (*)	28,567
— another Member State	20,640	28,567	28,567
Seed processed in third period			
— Spain	0,000	28,567	28,567
— Portugal	20,640	28,567 (*)	28,567
— another Member State	20,640	28,567	28,567
Seed processed in fourth period			
— Spain	0,000	28,567	28,567
— Portugal	20,640	28,567 (*)	28,567
— another Member State	20,640	28,567	28,567
Seed processed in fifth period			
— Spain	0,000	28,294	28,294
— Portugal	20,367	28,294 (*)	28,294
— another Member State	20,367	28,294	28,294

(*) Special aid.

COMMISSION REGULATION (EEC) No 512/90
of 28 February 1990
fixing the aid for cotton

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2796/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 399/90 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION :

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 49,906 per 100 kilograms.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 269, 16. 9. 1989, p. 29.

⁽⁵⁾ OJ No L 42, 16. 2. 1990, p. 54.

COMMISSION REGULATION (EEC) No 513/90

of 28 February 1990

altering the corrective amount applicable to the refund on cereals

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

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

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 201/90 ⁽²⁾, and in particular the fourth sentence of the
second subparagraph of Article 16 (4) thereof,

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

Whereas the corrective amount applicable to the refund
on cereals was fixed by Commission Regulation (EEC) No
195/90 ⁽⁴⁾, as amended by Regulation (EEC) No
269/90 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
amended Regulation (EEC) No 195/90, which is appli-
cable to the export refunds fixed in advance in respect of
cereals, is hereby altered to the amounts set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 21, 26. 1. 1990, p. 64.

⁽⁵⁾ OJ No L 30, 1. 2. 1990, p. 40.

ANNEX

to the Commission Regulation of 28 February 1990 altering the corrective amount
applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (*)	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8	6th period 9
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	- 40,00	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 120	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 200	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 300	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 500	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 90 900	—	—	—	—	—	—	—	—

(*) For the following destinations:

01 All third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 514/90
of 28 February 1990
fixing the specific levies on beef and veal from Portugal

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

Having regard to the Act of Accession of Spain and Portugal and in particular Article 272 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 184/90 ⁽⁴⁾, lays

down detailed implementing rules and fixes the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 21, 26. 1. 1990, p. 39.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the specific levies on imports of beef and veal from Portugal

(ECU/100 kg)	
CN code	Amount of the special levies
0102 90 10	11,34
0102 90 31	11,34
0102 90 33	11,34
0102 90 35	11,34
0102 90 37	11,34
0201 10 10	21,39
0201 10 90	21,39
0201 20 21	21,39
0201 20 29	21,39
0201 20 31	17,11
0201 20 39	17,11
0201 20 51	25,67
0201 20 59	25,67
0201 20 90	32,09
0201 30 00	36,79
0202 10 00	19,25
0202 20 10	19,25
0202 20 30	15,40
0202 20 50	23,96
0202 20 90	28,88
0202 30 10	23,96
0202 30 50	23,96
0202 30 90	33,15
0206 10 95	36,79
0206 29 91	33,15
0210 20 10	32,09
0210 20 90	36,79
0210 90 41	36,79
0210 90 90	36,79
1602 50 10	36,79
1602 90 61	36,79

COMMISSION REGULATION (EEC) No 515/90

of 28 February 1990

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 12 (8) thereof,Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 3912/89⁽³⁾, as amended by Regulation (EEC) No 185/90⁽⁴⁾;Whereas Council Regulation (EEC) No 486/85⁽⁵⁾, as last amended by Regulation (EEC) No 3530/89⁽⁶⁾, lays down 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; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the

arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/83 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3912/89 to the quotas and other information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.⁽³⁾ OJ No L 375, 23. 12. 1989, p. 23.⁽⁴⁾ OJ No L 21, 26. 1. 1990, p. 41.⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.⁽⁶⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	12,195	123,302
0102 90 31	21,632	12,195	123,302
0102 90 33	—	12,195	123,302
0102 90 35	21,632	12,195	123,302
0102 90 37	21,632	12,195	123,302
— Net weight —			
0201 10 10	—	23,169	234,275
0201 10 90	41,101	23,169	234,275
0201 20 21	—	23,169	234,275
0201 20 29	41,101	23,169	234,275
0201 20 31	—	18,535	187,419
0201 20 39	32,881	18,535	187,419
0201 20 51	49,321	27,803	281,130
0201 20 59	49,321	27,803	281,130
0201 20 90	—	34,754	351,412
0201 30 00	—	39,754	401,966
0206 10 95	—	39,754	401,966
0210 20 10	—	34,754	351,412
0210 20 90	—	39,754	401,966
0210 90 41	—	39,754	401,966
0210 90 90	—	39,754	401,966
1602 50 10	—	39,754	401,966
1602 90 61	—	39,754	401,966

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

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

COMMISSION REGULATION (EEC) No 516/90
of 28 February 1990
fixing the import levies on frozen beef and veal

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

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

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

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 1831/89 ⁽³⁾, as last amended by Regulation (EEC) No 186/90 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 486/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3530/89 ⁽⁶⁾, lays down 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; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the

arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1831/89 to the quotations and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 177, 24. 6. 1989, p. 55.

⁽⁴⁾ OJ No L 21, 26. 1. 1990, p. 43.

⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁶⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on frozen beef and veal ⁽¹⁾

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

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

COMMISSION REGULATION (EEC) No 517/90

of 28 February 1990

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3868/89⁽²⁾, as amended by Regulation (EEC) No 187/90⁽³⁾;

Whereas Council Regulation (EEC) No 486/85⁽⁴⁾, as last amended by Regulation (EEC) No 3530/89⁽⁵⁾, lays down 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; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the

arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3868/89 to the quotations and other information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 51.

⁽³⁾ OJ No L 21, 26. 1. 1990, p. 45.

⁽⁴⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁵⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 10 from 5 to 11 March 1990	Week No 11 from 12 to 18 March 1990	Week No 12 from 19 to 25 March 1990	Week No 13 from 26 March to 1 April 1990
0104 10 90 ⁽¹⁾	135,849	136,559	136,559	136,121
0104 20 90 ⁽¹⁾	135,849	136,559	136,559	136,121
0204 10 00 ⁽²⁾	289,040	290,550	290,550	289,620
0204 21 00 ⁽²⁾	289,040	290,550	290,550	289,620
0204 22 10 ⁽²⁾	202,328	203,385	203,385	202,734
0204 22 30 ⁽²⁾	317,944	319,605	319,605	318,582
0204 22 50 ⁽²⁾	375,752	377,715	377,715	376,506
0204 22 90 ⁽²⁾	375,752	377,715	377,715	376,506
0204 23 00 ⁽²⁾	526,053	528,801	528,801	527,108
0204 50 11 ⁽²⁾	289,040	290,550	290,550	289,620
0204 50 13 ⁽²⁾	202,328	203,385	203,385	202,734
0204 50 15 ⁽²⁾	317,944	319,605	319,605	318,582
0204 50 19 ⁽²⁾	375,752	377,715	377,715	376,506
0204 50 31 ⁽²⁾	375,752	377,715	377,715	376,506
0204 50 39 ⁽²⁾	526,053	528,801	528,801	527,108
0210 90 11 ⁽³⁾	375,752	377,715	377,715	376,506
0210 90 19 ⁽³⁾	526,053	528,801	528,801	527,108

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 518/90
of 28 February 1990
fixing the import levies on frozen sheepmeat and goatmeat

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 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3869/89 ⁽²⁾, as amended by Regulation (EEC) No 188/90 ⁽³⁾;

Whereas Council Regulation (EEC) No 486/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 3530/89 ⁽⁵⁾, lays down 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; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No

486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3869/89 to the quotations and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 54.

⁽³⁾ OJ No L 21, 26. 1. 1990, p. 47.

⁽⁴⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁵⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 10 from 5 to 11 March 1990	Week No 11 from 12 to 18 March 1990	Week No 12 from 19 to 25 March 1990	Week No 13 from 26 March to 1 April 1990
0204 30 00	217,530	218,663	218,663	217,965
0204 41 00	217,530	218,663	218,663	217,965
0204 42 10	152,271	153,064	153,064	152,576
0204 42 30	239,283	240,529	240,529	239,762
0204 42 50	282,789	284,262	284,262	283,355
0204 42 90	282,789	284,262	284,262	283,355
0204 43 00	395,905	397,967	397,967	396,696
0204 50 51	217,530	218,663	218,663	217,965
0204 50 53	152,271	153,064	153,064	152,576
0204 50 55	239,283	240,529	240,529	239,762
0204 50 59	282,789	284,262	284,262	283,355
0204 50 71	282,789	284,262	284,262	283,355
0204 50 79	395,905	397,967	397,967	396,696

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 519/90

of 28 February 1990

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements ;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 763/89 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3209/88 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68 ;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month ;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to :

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets ;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions ;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products ;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 3554/88 ⁽⁶⁾ ;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 698/86 ⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁹⁾, as last amended by Regulation (EEC) No 1048/89 ⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods ;

Whereas the application of the second indent of Article 1 (2) (d) of Regulation (EEC) No 3035/80 leads to the granting, for certain milk products in power form, of refunds the level of which is not in conformity with the aims set out in Article 4 (2) of that Regulation ; whereas therefore a specific rate must be fixed for these products, so that the resulting refund is equivalent to that applicable to similar products used in liquid form ;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 6.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 111, 22. 4. 1989, p. 24.

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION:

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 50,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) On exportation of goods of CN codes 0403 10 59, 0403 90 79, 1806 20 90, 1806 90 90, 1901 90 90 and 2106 90 99 containing 40 % or more by weight of milk fat b) On exportation of other goods	53,87 100,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Commission Regulations (EEC) No 442/84, (EEC) No 2409/86 ⁽¹⁾ , (EEC) No 570/88, (EEC) No 262/79 ⁽²⁾ and (EEC) No 1932/81 ⁽³⁾ b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 178,00 170,00

⁽¹⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽²⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

COMMISSION REGULATION (EEC) No 520/90

of 28 February 1990

fixing the rates of the refunds applicable to certain cereal and rice products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to 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 first sentence of the
fourth subparagraph of Article 16 (2) thereof,

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

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

Whereas Council Regulation (EEC) No 3035/80 of 11
November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds⁽⁵⁾, as last amended by Regulation (EEC) No
3209/88⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas in the absence of evidence that no production
refund was granted under Council Regulation (EEC) No
1009/86 of 25 March 1986 establishing general rules
applying to production refunds in the cereals and rice
sector⁽⁷⁾, as last amended by Regulation (EEC) No
2779/89⁽⁸⁾, the export refund should be reduced by the
amount of the production refund applicable on the day of
acceptance of the export declaration; whereas this system
is the only one which avoids the risk of fraud;

Whereas Commission Regulation (EEC) No 28/90⁽⁹⁾
specifies new criteria for the classification of products
falling under CN code 3505 10 50; whereas it is therefore
necessary to adopt certain provisions to ensure the deduc-
tion from any export refund payable of the amount of the
production refund in cases where the product in question
has previously benefited from a production refund under
Regulation (EEC) No 1009/86, prior to the implementa-
tion of the new criteria;

Whereas Council Regulation (EEC) No 565/80 of 4
March 1980 on the advance payment of export refunds in
respect of agricultural products⁽¹⁰⁾, as amended by Regu-
lation (EEC) No 2026/83⁽¹¹⁾, and Commission Regulation
(EEC) No 3665/87 of 27 November 1987 laying down
common detailed rules for the application of the system
of export refunds on agricultural products⁽¹²⁾, as last
amended by Regulation (EEC) No 3993/88⁽¹³⁾, lay down
rules on the advance payment of export refunds that must
be adhered to when these are adjusted;

⁽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 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 268, 15. 9. 1989, p. 20.

⁽⁹⁾ OJ No L 3, 6. 1. 1990, p. 9.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹³⁾ OJ No L 354, 22. 12. 1988, p. 22.

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided

for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

The provisions of Article 1 (2) and (3) of this Regulation shall also apply to starches having on acetyl content by weight in the dry product of 0,25 % or more but less than 0,5 %

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, 28 February 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

		(ECU/100 kg)
CN code	Description	Rate of refund
1001 10 90	Durum wheat :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	11,521
	— In all other cases	12,523
1001 90 99	Common wheat, and meslin (mixed wheat and rye) :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	6,170
	— In all other cases	6,706
1002 00 00	Rye	7,938
1003 00 90	Barley	8,026
1004 00 90	Oats	8,731
1005 90 00	Maize, other than hybrid maize for sowing	9,324
1006 20	Round grain husked rice	38,904
	Medium grain husked rice	36,829
	Long grain husked rice	36,829
ex 1006 30	Round grain wholly milled rice	50,199
	Medium grain wholly milled rice	53,375
	Long grain wholly milled rice	53,375
1006 40 00	Broken rice	17,292
1007 00 90	Sorghum	6,392
1101 00 00	Wheat or meslin flour :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	7,183
	— In all other cases	7,808
1102 10 00	Rye flour	17,775
1103 11 10	Durum wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	17,858
	— In all other cases	19,411
1103 11 90	Common wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America	7,183
	— In all other cases	7,808

COMMISSION REGULATION (EEC) No 521/90

of 28 February 1990

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3209/88 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 2306/88 ⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁷⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁸⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products ⁽⁹⁾, as last amended by Regulation (EEC) No 471/87 ⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽¹⁰⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Karel VAN MIERT

Member of the Commission

ANNEX

to the Commission Regulation of 28 February 1990 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	26,95
Raw sugar:	24,79
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$26,95 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	
The rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses:	—
Isoglucose ⁽²⁾ :	26,95 ⁽³⁾

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 522/90**of 27 February 1990****establishing unit values 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 the Act of Accession of Spain and Portugal,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3462/89 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 March 1990.

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

Done at Brussels, 27 February 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 334, 18. 11. 1989, p. 21.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Ir	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	30,18	1 286	237,57	61,75	209,22	5 828	23,24	45 688	69,55	21,56
1.20	0702 00 10 0702 00 90	Tomatoes	97,03	4 134	763,73	198,51	672,59	18 737	74,72	146 874	223,59	69,30
1.30	0703 10 19	Onions (other than sets)	17,70	754	139,36	36,22	122,73	3 419	13,63	26 801	40,80	12,64
1.40	0703 20 00	Garlic	246,41	10 499	1 939,51	504,14	1 708,06	47 584	189,77	372 988	567,82	176,01
1.50	ex 0703 90 00	Leeks	33,89	1 444	267,20	69,05	234,59	6 454	26,07	51 367	77,78	24,58
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	35,35	1 508	278,81	71,89	244,80	6 721	27,24	53 623	81,08	25,69
1.70	0704 20 00	Brussels sprouts	91,24	3 887	719,35	185,92	631,56	17 375	70,20	138 290	209,42	66,20
1.80	0704 90 10	White cabbages and red cabbages	43,46	1 853	342,72	88,37	300,92	8 262	33,48	65 914	99,66	31,58
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	111,21	4 738	875,34	227,52	770,88	21 476	85,64	168 337	256,27	79,43
1.100	ex 0704 90 90	Chinese cabbage	39,03	1 663	307,27	79,87	270,60	7 538	30,06	59 092	89,96	27,88
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	116,67	4 971	918,35	238,70	808,75	22 531	89,85	176 608	268,86	83,34
1.120	ex 0705 29 00	Endives	47,33	2 016	372,54	96,83	328,08	9 140	36,45	71 643	109,06	33,80
1.130	ex 0706 10 00	Carrots	45,44	1 936	357,70	92,97	315,02	8 776	35,00	68 791	104,72	32,46
1.140	ex 0706 90 90	Radishes	101,86	4 340	801,79	208,41	706,10	19 671	78,45	154 192	234,73	72,76
1.150	0707 00 11 0707 00 19	Cucumbers	86,11	3 669	677,82	176,18	596,93	16 629	66,32	130 351	198,44	61,51
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	266,36	11 350	2 096,58	544,96	1 846,38	51 438	205,14	403 195	613,81	190,26
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	179,01	7 628	1 409,05	366,25	1 240,90	34 570	137,86	270 975	412,52	127,87
1.180	ex 0708 90 00	Broad beans	88,40	3 767	695,86	180,87	612,81	17 072	68,08	133 821	203,72	63,14
1.190	0709 10 00	Globe artichokes	94,40	4 022	743,05	193,14	654,38	18 230	72,70	142 897	217,54	67,43
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	438,38	18 679	3 450,56	896,90	3 038,78	84 657	337,62	663 578	1 010,21	313,14
1.200.2	ex 0709 20 00	— other	193,89	8 261	1 526,16	396,69	1 344,04	37 443	149,32	293 497	446,81	138,50
1.210	0709 30 00	Aubergines (egg-plants)	216,97	9 245	1 707,80	443,91	1 504,00	41 900	167,10	328 428	499,99	154,98
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> , var. <i>dulce</i>)	44,86	1 911	353,12	91,78	310,98	8 663	34,55	67 910	103,38	32,04
1.230	0709 51 30	Chantarelles	556,01	23 931	4 428,22	1 139,98	3 869,16	102 135	429,67	837 139	1 287,01	394,04
1.240	0709 60 10	Sweet peppers	168,37	7 174	1 325,27	344,48	1 167,12	32 515	129,67	254 864	388,00	120,26
1.250	0709 90 50	Fennel	97,19	4 141	765,00	198,85	673,71	18 769	74,85	147 119	223,97	69,42
1.260	0709 90 70	Courgettes	67,39	2 871	530,49	137,89	467,19	13 015	51,90	102 020	155,31	48,14
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	83,09	3 573	661,63	170,19	578,78	15 258	64,18	125 219	192,08	58,69
2.10	ex 0802 40 00	Chestnuts (<i>Castanea spp.</i>), fresh	146,09	6 222	1 151,44	295,70	1 011,02	27 507	112,36	221 703	333,97	108,51
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	51,63	2 200	406,39	105,63	357,89	9 970	39,76	78 153	118,97	36,88
2.30	ex 0804 30 00	Pineapples, fresh	64,05	2 729	504,17	131,05	444,00	12 369	49,33	96 957	147,60	45,75
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	136,04	5 796	1 070,79	278,33	943,01	26 271	104,77	205 925	313,49	97,17
2.50	ex 0804 50 00	Guavas and mangoes, fresh	161,08	6 863	1 267,90	329,56	1 116,59	31 107	124,05	243 831	371,20	115,06
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	38,86	1 655	305,89	79,51	269,39	7 505	29,93	58 827	89,55	27,76

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
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	38,09	1 623	299,81	77,93	264,03	7 355	29,33	57 658	87,77	27,20
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	29,17	1 244	230,04	59,32	201,99	5 546	22,47	44 244	66,89	21,20
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	— Clementines	89,75	3 824	706,44	183,62	622,14	17 332	69,12	135 856	206,82	64,11
2.70.2	ex 0805 20 30	— Monreales and Satsumas	53,44	2 277	420,65	109,34	370,45	10 320	41,15	80 896	123,15	38,17
2.70.3	ex 0805 20 50	— Mandarins and Wilkings	65,80	2 804	517,97	134,63	456,16	12 708	50,68	99 612	151,64	47,00
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	77,90	3 319	613,18	159,38	540,00	15 044	59,99	117 921	179,52	55,64
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	33,08	1 409	260,44	67,69	229,36	6 389	25,48	50 086	76,25	23,63
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	172,15	7 335	1 355,04	352,21	1 193,34	33 245	132,58	260 589	396,71	122,97
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	37,66	1 604	296,46	77,05	261,08	7 273	29,00	57 012	86,79	26,90
2.90.2	ex 0805 40 00	— pink	82,01	3 494	645,51	167,78	568,47	15 837	63,16	124 138	188,98	58,58
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	140,10	5 969	1 102,78	286,64	971,18	27 056	107,90	212 076	322,86	100,07
2.110	0807 10 10	Water-melons	81,09	3 455	639,31	165,23	561,29	15 442	62,39	122 902	186,11	58,83
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cupe, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	59,17	2 521	465,73	121,05	410,15	11 426	45,57	89 565	136,35	42,26
2.120.2	ex 0807 10 90	— Other	152,81	6 511	1 202,80	312,64	1 059,27	29 510	117,68	231 312	352,14	109,15
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	50,39	2 147	396,65	103,10	349,31	9 731	38,81	76 280	116,12	35,99
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>))	79,38	3 382	624,86	162,42	550,29	15 330	61,14	120 168	182,94	56,70
2.150	0809 10 00	Apricots	168,41	7 176	1 325,64	344,57	1 167,44	32 523	129,70	254 934	388,10	120,30
2.160	0809 20 10 0809 20 90	Cherries	220,66	9 412	1 740,13	448,73	1 527,90	41 952	170,03	334 673	506,04	160,37
2.170	ex 0809 30 00	Peaches	107,11	4 564	843,07	219,14	742,46	20 684	82,49	162 132	246,82	76,50
2.180	ex 0809 30 00	Nectarines	182,80	7 789	1 438,83	373,99	1 267,12	35 301	140,78	276 702	421,24	130,57
2.190	0809 40 11 0809 40 19	Plums	108,10	4 606	850,90	221,17	749,35	20 876	83,25	163 637	249,11	77,21
2.200	0810 10 10 0810 10 90	Strawberries	280,10	11 935	2 204,75	573,08	1 941,64	54 092	215,72	423 996	645,48	200,08
2.205	0810 20 10	Raspberries	779,52	33 216	6 135,70	1 594,86	5 403,49	150 536	600,35	1 179 960	1 796,34	556,81
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	179,42	7 780	1 443,17	370,20	1 255,56	32 582	138,91	270 928	418,03	122,25
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	105,64	4 501	831,52	216,14	732,29	20 401	81,36	159 911	243,44	75,46
2.230	ex 0810 90 80	Pomegranates	72,77	3 105	573,24	148,25	504,48	13 979	55,95	110 349	167,24	52,51
2.240	ex 0810 90 80	Khakis	99,67	4 247	784,54	203,92	690,91	19 248	76,76	150 875	229,68	71,19
2.250	ex 0810 90 30	Lychees	237,69	10 128	1 870,91	486,30	1 647,64	45 901	183,06	359 795	547,74	169,78

COMMISSION REGULATION (EEC) No 523/90**of 28 February 1990****amending Regulation (EEC) No 3846/87 establishing the agricultural product nomenclature for export refunds**

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 Article 16 thereof, and to the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products,

Whereas a refund nomenclature was established by Commission Regulation (EEC) No 3846/87 ⁽³⁾, as last amended by Regulation (EEC) No 88/90 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 28/90 ⁽⁵⁾, specifies new criteria for the classification of products falling within CN code 3505 10 50, which take effect from 1 March 1990; whereas it is therefore necessary to foresee certain provisions to preclude export refunds from being granted in cases where the product in question has either previously benefited from a production refund under Council Regulation (EEC) No 1009/86 ⁽⁶⁾, as last amended by Regulation (EEC) No 2779/89 ⁽⁷⁾, or has been imported from third countries under CN code 3505 10 50 prior to the implementation of the new criteria;

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

HAS ADOPTED THIS REGULATION:

Article 1

Footnote ⁽⁶⁾, which shall refer to products falling within CN codes 1108 11 00, 1108 12 00 and 1108 13 00, shall be inserted, and shall read as follows:

⁽⁶⁾ Export refunds for products having an acetyl content equal to, or in excess of 0,25 % and below 0,5 % will only be granted when the competent authority has received proof that the product in question has not benefited from a production refund pursuant to Council Regulation (EEC) No 1009/86 (OJ No L 94, 9. 4. 1986, p. 6.), as last amended by Regulation (EEC) No 2779/89 (OJ No L 268, 15. 9. 1989, p. 20.), and has not been imported from a third country.

Article 2

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

It shall apply from 1 March 1990.

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

Done at Brussels, 28 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 366, 24. 12. 1987, p. 1.
⁽⁴⁾ OJ No L 11, 13. 1. 1990, p. 23.
⁽⁵⁾ OJ No L 3, 6. 1. 1990, p. 9.
⁽⁶⁾ OJ No L 94, 9. 4. 1986, p. 6.
⁽⁷⁾ OJ No L 268, 15. 9. 1989, p. 26.

COMMISSION REGULATION (EEC) No 524/90

of 28 February 1990

amending Regulation (EEC) No 2169/86 laying down detailed rules for the control and payment of the production refunds in the cereals and rice sector

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⁾,

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⁾,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors⁽⁵⁾, as last amended by Regulation (EEC) No 2779/89⁽⁶⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 2169/86⁽⁷⁾, as last amended by Regulation (EEC) No 3076/89⁽⁸⁾, requires the manufacturer of esterified or etherified starch (CN code 3505 10 50) to lodge a security which shall only be released on the condition that the competent authority has received proof that the product is either used to manufacture products other than those listed in Annex 1 of the said Regulation, or exported to third countries;

Whereas Commission Regulation (EEC) No 28/90⁽⁹⁾, specifies new criteria for the classification of esterified or etherified starch which take effect from 1 March 1990; whereas it is necessary to foresee certain dispositions to ensure that the manufacturer does not lose his guarantee as a result of these new criteria, and can neither benefit from double payment of the refund, nor use a product

imported from third countries at a reduced rate of levy in the starch production refund regime;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraphs are inserted in Article 7 (4) of Regulation (EEC) No 2169/86, after '(b) exported to third countries':

However, for refunds granted in respect of the product falling within CN code 3505 10 50 up to and including 28 February 1990, the manufacturer will have been considered not to have retransformed the product in question into native starch (CN codes 1108 11 00, 1108 12 00, 1108 13 00) if the product yielded has an acetyl content equal to, or in excess of 0,25 %.

In this case, and also in the case where a product with an acetyl content equal to, or in excess of 0,25 % has been imported from a third country before 1 March 1990, a manufacturer will not be eligible for a refund if the said product is used as a raw material for the manufacture of an eligible product.'

Article 2

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

It shall apply from 1 March 1990.

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

Done at Brussels, 28 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. 3.
(⁴) OJ No L 177, 24. 6. 1989, p. 1.
(⁵) OJ No L 94, 9. 4. 1986, p. 6.
(⁶) OJ No L 268, 15. 9. 1989, p. 20.
(⁷) OJ No L 189, 11. 7. 1986, p. 12.
(⁸) OJ No L 294, 13. 10. 1989, p. 15.
(⁹) OJ No L 3, 6. 1. 1990, p. 9.

COMMISSION REGULATION (EEC) No 525/90

of 28 February 1990

amending Regulation (EEC) No 19/82 laying down detailed rules for applying Council Regulation (EEC) No 2641/90 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 1837/80 on the common organization of the market in sheepmeat and goatmeat⁽²⁾, as amended by Regulation (EEC) No 3939/87⁽³⁾, and in particular Article 1 (2) thereof,

Whereas Commission Regulation (EEC) No 19/82 of 6 January 1982 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⁽⁴⁾, as amended by Regulation (EEC) No 3887/87⁽⁵⁾, relates in particular to licences issued in the framework of voluntary-restraint agreements and Annex III thereof contains a list of authorities in third countries empowered to issue export licences;

Whereas Poland has changed the authority empowered to issue export licences; Whereas Annex III to Regulation

(EEC) No 19/82 should accordingly be modified by details of the authority of Poland now empowered to issue export licences;

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

In point VIII of Annex III to Regulation (EEC) No 19/82: 'Animex' is replaced by 'Ministerstwo Współpracy Gospodarczej—Ze Zagranicą'.

Article 2

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

It shall apply from 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽³⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽⁵⁾ OJ No L 365, 24. 12. 1987, p. 39.

COMMISSION REGULATION (EEC) No 526/90
of 28 February 1990
establishing for the 1989/90 stock-marketing-year sowings the list of flint maize
varieties on which production aid can be granted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1835/89 of 18 June 1989 setting general rules on the production aid for high-quality flint maize⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas the production aid is intended to encourage production of high-quality flint maize ; whereas Article 3 (1) of Regulation (EEC) No 1835/89 sets out the qualifying requirements for high-quality varieties ;

Whereas Commission Regulation (EEC) No 3771/89 of 14 December 1989 laying down detailed rules for the production aid for high-quality flint maize⁽²⁾ sets out the procedure for inclusion of flint maize varieties on the list provided for in Article 3 (2) of Regulation (EEC) No 1835/89 ; whereas the Commission has received all the test results for the varieties for which an application for inclusion on the list was made ; whereas the list of varie-

ties on which the production aid referred to in Regulation (EEC) No 1835/89 can be granted should be adopted on the basis of these results ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The list of varieties provided for in Article 3 (2) of Regulation (EEC) No 1835/89 is annexed to this Regulation.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 180, 27. 6. 1989, p. 3.

⁽²⁾ OJ No L 365, 15. 12. 1989, p. 41.

*ANNEX***List of varieties provided for in Article 3 (2) of Regulation (EEC) No 1835/89**

Alfire	Hibisco
Asti	Koala Adour 160
Astico	Monarque 282
Capac M-788	Pampa
Celtic Pau 230	Platex
Colom 92	Ranuncolo
DK-4-F-37	Samson
Freccia	

COMMISSION REGULATION (EEC) No 527/90

of 28 February 1990

amending Regulation (EEC) No 3946/89 fixing certain additional detailed rules for the application of the supplementary trade mechanism to fruit and vegetables as regards artichokes, carrots, strawberries, lettuce, melons, table grapes and tomatoes and bringing broad-leaf endives under these rules

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 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽²⁾ established the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas these products include artichokes, carrots, strawberries, lettuce, melons, table grapes, tomatoes and broad-leaf endives;

Whereas Commission Regulation (EEC) No 3944/89⁽³⁾, as amended by Regulation (EEC) No 245/90⁽⁴⁾, laid down detailed rules for applying the supplementary trade mechanism, hereinafter referred to as 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EEC) No 3946⁽⁵⁾, as amended by Regulation (EEC) No 246/90⁽⁶⁾, determined that the month of February 1990 should, for the above-mentioned products, be a period I as defined in Article 2

of Regulation (EEC) No 3210/89; whereas the outlook for Spanish consignments to the rest of the Community, Portugal excepted, and the market situation indicate that the period I should be determined for all the abovementioned products for the month of March 1990; whereas Regulation (EEC) No 3946/89 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3946/89 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽³⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁴⁾ OJ No L 27, 31. 1. 1990, p. 14.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 27.

⁽⁶⁾ OJ No L 27, 31. 1. 1990, p. 17.

ANNEX

ANNEX

Periods as defined in Article 2 of Regulation (EEC) No 3210/89

1 March to 1 April 1990

Description	CN code	Period
Tomatoes	0702 00 10	I
Cabbage lettuce	0705 11 90	I
Lettuce other than cabbage lettuce	0705 19 00	I
Carrots	ex 0706 10 00	I
Artichokes	0709 10 00	I
Table grapes	0806 10 15	I
Melons	0807 10 90	I
Strawberries	0810 10 90	I
Broad-leaf endives	ex 0705 29 00	I'

COMMISSION REGULATION (EEC) No 528/90

of 28 February 1990

fixing the maximum export refunds on olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

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

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2902/89 ⁽²⁾,

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

Whereas Commission Regulation (EEC) No 3246/89 ⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3246/89 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 February 1990.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the maximum export refunds on olive oil for the seventh partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,50
1509 90 00 100	74,02
1509 90 00 900	110,75
1510 00 90 100	17,41
1510 00 90 900	52,66

NB: The products 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 529/90

of 28 February 1990

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 443/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.
⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.
⁽⁴⁾ OJ No L 46, 22. 2. 1990, p. 23.

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	30,41 ⁽¹⁾
1701 11 90	30,41 ⁽¹⁾
1701 12 10	30,41 ⁽¹⁾
1701 12 90	30,41 ⁽¹⁾
1701 91 00	33,85
1701 99 10	33,85
1701 99 90	33,85 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 530/90**of 28 February 1990****amending Regulation (EEC) No 440/90 introducing a countervailing charge on
fresh lemons originating in Cyprus**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 440/90⁽³⁾ introduced a countervailing charge on fresh lemons originating in Cyprus;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of fresh lemons originating in Cyprus must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 440/90, 'ECU 2,10' is hereby replaced by 'ECU 3,74'.

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, 28 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 209, 31. 7. 1987, p. 4.

⁽³⁾ OJ No L 46, 22. 2. 1990, p. 14.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 117/90 of 17 January 1990 opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1989/90 wine year from certain detailed rules for the application thereof

(Official Journal of the European Communities No L 14 of 18 January 1990)

On page 11, Article 6 (1), first indent:

for: '— ECU 2,04 and 1,75 per % vol alcohol per hectolitre, where it is obtained from white wine of type A I,'

read: '— ECU 2,04 and 1,73 per % vol alcohol per hectolitre, where it is obtained from white wine of type A I,'.
