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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1210/90

of 7 May 1990

on the establishment of the European Environment Agency and the European environment information and observation network

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

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

Whereas the Treaty provides for the development and implementation of a Community policy on the environment, and lays down the objectives and principles which should govern such policy;

Whereas environmental protection requirements shall be a component of the Community's other policies;

Whereas, according to Article 130r of the Treaty, in preparing its action relating to the environment the Community shall take account, *inter alia*, of the available scientific and technical data;

Whereas, in accordance with Decision 85/338/EEC ⁽⁴⁾, the Commission has undertaken a work programme concerning an experimental project for gathering, coordinating and ensuring the consistency of information on the state of the environment and natural resources in the Community; whereas it is now appropriate to take the necessary decisions regarding a permanent environmental information and observation system;

Whereas collection, processing and analysis of environmental data at European level are necessary in order to provide objective, reliable and comparable information which will enable the Community and the Member States to take the requisite measures to protect the environment;

to assess the results of such measures and to ensure that the public is properly informed about the state of the environment;

Whereas there already exist in the Community and the Member States facilities providing such information and services;

Whereas they should form the basis for setting up a European environment information and observation network which would be coordinated at Community level by a European Environment Agency;

Whereas the Agency should cooperate with existing structures at Community level to enable the Commission to ensure full application of Community legislation on the environment;

Whereas the status and structure of such an Agency should correspond to the objective character of the results it is intended to produce and allow it to carry out its functions in close cooperation with the existing national and international facilities;

Whereas the Agency should be granted legal autonomy while maintaining close links with the Community institutions and the Member States;

Whereas it is desirable to provide for the Agency to be open to other countries which share the concern of the Community and the Member States for the objectives of the Agency under agreements to be concluded between them and the Community;

Whereas this Regulation should be reviewed after two years, with a view to deciding on further tasks for the Agency,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation establishes the European Environment Agency and aims at the setting-up of a European environment information and observation network.

⁽¹⁾ OJ No C 217, 23. 8. 1989, p. 7.

⁽²⁾ OJ No C 96, 17. 4. 1990.

⁽³⁾ OJ No C 56, 7. 3. 1990, p. 20.

⁽⁴⁾ OJ No L 176, 6. 7. 1985, p. 14.

2. To achieve the aims of environmental protection and improvement laid down by the Treaty and by successive Community action programmes on the environment, the objective shall be to provide the Community and the Member States with:

- objective, reliable and comparable information at European level enabling them to take the requisite measures to protect the environment, to assess the results of such measures and to ensure that the public is properly informed about the state of the environment,
- to that end, the necessary technical and scientific support.

Article 2

For the purposes of achieving the objective set out in Article 1, the tasks of the Agency shall be:

- (i) to establish, in cooperation with the Member States, and coordinate the network referred to in Article 4. In this context, the Agency shall be responsible for the collection, processing and analysis of data, in particular in the fields referred to in Article 3. It shall also be responsible for continuing the work started under Decision 85/338/EEC;
- (ii) to provide the Community and the Member States with the objective information necessary for framing and implementing sound and effective environmental policies; to that end, in particular to provide the Commission with the information that it needs to be able to carry out successfully its tasks of identifying, preparing and evaluating measures and legislation in the field of the environment;
- (iii) to record, collate and assess data on the state of the environment, to draw up expert reports on the quality, sensitivity and pressures on the environment within the territory of the Community, to provide uniform assessment criteria for environmental data to be applied in all Member States. The Commission shall use this information in its task of ensuring the implementation of Community legislation on the environment;
- (iv) to help ensure that environmental data at European level are comparable and, if necessary, to encourage by appropriate means improved harmonization of methods of measurement;
- (v) to promote the incorporation of European environmental information into international environment monitoring programmes such as those established by the United Nations and its specialized agencies;
- (vi) to ensure the broad dissemination of reliable environmental information. In addition, the Agency shall publish a report on the state of the environment every three years;
- (vii) to stimulate the development and application of environmental forecasting techniques so that adequate preventive measures can be taken in good time;
- (viii) to stimulate the development of methods of assessing the cost of damage to the environment and the

costs of environmental preventive, protection and restoration policies;

- (ix) to stimulate the exchange of information on the best technologies available for preventing or reducing damage to the environment;
- (x) to cooperate with the bodies and programmes referred to in Article 15.

Article 3

1. The principal areas of activity of the Agency shall, as far as possible, include all elements enabling it to gather the information making it possible to describe the present and foreseeable state of the environment from the following points of view:

- (i) the quality of the environment;
- (ii) the pressures on the environment;
- (iii) the sensitivity of the environment.

2. The Agency shall furnish information which can be directly used in the implementation of Community environmental policy.

Priority will be given to the following areas of work:

- air quality and atmospheric emissions,
- water quality, pollutants and water resources,
- the state of the soil, of the fauna and flora, and of biotopes,
- land use and natural resources,
- waste management,
- noise emissions,
- chemical substances which are hazardous for the environment,
- coastal protection.

In particular, transfrontier, plurinational and global phenomena shall be covered.

The socioeconomic dimension shall also be taken into account.

In its activities the Agency shall avoid duplicating the existing activities of other institutions and bodies.

Article 4

1. The network shall comprise:

- the main component elements of the national information networks,
- the national focal points,
- the topic centres.

2. To enable the network to be set up as rapidly and as efficiently as possible, the Member States shall, within six months of the entry into force of this Regulation, inform the Agency of the main component elements of their

national environment information networks, especially in the priority areas referred to in Article 3 (2), including any institution which in their judgement could contribute to the work of the Agency, taking into account the need to ensure the fullest possible geographical coverage of their territory.

3. Member States may in particular designate from among the institutions referred to in paragraph 2 or other organizations established in their territory a 'national focal point' for coordinating and/or transmitting the information to be supplied at national level to the Agency and to the institutions or bodies forming part of the network including the topic centres referred to in paragraph 4.

4. Member States may also, within the period laid down in paragraph 2, identify the institutions or other organizations established in their territory which could be specifically entrusted with the task of cooperating with the Agency as regards certain topics of particular interest. An institution thus identified should be in a position to conclude an agreement with the Agency to act as a topic centre of the network for specific tasks in a precise geographical area. These centres shall cooperate with other institutions which form part of the network.

5. Within six months of receiving the information referred to in paragraph 2, the Agency shall confirm the main elements of the network on the basis of a decision by the management board and the arrangements referred to in Article 5.

The topic centres shall be designated by a unanimous decision of the members of the management board as defined in Article 8 (1), for a period not exceeding the duration of each multiannual work programme as referred to in Article 8 (4). Each designation may, however, be renewed.

6. The allocation of specific tasks to the topic centres shall appear in the Agency's multiannual work programme mentioned in Article 8 (4).

7. In the light in particular of the multiannual work programme, the Agency shall periodically re-examine the component elements of the network as referred to in paragraph 2 and shall make such changes as may be decided on by the management board, taking account of any new designations made by the Member States.

Article 5

The Agency may agree with the institutions or bodies which form part of the network, as referred to in Article 4, upon the necessary arrangements, in particular contracts, for successfully carrying out the tasks which it may entrust to them. A Member State may provide, as regards the national institutions or organizations in its territory, that such arrangements with the Agency shall be made in agreement with the national focal point.

Article 6

Environmental data supplied to or emanating from the Agency may be published and shall be made accessible to the public, subject to compliance with the rules of the Commission and the Member States on the dissemination of information, particularly as regards confidentiality.

Article 7

The Agency shall have legal personality. It shall enjoy in all the Member States the most extensive legal capacity accorded to legal persons under their laws.

Article 8

1. The Agency shall have a management board consisting of one representative of each Member State and two representatives of the Commission.

In addition, the European Parliament shall designate, as members of the management board, two scientific personalities particularly qualified in the field of environmental protection, who shall be chosen on the basis of the personal contribution they are likely to make to the Agency's work.

Each member of the management board may be represented by an alternate member.

2. The management board shall elect its chairman from among its members for a period of three years and shall adopt its rules of procedure. Each member of the management board shall have a vote.

3. Decisions of the management board shall require for their adoption a two-thirds majority of the members of the board, except in the case referred to in the second subparagraph of Article 4 (5).

4. The management board shall adopt a multiannual work programme based on the priority areas referred to in Article 3 (2), using as its basis a draft submitted by the Executive Director, referred to in Article 9, after consulting the scientific committee, referred to in Article 10, and receiving the Commission's opinion. The first multiannual work programme shall be adopted within nine months of the entry into force of this Regulation.

5. Under the multiannual programme, the management board shall each year adopt the Agency's work programme on the basis of a draft submitted by the Executive Director after consulting the scientific committee and receiving the Commission's opinion. The programme may be adjusted in the course of the year by the same procedure.

6. By 31 January each year at the latest, the management board shall adopt an annual general report on the activities of the Agency. The Executive Director shall forward it to the European Parliament, the Council, the Commission and the Member States.

Article 9

1. The Agency shall be headed by an Executive Director appointed by the management board on a proposal from the Commission for a period of five years, which shall be renewable. The Executive Director shall be the legal representative of the Agency. He shall be responsible:

- for the proper preparation and execution of the decisions and programmes adopted by the management board,
- for the day-to-day administration of the Agency,
- for the performance of the tasks defined in Articles 12 and 13,
- for the preparation and publication of the reports specified in Article 2 (vi),
- for all staff matters,
- for the performance of the tasks referred to in Article 8 (4) and (5).

He shall obtain the opinion of the scientific committee, referred to in Article 10, for the purposes of recruitment of the Agency's scientific staff.

2. The Executive Director shall be accountable to the management board for his activities.

Article 10

1. The management board and the Executive Director shall be assisted by a scientific committee which shall deliver an opinion where provided for in this Regulation and on any scientific matter concerning the Agency's activity which the management board or the Executive Director may submit to it.

The opinions of the scientific committee shall be published.

2. The scientific committee shall be made up of nine members particularly qualified in the field of the environment, designated by the management board for a term of four years renewable once. It shall function as determined by the rules of procedure provided for in Article 8 (2).

Article 11

1. Estimates shall be drawn up of all the Agency's revenue and expenditure for each financial year, which shall correspond to the calendar year, and shall be entered in the Agency's budget.

2. The revenue and expenditure shown in the budget shall be in balance.

3. The revenue of the Agency shall, without prejudice to other resources, consist of a subsidy from the Community entered in the general budget of the European Communities and payments for services rendered.

4. The expenditure of the Agency shall include, *inter alia*, staff remuneration, administrative and infrastructure expenses, operating costs and expenditure relating to

contracts concluded with institutions or bodies forming part of the network and with third parties.

Article 12

1. By 31 March each year the Executive Director shall draw up a draft estimate of the Agency's revenue and expenditure for the following financial year and shall forward it to the management board, together with an establishment plan.

2. The management board shall draw up the estimate accompanied by the establishment plan and shall forward it immediately to the Commission, which on that basis shall establish the relevant estimates in the preliminary draft budget which it places before the Council pursuant to Article 203 of the Treaty.

3. The management board shall adopt the Agency's budget before the beginning of the financial year, adjusting it where necessary to the Community subsidy and the Agency's other resources.

Article 13

1. The Executive Director shall implement the budget of the Agency.

2. Monitoring of the commitment and payment of all the Agency's expenditure and of the establishment and recovery of all the Agency's revenue shall be carried out by the financial controller appointed by the management board.

3. By 31 March each year the Executive Director shall send the Commission, the management board and the Court of Auditors the accounts for all the Agency's revenue and expenditure in respect of the preceding financial year. The Court of Auditors shall examine them in accordance with Article 206a of the Treaty.

4. The management board shall give a discharge to the Executive Director in respect of the implementation of the budget.

Article 14

After the Court of Auditors has delivered its opinion, the management board shall adopt the internal financial provisions specifying, in particular, the procedure for establishing and implementing the Agency's budget.

Article 15

1. The Agency shall actively seek the cooperation of other Community bodies and programmes, and notably the Joint Research Centre, the Statistical Office and the Community's environmental research and development programmes. In particular:

- cooperation with the Joint Research Centre shall include the tasks set out in the Annex under A,
- coordination with the Statistical Office of the European Communities (Eurostat) and the statistical programme of the European Communities will follow the guidelines outlined in the Annex under B.

2. The Agency shall also cooperate actively with other bodies such as the European Space Agency, the Organization for Economic Cooperation and Development, the Council of Europe and the International Energy Agency as well as the United Nations and its specialized agencies, particularly the United Nations Environment Programme (UNEP), the World Meteorological Organization and the International Atomic Energy Authority.

3. The cooperation referred to in paragraphs 1 and 2 must in particular take account of the need to avoid any duplication of effort.

Article 16

The Protocol on the Privileges and Immunities of the European Communities shall apply to the Agency.

Article 17

The staff of the Agency shall be subject to the Regulations and Rules applicable to officials and other servants of the European Communities.

The Agency shall exercise in respect of its staff the powers devolved to the Appointing Authority.

The management board shall, in agreement with the Commission, adopt the appropriate implementing rules.

Article 18

1. The contractual liability of the Agency shall be governed by the law applicable to the contract in question. The Court of Justice of the European Communities shall have jurisdiction to give judgment pursuant to an arbitration clause contained in a contract concluded by the Agency.

2. In the case of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by the Agency or its servants in the performance of their duties.

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

Done at Brussels, 7 May 1990.

For the Council

The President

G. COLLINS

The Court of Justice shall have jurisdiction in disputes relating to compensation for any such damage.

3. The personal liability of servants towards the Agency shall be governed by the provisions applying to the staff of the Agency.

Article 19

The Agency is open to countries which are not members of the European Communities but which share the concern of the Communities and the Member States for the objectives of the Agency under agreements concluded between them and the Community following the procedure in Article 228 of the Treaty.

Article 20

No later than two years after the entry into force of this Regulation, and after having consulted the European Parliament, the Council shall, on the same basis as this Regulation and on the basis of a report from the Commission with appropriate proposals, decide on further tasks for the Agency in particular in the following areas :

- associating in the monitoring of the implementation of Community environmental legislation, in cooperation with the Commission and existing competent bodies in the Member States,
- preparing environmental labels and criteria for the award of such labels to environmentally friendly products, technologies, goods, services and programmes which do not waste natural resources,
- promoting environmentally friendly technologies and processes and their use and transfer within the Community and in third countries,
- establishing criteria for assessing the impact on the environment with a view to application and possible revision of Directive 85/337/EEC⁽¹⁾ as provided for in Article 11 thereof.

Article 21

This Regulation shall enter into force on the day following that on which the competent authorities have decided the seat of the Agency⁽²⁾.

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

⁽²⁾ The date of entry into force of the Regulation shall be published in the Official Journal.

*ANNEX***A. Cooperation with the Joint Research Centre**

- Harmonization of environmental measurement methods ⁽¹⁾.
- Intercalibration of instruments ⁽¹⁾.
- Standardization of data formats.
- Development of new environmental measurement methods and instruments.
- Other tasks as agreed between the Executive Director of the Agency and the Director-General of the Joint Research Centre.

B. Cooperation with Eurostat

1. The system will as far as possible make use of the statistical information system established by Eurostat and the national statistical services in the Member States.
 2. The statistical programme in the field of the environment will be agreed between the Executive Director of the Agency and the Director-General of Eurostat and will be submitted for approval to the management board of the Agency and the Statistical Programme Committee.
 3. The statistical programme shall be conceived and implemented within the framework established by the international statistical bodies, such as the UN Statistical Commission, the Conference of European Statisticians and the OECD.
-

⁽¹⁾ Cooperation in these areas shall also take account of the work carried out by the Community Bureau of Reference.

COMMISSION REGULATION (EEC) No 1211/90

of 10 May 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 754/90⁽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 9 May 1990;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 754/90 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 11 May 1990.

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

Done at Brussels, 10 May 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 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 10 May 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	39,80	132,60 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	132,60 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	193,14 ⁽¹⁾ ⁽²⁾
1001 10 90	49,77	193,14 ⁽¹⁾ ⁽²⁾
1001 90 91	40,78	139,15
1001 90 99	40,78	139,15
1002 00 00	65,46	137,92 ⁽⁴⁾
1003 00 10	56,71	136,52
1003 00 90	56,71	136,52
1004 00 10	48,11	128,45
1004 00 90	48,11	128,45
1005 10 90	39,80	132,60 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	132,60 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	140,89 ⁽⁴⁾
1008 10 00	56,71	35,34
1008 20 00	56,71	112,72 ⁽⁴⁾
1008 30 00	56,71	7,71 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	56,71	7,71
1101 00 00	71,56	209,27
1102 10 00	106,11	207,55
1103 11 10	91,98	314,20
1103 11 90	75,71	224,43

⁽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 715/90 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 applied in accordance with Regulation (EEC) No 715/90.

⁽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 1212/90

of 10 May 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 9 May 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 11 May 1990.

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

Done at Brussels, 10 May 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 10 May 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 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	10,88	10,88	10,88
1001 90 99	0	10,88	10,88	10,88
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
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	15,24	15,24	15,24

B. Malt

CN code	(ECU/tonne)				
	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	19,37	19,37	19,37	19,37
1107 10 19	0	14,47	14,47	14,47	14,47
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1213/90**of 10 May 1990****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 7 and 8 May 1990 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 11 May 1990.

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	55,00 ⁽¹⁾
1509 10 90	55,00 ⁽¹⁾
1509 90 00	65,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	12,10
0711 20 90	12,10
1522 00 31	27,50
1522 00 39	44,00
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1214/90**of 8 May 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 11 May 1990.

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

Done at Brussels, 8 May 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	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59		New potatoes	45,59	1926	354,67	93,42	313,50	9 166	34,80	68 450	105,04	33,74
1.20	0702 00 10 0702 00 90		Tomatoes	69,54	2938	540,94	142,49	478,15	13 980	53,09	104 398	160,21	51,47
1.30	0703 10 19		Onions (other than sets)	36,91	1 559	287,12	75,63	253,79	7 420	28,17	55 413	85,03	27,32
1.40	0703 20 00		Garlic	260,72	11 017	2 028,04	534,20	1 792,62	52 413	199,03	391 396	600,65	192,97
1.50	0703 90 00	* 10	Leeks	26,19	1 107	204,09	53,42	180,07	5 121	20,01	39 341	60,10	19,52
1.60	0704 10 10 0704 10 90	* 00	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	198,22	8 376	1 541,83	406,13	1 362,85	39 847	151,32	297 562	456,65	146,71
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	0704 90 90	* 10	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	169,15	7 148	1 315,76	346,58	1 163,02	34 005	129,13	253 933	389,69	125,19
1.100	0704 90 90	* 92 * 98	Chinese cabbage	53,39	2 256	415,32	109,40	367,11	10 733	40,76	80 154	123,00	39,51
1.110	0705 11 10 0705 11 90		Cabbage lettuce (head lettuce)	87,02	3 677	676,90	178,30	598,33	17 494	66,43	130 638	200,48	64,40
1.120	0705 29 00	* 10	Endives	42,02	1 778	328,71	85,98	288,98	8 292	32,08	63 198	96,79	30,93
1.130	0706 10 00	* 21 * 22 * 23 * 25	Carrots	55,46	2 343	431,44	113,64	381,35	11 150	42,34	83 264	127,78	41,05
1.140	0706 90 90	* 11 * 19	Radishes	110,38	4 670	859,25	225,74	758,62	22 025	84,22	165 842	254,04	81,73
1.150	0707 00 11 0707 00 19		Cucumbers	40,37	1 706	314,03	82,72	277,57	8 115	30,82	60 606	93,00	29,88
1.160	0708 10 10 0708 10 90		Peas (<i>Pisum sativum</i>)	130,90	5 531	1 018,24	268,21	900,04	26 315	99,93	196 514	301,57	96,88
1.170	0708 20 10 0708 20 90		Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	112,18	4 740	872,58	229,84	771,29	22 551	85,63	168 402	258,43	83,02
1.180	0708 90 00	* 11 * 12 * 29	Broad beans	34,64	1 464	269,51	70,99	238,22	6 965	26,45	52 014	79,82	25,64
1.190	0709 10 00		Globe artichokes	72,65	3 070	565,14	148,86	499,53	14 605	55,46	109 068	167,38	53,77
1.200			Asparagus :										
1.200.1	0709 20 00	* 11 * 12 * 13 * 14 * 15 * 16	— green	298,42	12 610	2 321,21	611,43	2 051,75	59 989	227,81	447 976	687,48	220,86
1.200.2	0709 20 00	* 91 * 92 * 93 * 94 * 95 * 96	— other	305,10	12 892	2 373,20	625,12	2 097,70	61 333	232,91	458 009	702,88	225,81
1.210	0709 30 00		Aubergines (egg-plants)	72,17	3 049	561,38	147,87	496,21	14 508	55,09	108 343	166,26	53,41
1.220	0709 40 00	* 13 * 14 * 15	Ribbed celery (<i>Apium graveolens</i> , var. <i>dulce</i>)	48,81	2 062	379,70	100,01	335,63	9 813	37,26	73 281	112,46	36,13
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	128,54	5 432	999,87	263,37	883,80	25 841	98,13	192 969	296,13	95,14

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.250	07099050		Fennel	39,04	1 651	303,92	79,84	268,32	7 790	29,79	58 659	89,85	28,91
1.260	07099070		Courgettes	72,46	3 061	563,62	148,46	498,19	14 566	55,31	108 774	166,93	53,63
1.270	07142010	*00	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	08024000	*10	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	08030010	*90	Bananas (other than plantains), fresh	51,25	2 165	398,69	105,01	352,40	10 303	39,12	76 944	118,08	37,93
2.30	08043000	*90	Pineapples, fresh	47,51	2 007	369,61	97,36	326,70	9 552	36,27	71 332	109,47	35,16
2.40	08044010	*10	Avocados, fresh	152,65	6 450	1 187,39	312,77	1 049,56	30 687	116,53	229 158	351,67	112,98
	08044090	*10											
2.50	08045000	*21 *91	Guavas and mangoes, fresh	133,47	5 640	1 038,20	273,47	917,68	26 831	101,89	200 364	307,48	98,78
2.60			Sweet oranges, fresh :										
2.60.1	08051011 08051021 08051031 08051041		— Sanguines and semi-sanguines	58,86	2 487	457,87	120,61	404,72	11 833	44,93	88 366	135,61	43,56
2.60.2	08051015 08051025 08051035 08051045		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	49,52	2 092	385,25	101,48	340,53	9 956	37,81	74 351	114,10	36,65
2.60.3	08051019 08051029 08051039 08051049		— 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	08052010	*11 *21	— Clementines	90,96	3 847	708,75	185,51	625,37	17 785	69,52	136 623	208,74	67,79
2.70.2	08052030	*11 *21	— Monreales and Satsumas	46,75	1 975	363,65	95,79	321,44	9 398	35,69	70 182	107,70	34,60
2.70.3	08052050	*12 *13 *22 *23	— Mandarins and Wilkings	39,28	1 662	307,30	80,38	270,15	7 752	29,99	59 082	90,49	28,91
2.70.4	08052070 08052090	*11 *21 *11 *12 *13 *14 *31 *32 *33 *34	— Tangerines and others	50,82	2 147	395,34	104,13	349,45	10 217	38,80	76 298	117,09	37,61
2.80	08053010	*11 *12	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	42,24	1 785	328,61	86,55	290,46	8 492	32,25	63 419	97,32	31,26
2.85	08053090	*11 *19	Limes (<i>Citrus auranti-folia</i>), fresh	124,36	5 255	967,31	254,80	855,02	24 999	94,93	186 684	286,49	92,04

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.90			Grapefruit, fresh :										
2.90.1	08054000	* 11 * 12	— white	45,07	1904	350,61	92,35	309,91	9061	34,41	67 665	103,84	33,36
2.90.2	08054000	* 21 * 22	— pink	100,63	4 252	782,76	206,18	691,89	20 229	76,82	151 067	231,83	74,48
2.100	08061011 08061015 08061019		Table grapes	122,53	5 177	953,08	251,05	842,45	24 631	93,53	183 938	282,28	90,68
2.110	08071010		Water-melons	52,60	2 222	409,18	107,78	361,68	10 575	40,15	78 970	121,19	38,93
2.120			Melons (other than water-melons)										
2.120.1	08071090	* 12 * 13 * 14 * 15 * 21	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	78,56	3 319	611,06	160,96	540,13	15 792	59,97	117 931	180,98	58,14
2.120.2	08071090	* 16 * 17 * 18 * 19 * 29	— Other	91,43	3 863	711,18	187,33	628,63	18 380	69,79	137 253	210,63	67,67
2.130	08081091 08081093 08081099		Apples	68,07	2 876	529,48	139,47	468,02	13 684	51,96	102 186	156,82	50,38
2.140	08082031 08082033 08082035 08082039	* 91 * 98 * 90 * 90 * 90	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	83,78	3 540	651,72	171,67	576,06	16 843	63,96	125 777	193,02	62,01
2.150	08091000		Apricots	47,04	1 987	365,93	96,39	323,45	9 457	35,91	70 622	108,38	34,81
2.160	08092010 08092090		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	08093000	* 91 * 92 * 93 * 97	Peaches	110,51	4 670	859,61	226,43	759,82	22 216	84,36	165 899	254,59	81,79
2.180	08093000	* 11 * 12 * 13 * 17	Nectarines	99,42	4 206	773,90	203,31	683,27	19 837	75,86	149 369	228,80	73,62
2.190	08094011 08094019		Plums	151,91	6 419	1 181,63	311,25	1 044,46	30 538	115,96	228 046	349,97	112,43
2.200	08101010 08101090		Strawberries	149,17	6 303	1 160,33	305,64	1 025,64	29 988	113,87	223 936	343,66	110,40
2.205	08102010		Raspberries	574,44	24 307	4 493,31	1 175,29	3 950,18	113 358	438,60	863 888	1 323,12	422,80
2.210	08104030		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	08109010		Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	134,53	5 685	1 046,46	275,65	924,99	27 045	102,70	201 960	309,93	99,57
2.230	08109080	* 31 * 32	Pomegranates	72,77	3 105	573,24	148,25	504,48	13 979	55,95	110 349	167,24	52,51
2.240	08109080	* 41 * 42	Khakis	244,37	10 326	1 900,83	500,70	1 680,17	49 125	186,55	366 846	562,98	180,86
2.250	08109030	* 10	Lychees	198,16	8 373	1 541,38	406,01	1 362,45	39 835	151,27	297 475	456,52	146,66

* = The ninth digit is reserved for the Member States (statistical purposes).

COMMISSION REGULATION (EEC) No 1215/90
of 10 May 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 the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/1991 marketing year as a result of the monetary realignment of 5

January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽³⁾;

Whereas Commission Regulation (EEC) No 588/86 ⁽⁴⁾, as last amended by Regulation (EEC) No 1085/90 ⁽⁵⁾, 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 14 May 1990.

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

Done at Brussels, 10 May 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 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁵⁾ OJ No L 108, 28. 4. 1990, p. 90.

ANNEX

to the Commission Regulation of 10 May 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	3,20
0102 90 31	3,20
0102 90 33	3,20
0102 90 35	3,20
0102 90 37	3,20
0201 10 10	6,03
0201 10 90	6,03
0201 20 21	6,03
0201 20 29	6,03
0201 20 31	4,82
0201 20 39	4,82
0201 20 51	7,24
0201 20 59	7,24
0201 20 90	9,05
0201 30 00	10,37
0202 10 00	5,43
0202 20 10	5,43
0202 20 30	4,34
0202 20 50	6,75
0202 20 90	8,14
0202 30 10	6,75
0202 30 50	6,75
0202 30 90	9,35
0206 10 95	10,37
0206 29 91	9,35
0210 20 10	9,05
0210 20 90	10,37
0210 90 41	10,37
0210 90 90	10,37
1602 50 10	10,37
1602 90 61	10,37

COMMISSION REGULATION (EEC) No 1216/90

of 10 May 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,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 10, 0201 10 90, 0201 20 11 and 0201 20 19, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 were fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽⁶⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990.

⁽⁶⁾ OJ No L 83, 30. 3. 1990, p. 102.

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77⁽¹⁾, as amended by Regulation (EEC) No 925/77⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member

State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the appropriate coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage; whereas, the price of adult bovine animals recorded on the representative market or markets of the United Kingdom shall be corrected by the amount of the premium granted to producers under Regulation (EEC) No 1347/86⁽³⁾, as last amended by Regulation (EEC) No 4132/88⁽⁴⁾; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽⁵⁾, as last amended by Regulation (EEC) No 1646/89⁽⁶⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽⁴⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽⁵⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁶⁾ OJ No L 162, 13. 6. 1989, p. 22.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽²⁾, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia;

Whereas Council Regulation (EEC) No 715/90⁽³⁾ lays down the arrangements applicable on 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 various cuts of beef and veal are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets;

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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾,
- 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, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 14 May 1990.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ 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, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 May 1990 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	16,963	(⁽¹⁾) 124,192
0102 90 31	21,788	(⁽¹⁾) 16,963	(⁽¹⁾) 124,192
0102 90 33	—	16,963	(⁽¹⁾) 124,192
0102 90 35	21,788	16,963	(⁽¹⁾) 124,192
0102 90 37	21,788	16,963	(⁽¹⁾) 124,192
— Net weight —			
0201 10 10	—	32,230	(⁽¹⁾) 235,964
0201 10 90	41,397	32,230	(⁽¹⁾) 235,964
0201 20 21	—	32,230	(⁽¹⁾) 235,964
0201 20 29	41,397	32,230	(⁽¹⁾) 235,964
0201 20 31	—	25,785	(⁽¹⁾) 188,771
0201 20 39	33,118	25,785	(⁽¹⁾) 188,771
0201 20 51	49,677	38,676	(⁽¹⁾) 283,157
0201 20 59	49,677	38,676	(⁽¹⁾) 283,157
0201 20 90	—	48,345	(⁽¹⁾) 353,946
0201 30 00	—	55,300	(⁽¹⁾) 404,864
0206 10 95	—	55,300	(⁽¹⁾) 404,864
0210 20 10	—	48,345	353,946
0210 20 90	—	55,300	404,864
0210 90 41	—	55,300	404,864
0210 90 90	—	55,300	404,864
1602 50 10	—	55,300	404,864
1602 90 61	—	55,300	404,864

(⁽¹⁾) In accordance with Regulation (EEC) No 715/90, 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.

(⁽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 1217/90

of 10 May 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 571/88⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3988/87⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;

(b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

(c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;

(d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

(a) 100 % where the market price is more than or equal to 98 % of the guide price;

(b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;

(c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;

(d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 have been fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽⁶⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990.

⁽⁶⁾ OJ No L 83, 30. 3. 1990, p. 102.

coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the relevant coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas, the price of adult bovine animals recorded on the representative market or markets of the United Kingdom shall be corrected by the amount of the premium granted to producers under Council Regulation (EEC) No 1347/86 ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾ ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as last amended by Regulation (EEC) No 1646/89 ⁽⁴⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several

times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ;

Whereas Council Regulation (EEC) No 715/90 ⁽⁵⁾ lays down the arrangements applicable on 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 various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 162, 13. 6. 1989, p. 22.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets;

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⁽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 rela-

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

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as 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.

Article 2

This Regulation shall enter into force on 14 May 1990.

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

Done at Brussels, 10 May 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 10 May 1990 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	(¹) 197,163
0202 20 10	(¹) 197,163
0202 20 30	(¹) 157,730
0202 20 50	(¹) 246,454
0202 20 90	(¹) 295,745
0202 30 10	(¹) 246,454
0202 30 50	(¹) 246,454
0202 30 90	(¹) 339,120
0206 29 91	(¹) 339,120

(¹) In accordance with Regulation (EEC) No 715/90, 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.

COMMISSION REGULATION (EEC) No 1218/90

of 8 May 1990

concerning the stopping of fishing for mackerel by vessels flying the flag of Spain

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 738/90 ⁽⁴⁾, provides for mackerel quotas for 1990;

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

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of ICES divisions II (excluding EC zone), V b (EC zone), VI, VII, VIII a, b, d and e, XII and XIV by vessels flying the flag of Spain or registered in Spain have reached the quota allocated for 1990; whereas Spain has prohibited

fishing for this stock as from 27 April 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES divisions II (excluding EC zone), V b (EC zone), VI, VII, VIII a, b, d and e, XII and XIV by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1990.

Fishing for mackerel in the waters of ICES divisions II (excluding EC zone), V b (EC zone), VI, VII, VIII a, b, d and e, XII and XIV by vessels flying the flag of Spain or registered in Spain is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of application of 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 with effect from 27 April 1990.

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

Done at Brussels, 8 May 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 389, 30. 12. 1989, p. 1.

⁽⁴⁾ OJ No L 82, 29. 3. 1990, p. 7.

COMMISSION REGULATION (EEC) No 1219/90

of 8 May 1990

concerning the stopping of fishing for cod and haddock by vessels flying the flag of the United Kingdom

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as last amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4049/89 of 19 December 1989 allocating, for 1990, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen ⁽³⁾ provides for cod and haddock quotas for 1990;

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

Whereas, according to the information communicated to the Commission, catches of cod and haddock in the waters of ICES divisions I and II (Norwegian waters north of 62°N) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quotas allocated for 1990; whereas the United Kingdom has prohibited fishing for these stocks

as from 27 April 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod and haddock in the waters of ICES divisions I and II (Norwegian waters north of 62°N) vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quotas allocated to the United Kingdom for 1990.

Fishing for cod and haddock in the waters of ICES divisions I and II (Norwegian waters north of 62°N) vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transshipment and the landing of such stocks captured by the abovementioned vessels after the date of application of 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 with effect from 27 April 1990.

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

Done at Brussels, 8 May 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 389, 30. 12. 1989, p. 44.

COMMISSION REGULATION (EEC) No 1220/90
of 10 May 1990
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 140 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down

additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

ANNEX

to the Commission Regulation of 10 May 1990 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund
0401 10 10 000		4,55
0401 10 90 000		4,55
0401 20 11 100		4,55
0401 20 11 500		7,63
0401 20 19 100		4,55
0401 20 19 500		7,63
0401 20 91 100		10,51
0401 20 91 500		12,44
0401 20 99 100		10,51
0401 20 99 500		12,44
0401 30 11 100		16,29
0401 30 11 400		25,72
0401 30 11 700		39,20
0401 30 19 100		16,29
0401 30 19 400		25,72
0401 30 19 700		39,20
0401 30 31 100		46,90
0401 30 31 400		73,85
0401 30 31 700		81,55
0401 30 39 100		46,90
0401 30 39 400		73,85
0401 30 39 700		81,55
0401 30 91 100		93,10
0401 30 91 400		137,37
0401 30 91 700		160,47
0401 30 99 100		93,10
0401 30 99 400		137,37
0401 30 99 700		160,47
0402 10 11 000		50,00
0402 10 19 000		50,00
0402 10 91 000		0,5000
0402 10 99 000		0,5000
0402 21 11 200		50,00
0402 21 11 300		86,71
0402 21 11 500		92,17
0402 21 11 900		100,00
0402 21 17 000		50,00
0402 21 19 300		86,71
0402 21 19 500		92,17
0402 21 19 900		100,00
0402 21 91 100		100,83
0402 21 91 200		101,62
0402 21 91 300		103,07
0402 21 91 400		111,43
0402 21 91 500		114,29
0402 21 91 600		125,18
0402 21 91 700		131,75
0402 21 91 900		139,03
0402 21 99 100		100,83

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

Product code	Destination (*)	Amount of refund
0402 21 99 200		101,62
0402 21 99 300		103,07
0402 21 99 400		111,43
0402 21 99 500		114,29
0402 21 99 600		125,18
0402 21 99 700		131,75
0402 21 99 900		139,03
0402 29 15 200		0,5000
0402 29 15 300		0,8671
0402 29 15 500		0,9217
0402 29 15 900		1,0000
0402 29 19 200		0,5000
0402 29 19 300		0,8671
0402 29 19 500		0,9217
0402 29 19 900		1,0000
0402 29 91 100		1,0083
0402 29 91 500		1,1143
0402 29 99 100		1,0083
0402 29 99 500		1,1143
0402 91 11 110		4,55
0402 91 11 120		10,51
0402 91 11 310		17,83
0402 91 11 350		22,30
0402 91 11 370		27,65
0402 91 19 110		4,55
0402 91 19 120		10,51
0402 91 19 310		17,83
0402 91 19 350		22,30
0402 91 19 370		27,65
0402 91 31 100		21,87
0402 91 31 300		32,67
0402 91 39 100		21,87
0402 91 39 300		32,67
0402 91 51 000		25,72
0402 91 59 000		25,72
0402 91 91 000		93,10
0402 91 99 000		93,10
0402 99 11 110		0,0455
0402 99 11 130		0,1051
0402 99 11 150		0,1796
0402 99 11 310		20,57
0402 99 11 330		25,13
0402 99 11 350		34,08
0402 99 19 110		0,0455
0402 99 19 130		0,1051
0402 99 19 150		0,1796
0402 99 19 310		20,57
0402 99 19 330		25,13
0402 99 19 350		34,08
0402 99 31 110		0,2380
0402 99 31 150		35,55
0402 99 31 300		0,4690
0402 99 31 500		0,8155
0402 99 39 110		0,2380
0402 99 39 150		35,55
0402 99 39 300		0,4690

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

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,8155
0402 99 91 000		0,9310
0402 99 99 000		0,9310
0403 10 11 100		4,55
0403 10 11 300		7,63
0403 10 13 000		10,51
0403 10 19 000		16,29
0403 10 31 100		0,0455
0403 10 31 300		0,0763
0403 10 33 000		0,1051
0403 10 39 000		0,1629
0403 90 11 000		50,00
0403 90 13 000		50,00
0403 90 19 000		100,83
0403 90 31 000		0,5000
0403 90 33 000		0,5000
0403 90 39 000		1,0083
0403 90 51 100		4,55
0403 90 51 300		7,63
0403 90 53 000		10,51
0403 90 59 110		16,29
0403 90 59 140		25,72
0403 90 59 170		39,20
0403 90 59 310		46,90
0403 90 59 340		73,85
0403 90 59 370		81,55
0403 90 59 510		93,10
0403 90 59 540		137,37
0403 90 59 570		160,47
0403 90 61 100		0,0455
0403 90 61 300		0,0763
0403 90 63 000		0,1051
0403 90 69 000		0,1629
0404 90 11 100		50,00
0404 90 11 910		4,55
0404 90 11 950		17,83
0404 90 13 120		50,00
0404 90 13 130		86,71
0404 90 13 140		92,17
0404 90 13 150		100,00
0404 90 13 911		4,55
0404 90 13 913		10,51
0404 90 13 915		16,29
0404 90 13 917		25,72
0404 90 13 919		39,20
0404 90 13 931		17,83
0404 90 13 933		22,30
0404 90 13 935		27,65
0404 90 13 937		32,67
0404 90 13 939		34,19
0404 90 19 110		100,83
0404 90 19 115		101,62
0404 90 19 120		103,07
0404 90 19 130		111,43
0404 90 19 135		114,29

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

Product code	Destination (*)	Amount of refund
0404 90 19 150		125,18
0404 90 19 160		131,75
0404 90 19 180		139,03
0404 90 19 900		—
0404 90 31 100		50,00
0404 90 31 910		4,55
0404 90 31 950		17,83
0404 90 33 120		50,00
0404 90 33 130		86,71
0404 90 33 140		92,17
0404 90 33 150		100,00
0404 90 33 911		4,55
0404 90 33 913		10,51
0404 90 33 915		16,29
0404 90 33 917		25,72
0404 90 33 919		39,20
0404 90 33 931		17,83
0404 90 33 933		22,30
0404 90 33 935		27,65
0404 90 33 937		32,67
0404 90 33 939		34,19
0404 90 39 110		100,83
0404 90 39 115		101,62
0404 90 39 120		103,07
0404 90 39 130		111,43
0404 90 39 150		114,29
0404 90 39 900		—
0404 90 51 100		0,5000
0404 90 51 910		0,0455
0404 90 51 950		20,57
0404 90 53 110		0,5000
0404 90 53 130		0,8671
0404 90 53 150		0,9217
0404 90 53 170		1,0000
0404 90 53 911		0,0455
0404 90 53 913		0,1051
0404 90 53 915		0,1629
0404 90 53 917		0,2572
0404 90 53 919		0,3920
0404 90 53 931		20,57
0404 90 53 933		25,13
0404 90 53 935		34,08
0404 90 53 937		35,55
0404 90 53 939		—
0404 90 59 130		1,0083
0404 90 59 150		1,1143
0404 90 59 930		0,5652
0404 90 59 950		0,8155
0404 90 59 990		0,9310
0404 90 91 100		0,5000
0404 90 91 910		0,0455
0404 90 91 950		20,57
0404 90 93 110		0,5000
0404 90 93 130		0,8671
0404 90 93 150		0,9217

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

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,0000
0404 90 93 911		0,0455
0404 90 93 913		0,1051
0404 90 93 915		0,1629
0404 90 93 917		0,2572
0404 90 93 919		0,3920
0404 90 93 931		20,57
0404 90 93 933		25,13
0404 90 93 935		34,08
0404 90 93 937		35,55
0404 90 93 939		—
0404 90 99 130		1,0083
0404 90 99 150		1,1143
0404 90 99 930		0,5652
0404 90 99 950		0,8155
0404 90 99 990		0,9310
0405 00 10 100		—
0405 00 10 200		128,54
0405 00 10 300		161,71
0405 00 10 500		165,85
0405 00 10 700		170,00
0405 00 90 100		170,00
0405 00 90 900		215,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	...	84,94
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	...	113,25
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	...	120,33
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	...	134,49
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 420/90 (OJ No L 44, 20. 2. 1990, p. 15).

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

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

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

COMMISSION REGULATION (EEC) No 1221/90
of 10 May 1990
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1898/89 ⁽³⁾, as last amended by Regulation (EEC) No 1025/90 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1898/89 to

the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,50 per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 184, 30. 6. 1989, p. 10.

⁽⁴⁾ OJ No L 106, 26. 4. 1990, p. 21.

COMMISSION REGULATION (EEC) No 1222/90**of 10 May 1990****amending Commission Regulation (EEC) No 287/90 setting out some detailed rules for private storage aid for lamb in the period 1 January to 30 April 1990**

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 7 (5) thereof;Whereas, while waiting for a general revision of all provisions relative to private storage in different meat sectors, it is necessary to extend the validity of Commission Regulation (EEC) No 287/90⁽²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second indent of Article 10 of Regulation (EEC) No 287/90 is hereby replaced by the following:

'It shall apply to private storage opened during the period 1 January to 30 June 1990'.

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

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

Done at Brussels, 10 May 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 31, 2. 2. 1990, p. 11.

COMMISSION REGULATION (EEC) No 1223/90

of 10 May 1990

laying down definitive measures on the issuing of STM licences for 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, and in particular Article 85 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 4026/89 ⁽³⁾ sets the indicative ceiling for imports into Spain of certain beef and veal products for 1990;

Whereas applications for STM licences lodged in the week 26 to 30 March 1990 for live animals are for quantities far higher than the fraction of the indicative ceiling applying for the second quarter of 1990;

Whereas the Commission accordingly adopted by an emergency procedure appropriate interim protective measures by Regulation (EEC) No 881/90 ⁽⁴⁾; whereas definitive measures must be adopted; whereas, in view of the situation of the market in Spain, an increase in the indicative ceiling cannot be contemplated;

Whereas, as a definitive measure as mentioned in Article 85 (3) of the Act, suspension of the issuing of STM licences provided for in Article 1 (2) of Regulation (EEC) No 881/90 should be extended in order to prevent any disturbance on the Spanish market;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The issuing of STM licences for the beef and veal products referred to in Regulation (EEC) No 881/90 is hereby suspended until 30 June 1990 inclusive.
2. Applications for STM licences may be reintroduced from 18 June 1990.

Article 2

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

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

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 382, 30. 12. 1989, p. 62.

⁽⁴⁾ OJ No L 92, 7. 4. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1224/90

of 10 May 1990

amending Regulation (EEC) No 1799/76 laying down detailed rules for the application of special measures in respect of linseed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for linseed⁽¹⁾, as last amended by Regulation (EEC) No 4003/87⁽²⁾, and in particular Article 2 (4) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 1799/76⁽³⁾, as last amended by Regulation (EEC) No 3163/89⁽⁴⁾, provides that an average world market price is to be determined each week on the basis of the most favourable offers and quotations; whereas, as such offers and quotations are not always available each week, provision should be made for the possibility of determining the average price twice a month only;

Whereas Article 3 of Regulation (EEC) No 1774/76 of 20 July 1976 on special measures for linseed⁽⁵⁾ provides that the producer Member States are to introduce a checking system to ensure, in the case of each linseed grower, that the crop area in respect of which a subsidy has been applied corresponds to the area on which the linseed has actually been sown and harvested; whereas, in order to facilitate such checks, in the case of seed flax, certain provisions of Regulation (EEC) No 1799/76 adopted pursuant to Article 3 of Regulation (EEC) No 1774/76 should be made more precise;

Whereas, to avoid the risk of fraudulent operations, certain conditions under which the subsidy is granted should be specified; whereas, to the same end, uniform provisions should be laid down on the grant of the subsidy where the areas ascertained during a check differ from those indicated in declarations of areas sown and harvested;

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

Regulation (EEC) No 1799/76 is hereby amended as follows:

(¹) OJ No L 67, 15. 3. 1976, p. 29.
(²) OJ No L 377, 31. 12. 1987, p. 46.
(³) OJ No L 201, 27. 7. 1976, p. 14.
(⁴) OJ No L 307, 24. 10. 1989, p. 20.
(⁵) OJ No L 199, 24. 7. 1976, p. 1.

1. The words 'for which normal cultivation work has been carried out and' are added to Article 3 (1) (a).

2. In Article 4 (1), 'each week' is replaced by 'at least twice a month'.

3. In Article 4 (2), 'weekly' is deleted.

4. Article 8 (1) is replaced by the following:

'1. Except in cases of *force majeure*, all growers of linseed shall submit a declaration of areas sown not later than 15 June each year for the following marketing year.

If the area on which seeds emerge proves to be smaller than that indicated in the declaration, the declarant must forward the relevant figures to the competent authorities within the same time limit.'

5. The following paragraph is inserted in Article 8:

'3. A declaration relating to an area of at least three hectares shall be admissible only if:

— it is endorsed by a body designated by the Member State concerned,

or

— it is accompanied by a document certifying to the satisfaction of the Member State concerned that the declaration is accurate.

Member States may provide that declarations relating to an area of less than three hectares shall be admissible only if they are endorsed by a body designated by them.'

6. The following Article 8a is inserted:

'Article 8a

1. The checks provided for in Article 3 of Regulation (EEC) No 1774/76 shall be carried out on at least 5 % of the declarations of areas sown referred to in Article 8 and on a representative percentage of the crop declarations referred to in Article 9, having regard to the geographical distribution of the areas concerned.

2. The checks shall comprise inspection and measurement of the areas in question.

Each visit for checking purposes shall be recorded in a report indicating in particular the area measured, the measuring instruments used and, where applicable, that the check could not be made for reasons attributable to the declarant.

3. Where significant irregularities arise relating to 6 % or more of the checks carried out, Member States shall notify the Commission thereof forthwith and shall state what measures have been taken.'

7. The following Article 8b is inserted:

'Article 8b

If a check as provided for in Article 3 of Regulation (EEC) No 1774/76 shows that the area declared is:

- (a) less than that ascertained by the check, the area ascertained shall be used;
- (b) greater than that ascertained by the check, the area used shall be the ascertained area minus the difference between the area originally declared and that ascertained, without prejudice to any penalties laid down under national law.

However, if the difference is considered justified by the Member States concerned the ascertained area shall be used.

Member States shall notify the Commission of action taken pursuant to this Article including decisions under the second subparagraph of point (b).'

8. The following paragraph is added to Article 9:

'3. Without prejudice to paragraph 4, if the area indicated in the crop declaration is greater than that indicated in the declaration of areas sown, the latter area shall be used.'

9. The following paragraph is added to Article 9:

'4. If a check as provided for in Article 3 of Regulation (EEC) No 1774/76 shows that the area indicated in the crop declaration is:

- (a) less than that ascertained by the check, the area ascertained shall be used;
- (b) greater than that ascertained by the check, the area used shall be the ascertained area minus the difference between the area indicated in the crop

declaration and that ascertained, without prejudice to any penalties provided for under national law and the provisions of (c).

However if the difference is considered justified by the Member State the ascertained area shall be used;

- (c) greater than that ascertained by the check and if, for the declarant in question, areas indicated in the declaration of areas sown or harvested have been reduced during the same marketing year or the preceding one in accordance with Article 8b or point (b) of this paragraph, the aid application shall be rejected.

However, if the difference is considered justified by the Member State the ascertained area shall be used.

Member States shall notify the Commission of action taken pursuant to this paragraph, including decisions under the second subparagraph of points (b) or (c).'

10. The following Article 12a is inserted in Chapter V:

'Article 12a

Except in cases of *force majeure*, if a check cannot be carried out for reasons attributable to the declarant the application for the subsidy for linseed shall be rejected.'

11. Article 14 is deleted.

12. In Article 17 (1), 'Article 11 (2) (d)' is replaced by 'the second indent of Article 11 (2)'.

Article 2

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

It shall apply from the 1990/91 marketing year.

However, Article 1 (5) shall apply from the 1991/92 marketing year.

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

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1225/90

of 10 May 1990

amending Regulation (EEC) No 1767/82 as regards the description of Kashkaval cheese

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 14 (7) thereof,

Whereas the Community has granted certain third countries import concessions for Kashkaval cheese;

Whereas certain difficulties have arisen in the description of that cheese when the IMA 1 certificate as provided for in Article 1 of Commission Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products ⁽³⁾, as last amended by Regulation (EEC) No 107/90 ⁽⁴⁾, is drawn up;

Whereas, following the introduction of the new combined nomenclature from 1 January 1988, the characteristics of Kashkaval cheese should be specified; whereas Annexes I, III and IV to Regulation (EEC) No 1767/82 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1767/82 is hereby amended as follows:

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

Done at Brussels, 10 May 1990.

1. in point (o) of Annex I, CN code '0406 90 29' is replaced by 'ex 0406 90 29' and the description 'Kashkaval' is replaced by 'Kashkaval cheese of sheep's milk, matured for at least two months, of a minimum fat content of 45 % by weight in the dry matter and a dry matter content of at least 58 %, in whole cheeses of a net maximum weight of 10 kg, whether or not wrapped in plastic';

2. point K of Annex III is replaced by the following:

'K. As regards Kashkaval cheeses listed under (o) in Annex I and falling within CN code ex 0406 90 29:

(a) Box 7 by specifying "Kashkaval cheese of sheep's milk, matured for at least two months, of a dry matter content of at least 58 %, in cheeses whether or not wrapped in plastic of a maximum net weight of 10 kg";

(b) Box 10 by specifying "exclusively home-produced sheep's milk";

(c) Box 11';

3. in Annex IV, the CN code '0406 90 29' appearing alongside the third countries Bulgaria, Cyprus, Hungary, Israel, Romania, Turkey and Yugoslavia is replaced by 'ex 0406 90 29'.

Article 2

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

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 196, 5. 7. 1982, p. 1.

⁽⁴⁾ OJ No L 13, 17. 1. 1990, p. 13.

COMMISSION REGULATION (EEC) No 1226/90
of 10 May 1990
abolishing a countervailing charge on tomatoes originating in Albania

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 1083/90⁽³⁾ introduced a countervailing charge on tomatoes originating in Albania;

Whereas for tomatoes originating in Albania there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Albania can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1083/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 108, 28. 4. 1990, p. 86.

COMMISSION REGULATION (EEC) No 1227/90

of 10 May 1990

introducing a countervailing charge on tomatoes originating in the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 1008/90⁽³⁾, as amended by Commission Regulation (EEC) No 1109/90⁽⁴⁾, introduced a countervailing charge on tomatoes originating in the Canary Islands;

Whereas for tomatoes originating in the Canary Islands there were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in the Canary Islands can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1008/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 118, 29. 4. 1989, p. 12.
⁽³⁾ OJ No L 104, 24. 4. 1990, p. 11.
⁽⁴⁾ OJ No L 111, 1. 5. 1990, p. 75.

COMMISSION REGULATION (EEC) No 1228/90

of 10 May 1990

fixing the maximum export refund for white sugar for the 53rd 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 last amended by Regulation (EEC) No 653/90⁽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 53rd 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 53rd 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 29,171 per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 71, 17. 3. 1990, p. 15.

COMMISSION REGULATION (EEC) No 1229/90
of 10 May 1990

fixing the maximum export refund for white sugar for the second partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 983/90

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 983/90 of 19 April 1990 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 983/90, 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 second 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 second partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 983/90 the maximum amount of the export refund is fixed at ECU 31,730 per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 100, 20. 4. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1230/90
of 10 May 1990

**amending Regulation (EEC) No 906/90 adopting exceptional support measures
for the market in pigmeat in Belgium and repealing Regulation (EEC) No 620/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in certain production regions in Belgium, exceptional support measures for the market in pigmeat have been adopted for that Member State by Commission Regulation (EEC) No 906/90⁽³⁾;

Whereas, for veterinary reasons, the restrictions on the free movement of live pigs and pigmeat products remain in force; whereas, therefore, the final date laid down for the buying of heavy live pigs and heavy piglets under Regulation (EEC) No 906/90 should be extended;

Whereas, it is important to clarify the buying-in date of the animals as being the day on which they are weighed and stunned after being taken away from the farm;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 906/90 is hereby amended as follows:

1. In Article 1 of Regulation (EEC) No 906/90, '10 May 1990' is replaced by '24 May 1990'.
2. Article 3 is replaced by the following:

Article 3

The pigs are weighed and stunned on the buying-in day in such a way that the disease shall not spread.

They are transported without delay to a rendering plant and processed into products falling within CN codes 1501 00 11, 1506 00 00 and 2301 10 00.

The operations shall be carried out under the control of the competent authorities of Belgium.

Article 2

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

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

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 93, 10. 4. 1990, p. 27.

COMMISSION REGULATION (EEC) No 1231/90
of 10 May 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 982/90⁽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 588/90⁽⁷⁾, as last amended by Regulation (EEC) No 1139/90⁽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, rape and sunflower 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 applica-

tion 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 588/90 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, rape and sunflower seed will be confirmed or replaced as from 11 May 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.

Article 2

This Regulation shall enter into force on 11 May 1990.

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

Done at Brussels, 10 May 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 100, 20. 4. 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 59, 8. 3. 1990, p. 39.

⁽⁸⁾ OJ No L 113, 4. 5. 1990, p. 21.

⁽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 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,770	1,770	1,770	1,770
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	26,612	26,472	19,850	19,850	19,850	19,850
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	63,09	62,77	46,47	46,49	46,49	46,68
— Netherlands (Fl)	70,20	69,83	52,36	52,36	52,36	52,55
— BLEU (Bfrs/Lfrs)	1 285,01	1 278,25	958,50	958,50	958,50	958,50
— France (FF)	202,85	201,75	155,86	155,86	155,86	155,86
— Denmark (Dkr)	237,65	236,40	177,26	177,26	177,26	177,26
— Ireland (£ Irl)	22,577	22,455	17,347	17,347	17,347	17,317
— United Kingdom (£)	16,850	16,731	14,166	14,114	14,114	13,963
— Italy (Lit)	44 567	44 322	34 771	34 771	34 771	34 750
— Greece (Dr)	4 605,60	4 546,16	3 970,55	3 909,62	3 909,62	3 777,14
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	270,63	270,63	270,63	270,63
— in another Member State (Pta)	3 811,81	3 791,19	2 893,18	2 884,04	2 884,04	2 857,11
(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)	5 503,95	5 474,99	4 381,58	4 360,12	4 360,12	4 297,81

(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 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)
1. Gross aids (ECU):						
— Spain	3,670	3,670	4,270	4,270	4,270	4,270
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	29,112	28,972	22,350	22,350	22,350	22,350
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	69,00	68,67	52,32	52,34	52,34	52,53
— Netherlands (Fl)	76,79	76,42	58,96	58,96	58,96	59,14
— BLEU (Bfrs/Lfrs)	1 405,73	1 398,97	1 079,21	1 079,21	1 079,21	1 079,21
— France (FF)	222,09	220,99	175,49	175,49	175,49	175,49
— Denmark (Dkr)	259,97	258,72	199,59	199,59	199,59	199,59
— Ireland (£ Irl)	24,719	24,597	19,532	19,532	19,532	19,502
— United Kingdom (£)	18,611	18,492	16,115	16,063	16,063	15,912
— Italy (Lit)	48 817	48 572	39 150	39 150	39 150	39 129
— Greece (Dr)	5 085,54	5 026,10	4 513,91	4 452,98	4 452,98	4 320,49
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	652,87	652,87	652,87	652,87
— in another Member State (Pta)	4 194,05	4 173,43	3 275,42	3 266,28	3 266,28	3 239,35
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	499,40	517,26	517,26	517,26	517,26
— in another Member State (Esc)	6 003,36	5 974,39	4 898,83	4 877,37	4 877,37	4 815,06

(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 5	1st period 6	2nd period 7	3rd period 8 (1)	4th period 9 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	8,620	8,620
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	36,081	35,881	35,681	26,700	26,700
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	85,46	84,99	84,53	62,53	62,53
— Netherlands (Fl)	95,18	94,65	94,12	70,43	70,43
— BLEU (Bfrs/Lfrs)	1 742,24	1 732,58	1 722,93	1 289,26	1 289,26
— France (FF)	275,66	274,09	272,52	209,64	209,64
— Denmark (Dkr)	322,21	320,42	318,63	238,43	238,43
— Ireland (£ Irl)	30,680	30,506	30,331	23,333	23,333
— United Kingdom (£)	23,441	23,271	23,074	19,241	19,241
— Italy (Lit)	60 637	60 286	59 936	46 770	46 770
— Greece (Dr)	6 402,68	6 328,17	6 239,65	5 335,08	5 335,08
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 317,96	1 317,96
— in another Member State (Pta)	4 565,67	4 536,21	4 503,11	3 419,86	3 419,86
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	8 008,21	7 965,90	7 912,37	6 366,54	6 366,54
— in another Member State (Esc)	7 833,17	7 791,79	7 739,44	6 227,39	6 227,39
3. Compensatory aids:					
— in Spain (Pta)	4 536,19	4 506,73	4 473,62	3 389,56	3 389,56
4. Special aid:					
— in Portugal (Esc)	7 833,17	7 791,79	7 739,44	6 227,39	6 227,39

(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.

(2) 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 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10
DM	2,046840	2,042850	2,039090	2,035770	2,035770	2,026500
Fl	2,301110	2,297420	2,293950	2,290440	2,290440	2,280580
Bfrs/Lfrs	42,361800	42,342400	42,326700	42,302400	42,302400	42,212700
FF	6,869800	6,865720	6,861140	6,856010	6,856010	6,841310
Dkr	7,802370	7,805200	7,805600	7,807370	7,807370	7,802630
£Irl	0,764558	0,764754	0,765544	0,766056	0,766056	0,769832
£	0,740617	0,743591	0,746364	0,749102	0,749102	0,757044
Lit	1 500,53	1 501,94	1 503,39	1 504,52	1 504,52	1 509,02
Dr	201,04700	204,21200	207,36000	210,47400	210,47400	217,24500
Esc	181,57200	182,29500	183,21900	184,27000	184,27000	187,32200
Pta	128,63400	129,06600	129,48400	129,90400	129,90400	131,14200

COMMISSION REGULATION (EEC) No 1232/90

of 10 May 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 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 Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1043/90⁽⁷⁾, as amended by Regulation (EEC) No 1111/90⁽⁸⁾;

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 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 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 107, 27. 4. 1990, p. 41.

⁽⁸⁾ OJ No L 111, 1. 5. 1990, p. 80.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 9 May 1990;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1043/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 11 May 1990.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 May 1990 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 ⁽¹⁾	59,67	132,55	139,20
0714 10 91	56,65	136,18 ⁽²⁾ ⁽⁷⁾	136,18
0714 10 99	59,67	134,37	139,20
0714 90 11	56,65	136,18 ⁽²⁾ ⁽⁷⁾	136,18
0714 90 19	59,67	134,37 ⁽²⁾	139,20
1102 90 10	108,01	245,12	251,16
1103 19 30	108,01	245,12	251,16
1103 29 20	108,01	245,12	251,16
1104 11 10	60,80	138,90	141,92
1104 11 90	119,34	272,36	278,40
1104 21 10	93,66	217,89	220,91
1104 21 30	93,66	217,89	220,91
1104 21 50	147,67	340,45	346,49
1104 21 90	60,80	138,90	141,92
1106 20 10	59,67	132,55 ⁽²⁾	139,20
1107 10 91	111,72	242,40	253,28 ⁽²⁾
1107 10 99	86,22	181,12	192,00
1107 20 00	98,69	211,08	221,96 ⁽²⁾

⁽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 715/90 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:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 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.

⁽⁷⁾ In accordance with Regulation (EEC) No 715/90 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.

COMMISSION REGULATION (EEC) No 1233/90

of 10 May 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 1176/90 ⁽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 11 May 1990.

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

Done at Brussels, 10 May 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 118, 9. 5. 1990, p. 30.

ANNEX

to the Commission Regulation of 10 May 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	30,24 ⁽¹⁾
1701 11 90	30,24 ⁽¹⁾
1701 12 10	30,24 ⁽¹⁾
1701 12 90	30,24 ⁽¹⁾
1701 91 00	32,77
1701 99 10	32,77
1701 99 90	32,77 ⁽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 1234/90

of 10 May 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 11 May 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, 10 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 May 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	23,84 ⁽¹⁾	
1701 11 90 910	24,49 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	23,84 ⁽¹⁾	
1701 12 90 910	24,49 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2592
1701 99 10 100	25,92	
1701 99 10 910	26,62	
1701 99 10 950	26,62	
1701 99 90 100		0,2592

⁽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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 7 May 1990

**authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries**

(90/225/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 89/335/EEC⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with third countries concerned based on Agreements requested authorization to extend or renew the abovementioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community agreements; whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the agreements concerned may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and insofar as their provisions are not contrary to existing common policies.

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 137, 20. 5. 1989, p. 37.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 May 1990.

For the Council

The President

G. COLLINS

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

Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηρής ανανέωσης
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo	Prorrogado ou tacitamente renovado até
(1)	(2)	(3)	(4)
BENELUX	Honduras	Handelsakkoord/ Accord commercial	30. 1. 1959
	Joegoslavië/ Yougoslavie	Handelsakkoord/ Accord commercial	18. 6. 1958
	Marokko/ Maroc	Handelsakkoord/ Accord commercial	5. 8. 1958
DANMARK	Indonesien	Handelsaftale	9. 9. 1952
	Madagaskar	Handelsaftale	10. 12. 1965
	Marokko	Handelsaftale	26. 7. 1961
	Senegal	Handelsaftale	11. 4. 1962
	Tunesien	Handelsaftale	8. 6. 1960
DEUTSCHLAND	Afghanistan	Handelsabkommen	31. 1. 1958
	Jugoslawien	Handelsabkommen	11. 6. 1952
		Protokoll	16. 7. 1964
	Philippinen	Handelsabkommen	28. 2. 1964
	Türkei	Abkommen über Warenverkehr	16. 2. 1952
ΕΛΛΑΔΑ	Ιράν	Εμπορική συμφωνία	3. 2. 1976
	Τυνησία	Εμπορική συμφωνία	2. 3. 1960
	Ιορδανία	Εμπορική συμφωνία	27. 2. 1977
	Συρία	Εμπορική συμφωνία	27. 5. 1969
	Μάλτα	Εμπορική συμφωνία	14. 4. 1976
ESPAÑA	Angola	Acuerdo de cooperación y comercial	18. 3. 1983
	Egipto	Acuerdo comercial	19. 5. 1976
	Irak	Acuerdo de cooperación económica, técnica y comercial	23. 12. 1972
	República Dominicana	Convenio de cooperación económica	2. 6. 1973
	Siria	Convenio de cooperación económica	26. 9. 1952

(1)	(2)	(3)	(4)
FRANCE	RAE (république arabe d'Égypte)	Accord commercial 10. 7. 1964	10. 7. 1991
ITALIA	Colombia	Modus vivendi 19. 6. 1952	19. 6. 1991
	Somalia	Accordo commerciale e di cooperazione economica e tecnica 1. 7. 1960	30. 6. 1991
	Turchia	Accordo commerciale 24. 1. 1952	31. 5. 1991
PORTUGAL	Paquistão	Acordo comercial 6. 7. 1981	6. 7. 1991

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 831/90 of 30 March 1990 adapting the conversion rates to be applied in agriculture fixed by Council Regulation (EEC) No 1678/85

(Official Journal of the European Communities No L 86 of 31 March 1990)

Pages 25 *et seq.*, the following products and agricultural conversion rates shall be added to Annexes I to IX and XI:

ANNEX I**BELGIUM/LUXEMBOURG**

Products	Agricultural conversion rates			
	ECU 1 = Bfrs/Lfrs...	Applicable until	ECU 1 = Bfrs/Lfrs...	Applicable from
Wine	48,2869	31. 8. 1990	48,2869	1. 9. 1990
Flax and hemp	48,2869	31. 7. 1990	48,2869	1. 8. 1990
Cotton	48,2869	31. 8. 1990	48,2869	1. 9. 1990

ANNEX II**DENMARK**

Products	Agricultural conversion rates			
	ECU 1 = Dkr...	Applicable until	ECU 1 = Dkr...	Applicable from
Wine	8,93007	31. 8. 1990	8,93007	1. 9. 1990
Flax and hemp	8,93007	31. 7. 1990	8,93007	1. 8. 1990
Cotton	8,93007	31. 8. 1990	8,93007	1. 9. 1990

ANNEX III**FEDERAL REPUBLIC OF GERMANY**

Products	Agricultural conversion rates			
	ECU 1 = DM...	Applicable until	ECU 1 = DM...	Applicable from
Wine	2,36110	31. 8. 1990	2,36110	1. 9. 1990
Flax and hemp	2,36110	31. 7. 1990	2,36110	1. 8. 1990
Cotton	2,36110	31. 8. 1990	2,36110	1. 9. 1990

ANNEX IV

GREECE

Products	Agricultural conversion rates			
	ECU 1 = Dr...	Applicable until	ECU 1 = Dr...	Applicable from
Wine	204,401	31. 8. 1990	216,600	1. 9. 1990
Flax and hemp	191,975	31. 7. 1990	209,512	1. 8. 1990
Cotton	191,975	31. 8. 1990	209,512	1. 9. 1990

ANNEX V

SPAIN

Products	Agricultural conversion rates			
	ECU 1 = Pta...	Applicable until	ECU 1 = Pta...	Applicable from
Wine	152,896	31. 8. 1990	152,896	1. 9. 1990
Flax and hemp	152,896	31. 7. 1990	152,896	1. 8. 1990
Cotton	154,213	31. 8. 1990	154,213	1. 9. 1990

ANNEX VI

FRANCE

Products	Agricultural conversion rates			
	ECU 1 = FF...	Applicable until	ECU 1 = FF...	Applicable from
Wine	7,69787	31. 8. 1990	7,69787	1. 9. 1990
Flax and hemp	7,69787	31. 7. 1990	7,69787	1. 8. 1990
Cotton	7,69787	31. 8. 1990	7,69787	1. 9. 1990

ANNEX VII

IRELAND

Products	Agricultural conversion rates			
	ECU 1 = £Irl...	Applicable until	ECU 1 = £Irl...	Applicable from
Wine	0,856765	31. 8. 1990	0,856765	1. 9. 1990
Flax and hemp	0,856765	31. 7. 1990	0,856765	1. 8. 1990
Cotton	0,856765	31. 8. 1990	0,856765	1. 9. 1990

ANNEX VIII

ITALY

Products	Agricultural conversion rates			
	ECU 1 = Lit...	Applicable until	ECU 1 = Lit...	Applicable from
Wine	1 703,00	31. 8. 1990	1 739,00	1. 9. 1990
Flax and hemp	1 709,00	31. 7. 1990	1 751,67	1. 8. 1990
Cotton	1 709,00	31. 8. 1990	1 751,67	1. 9. 1990

ANNEX IX

NETHERLANDS

Products	Agricultural conversion rates			
	ECU 1 = Fl...	Applicable until	ECU 1 = Fl...	Applicable from
Wine	2,63785	31. 8. 1990	2,63785	1. 9. 1990
Flax and hemp	2,63785	31. 7. 1990	2,63785	1. 8. 1990
Cotton	2,63785	31. 8. 1990	2,63785	1. 9. 1990

ANNEX XI

UNITED KINGDOM

Products	Agricultural conversion rates			
	ECU 1 = £...	Applicable until	ECU 1 = £...	Applicable from
Wine	0,704335	31. 8. 1990	0,709837	1. 9. 1990
Flax and hemp	0,704335	31. 7. 1990	0,709837	1. 8. 1990
Cotton	0,704335	31. 8. 1990	0,709837	1. 9. 1990