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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1715/90

of 20 June 1990

**on the information provided by the customs authorities of the Member States
concerning the classification of goods in the customs nomenclature**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas the conditions under which traders are able to obtain from the customs authorities information on the interpretation or practical application of Community customs rules differ appreciably in the various Member States; whereas the legal effect of such information also varies considerably, depending on the Member State in which it is provided;

Whereas this situation results in considerable distortions of treatment between traders in the Community, depending on the Member State in which they operate; whereas such distortions of treatment are incompatible with the proper functioning of the customs union and also with the achievement of the internal market provided for in Article 8a of the Treaty, since it is necessary to guarantee, as far as possible, equal treatment of traders within that market;

Whereas it appears necessary, in order to ensure a measure of legal certainty for traders when carrying on their activities, to facilitate the work of the customs services themselves and secure more uniform application of Community customs law, to establish rules which oblige customs authorities to provide information which is binding on the administration under certain well defined conditions;

Whereas the Council has already accepted the principle of the provision of information which is binding on the administration in Regulation (EEC) No 1697/79 of 24 July 1979 on the post-clearance recovery of import duties or export duties which have not been required of the

person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties ⁽⁴⁾, as last amended by Regulation (EEC) No 1854/89 ⁽⁵⁾;

Whereas, however, in view of the scale of structural adjustments which would be required in most of the customs administrations of the Member States by the establishment of rules of general application regarding the provision of binding information, it appears desirable at the present time, to limit the scope of Community rules to information concerning the classification of goods in the customs nomenclature; whereas this is the most important and most useful category of information for traders because of the highly technical nature of the combined nomenclature and the Community nomenclatures derived from it;

Whereas it is necessary to specify precisely the procedure to be followed in order to enable information provided by a customs authority of a Member State concerning the classification of goods in the customs nomenclature to bind the administration of that Member State and, from a date to be determined in an implementing Regulation, the administrations of all Member States; whereas it is also necessary to lay down the conditions governing the use of such information by the holder;

Whereas information provided in accordance with the procedure laid down can bind the administration only in respect of the classification of the goods in question in the customs nomenclature; whereas such information cannot affect the rate of duty or any other measure deriving from that classification which apply at the time of completion of the customs formalities relating to those goods;

Whereas, on grounds of sound administration, it is necessary to establish a time limit after which the information provided can no longer be relied upon by the holder thereof; whereas, however, the time limit laid down must correspond to the realities of international trade; whereas it is also necessary to lay down the conditions under

⁽¹⁾ OJ No C 256, 8. 10. 1981, p. 10;

OJ No C 28, 3. 2. 1989, p. 11.

⁽²⁾ OJ No 81, 22. 3. 1984, p. 7;

OJ No C 113, 7. 5. 1990.

⁽³⁾ OJ No C 64, 15. 3. 1982, p. 13.

⁽⁴⁾ OJ No L 197, 3. 8. 1979, p. 1.

⁽⁵⁾ OJ No L 186, 30. 6. 1989, p. 1.

which the information provided ceases to be valid before the expiry of that time limit, as a result of the adoption of Community measures amending the existing law;

Whereas it is necessary to lay down provisions concerning the communication to the Commission of all binding tariff information provided by the competent authorities of the Member States and concerning the cooperation between the latter and the Commission;

Whereas uniform application of the common rules laid down by this Regulation must be ensured and to that end a Community procedure must be provided enabling measures implementing these rules to be adopted within appropriate periods,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down:
 - (a) the conditions under which information concerning the classification of goods in the customs nomenclature, hereinafter referred to as 'tariff information', may be obtained from the customs authorities of the Member States;
 - (b) the legal effect of such information.
2. For the purposes of this Regulation,
 - (a) 'customs nomenclature' shall mean:
 - the combined nomenclature,
 - the Taric nomenclature and any other nomenclature which is wholly or partly based on the combined nomenclature or which adds any subdivisions to it, and which is established by specific Community provisions with a view to the application of tariff or other measures relating to trade in goods;
 - (b) 'person' shall mean:
 - either a natural person,
 - or a legal person,
 - or, when the possibility is provided for in the rules in force, and association of persons recognized as having legal capacity but lacking the status in law of a legal person;
 - (c) 'customs authority' shall mean any authority competent to apply customs rules, even if that authority is not part of the customs administration.

TITLE I

General provisions

Article 2

1. Any person may apply to the customs authorities for tariff information. Such an application may be refused

where it does not relate to a commercial transaction actually envisaged.

2. Tariff information shall be provided to the applicant free of charge. However, where expenditure is incurred as a result of analysing or obtaining an expert's report on any samples sent to the customs authority and returning them to the applicant, such expenditure may be charged to the latter.

Article 3

1. Where the conditions laid down in Articles 4 to 8 are fulfilled, the tariff information provided by the customs authority shall constitute, within the meaning of this Regulation, binding tariff information in the Member State in which it has been supplied.
2. In accordance with the procedure laid down in Article 10 of Regulation (EEC) No 2658/87⁽¹⁾, the Commission shall adopt a Regulation determining the date with effect from which the binding tariff information shall become binding on the administrations of all Member States under the same conditions as those laid down by this Regulation with regard to its legal effects in the Member State which furnished it. The Commission shall adopt the functional arrangements as necessary.

TITLE II

Procedure for obtaining binding tariff information

Article 4

1. Applications for binding tariff information shall be made in writing to the customs authority designated by the Member State in which the information is to be used.
2. With effect from the entry into force of the provisions mentioned in Article 3 (2), this application may also be addressed to the customs authority in the Member State in which the applicant is established.
3. An application for binding tariff information shall relate to only one type of goods. The customs authority may refuse applications which clearly seem unwarranted.

Article 5

1. Applications for binding tariff information shall include, *inter alia*, the following particulars:
 - (a) the name and address of the applicant; where the application is submitted by a natural or legal person acting on behalf of another person, the name and address of the latter shall also be shown on the application;

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

- (b) the particulars, including, where appropriate, the use to which the goods are to be put, which are necessary to enable the customs authority to reach a decision.

Where classification of the goods in the customs nomenclature depends on the level of certain substances in the goods in question, that level and, where appropriate, the methods of analysis used for determining it shall be notified to the customs authority;

- (c) where an application for binding tariff information has been submitted by a person in respect of identical goods, that person must specify the references relating to that application and, where appropriate, the classification given.

2. Applications for binding tariff information must, where appropriate, be accompanied by representative samples of the goods or, where samples cannot be taken because of the nature of the goods, by photographs, plans, catalogues and such other technical documents as may assist the customs authority to determine the classification of the goods in the customs nomenclature.

Documents enclosed with the applications shall, where appropriate, be accompanied by a translation into the official language or one of the official languages of the Member State concerned.

3. Where an applicant wishes to obtain the classification of goods in one of the nomenclatures referred to in the second indent of Article 1 (2) (a), the application for binding information shall make express mention of the nomenclature in question.

Article 6

Where the customs authority to which an application for binding tariff information has been submitted considers that the application does not contain all the particulars needed to enable it to reach a decision, it shall request the applicant to furnish the missing particulars, indicating that the application cannot be considered as it stands.

Article 7

Without prejudice to the provisions governing the protection of information in force in the Member States, information supplied confidentially shall not be divulged by customs authorities without the express authorization of the person or authority which supplied it, save where the said customs authorities might do so under the law in force or in the course of legal proceedings.

Article 8

Binding tariff information must be notified to the applicant as soon as possible in writing. It must contain, *inter alia*, the following particulars:

- (a) the references relating to the application for information;
- (b) a precise description of the goods in question to enable them to be accurately identified at the time of the customs formalities;

- (c) the levels of certain substances in the goods, where such indication is necessary to ascertain the classification of the goods in the customs nomenclature, together with the method of analysis on which the information is based;

- (d) the classification of the goods in the customs nomenclature;

- (e) the name and address of the person entitled to use the information, hereinafter referred to as the 'holder';

- (f) the date on which the information was supplied;

- (g) where the competent authority considers it appropriate, the reasons for the classification of the goods.

Article 9

1. A copy of the notification of binding tariff information to the applicant must be communicated to the Commission in accordance with the arrangements adopted pursuant to Article 17 (2).

2. Where a Member State so requests, the Commission shall inform it of notifications received concerning specific goods or group of goods.

TITLE III

Legal effect of binding tariff information

Article 10

1. Binding tariff information may be invoked only by the holder thereof, subject to Council Regulation (EEC) No 3632/85 of 12 December 1985 defining the conditions under which a person may be permitted to make a customs declaration⁽¹⁾.

2. Member States may require that the holder, when fulfilling customs formalities, shall notify the customs authority that he is in possession of binding tariff information in respect of the goods being cleared through customs.

3. The holder of binding tariff information may use it in respect of particular goods only where it is established to the satisfaction of the customs service that the goods in question conform in all respects to those described in the information presented.

At the time of customs clearance, the customs service may carry out any check or examination which it deems useful in order to satisfy itself that the goods presented do, in fact, conform to those in respect of which the information has been given.

Article 11

1. Binding tariff information shall be binding on the competent authorities only in respect of the classification of goods in the customs nomenclature.

⁽¹⁾ OJ No L 350, 27. 12. 1985, p. 1.

2. Binding tariff information shall be binding on the administration only in regard to goods in respect of which the customs formalities are completed after the date on which such information is provided by the customs authority.

3. Binding tariff information shall be void where it is established that it was provided on the basis of inaccurate or incomplete data.

Article 12

Without prejudice to Article 13 and 14, binding tariff information may no longer be invoked after a period of six years from the date on which it was provided.

Article 13

Where, as a result of the adoption of :

- a Regulation amending the customs nomenclature, or
- a Regulation determining or affecting the classification of goods in the customs nomenclature,

binding tariff information previously supplied no longer conforms to Community law as thus established, such information shall cease to be valid from the date on which the Regulation in question applies.

Nevertheless, where a Regulation such as that referred to in the second indent above expressly so envisages, binding tariff information may continue to be invoked by the holder thereof during a period fixed by the said Regulation, if the holder has concluded a contract as referred to in Article 14 (3) (a) or (b).

Article 14

1. In addition to the cases referred to in Article 13, binding tariff information shall also cease to be valid where such information is no longer compatible with the interpretation of the customs nomenclature as a result of :

(a) the adoption of any one of the following Community tariff measures :

- amendment of the explanatory notes to the combined nomenclature,
- adoption of a Community classification slip,
- agreement reached in the Nomenclature Committee on the classification of goods, recorded in the minutes of the meeting at which it was reached ;

or,

(b) the following international tariff measures :

- amendment of the explanatory notes to the harmonized system nomenclature,
- a classification opinion of the Customs Cooperation Council,

or

(c) a judgment of the Court of Justice of the European Communities.

2. Without prejudice to paragraph 3, the date on which binding tariff information ceases to be valid pursuant to paragraph 1 shall be the date of publication in the 'C' series of the *Official Journal of the European Communities* of the measures or judgment referred to in paragraph 1 (a) and (c), and of a Commission communication regarding the measures referred to in paragraph 1 (b).

3. In the case of products in respect of which an import or export licence or advance-fixing certificate is submitted when the customs formalities are completed, the binding tariff information which ceases to be valid pursuant to paragraph 1 may continue to be invoked by the holder of the information during the remainder of the period of validity of that licence or certificate.

In other cases, the binding tariff information which ceases to be valid pursuant to paragraph 1 may continue to be invoked by the holder thereof for a period of six months from the date on which he is notified of its non-conformity, as provided in paragraph 2, where it is established to the satisfaction of the customs service that the holder concluded, on the basis of the binding tariff information supplied him and prior to the date of adoption of the tariff measure in question ;

(a) where such information is invoked for the import of goods :

- a binding contract for the purchase of the goods in question, from a supplier established in a non-Community country, or,
- a binding contract for the sale of the goods in question, in an unaltered state or after processing, to a customer established in the Community ;

(b) where such information is invoked for the export of goods :

- a binding contract for the sale of the goods in question to a customer established in a non-Community country, or,
- a binding contract for the purchase of the goods in question from a supplier established in the Community.

4. The application under the conditions laid down in paragraph 3 of the classification given in the binding tariff information shall have effect only in regard to :

- the determination of the import or export duties,
- the calculation of export refunds and any other amounts granted on imports or exports within the framework of the common agricultural policy, and
- the use of import or export licences or advance fixing certificates which are submitted at the time of completion of the formalities with a view to the acceptance of the customs declaration for the goods in question, on condition that such licences or certificates were issued on the basis of the said binding tariff information.

5. In exceptional cases, where there is a risk that the smooth working of arrangements set up within the framework of the common agricultural policy may be jeopardized, it may be decided, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC⁽¹⁾ and in the corresponding Articles of the other regulations on the common organization of the markets, to derogate from paragraph 3.

Article 15

Upon adoption of one of the regulations referred to in Article 13, one of the tariff measures referred to in Article 14 (1) (a) and (b) or following a judgment such as that referred to in Article 14 (1) (c), Member States' administrations shall take the necessary steps to ensure that binding tariff information provided by the customs authorities is in conformity with the measure in question.

The preceding paragraph shall apply even where a specific date is laid down for the entry into force of the tariff measure in question.

Article 16

Where the customs authority amends binding tariff information for a reason other than those referred to in Articles 13 and 14 (1), the information originally supplied shall cease to be valid from the date on which such amendment is notified to the holder.

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

Done at Luxembourg, 20 June 1990.

Article 14 (3), (4) and (5) shall, however, also apply.

TITLE IV

Final provisions

Article 17

1. The Nomenclature Committee provided for in Article 7 of Regulation (EEC) No 2658/87 may examine any question concerning application of this Regulation which is raised by its chairman, either on his own initiative or at the request of a Member State.

2. The provisions required for applying this Regulation shall be adopted in accordance with the procedure laid down in Article 10 of Regulation (EEC) No 2658/87.

Article 18

Binding tariff information supplied nationally before 1 January 1991 shall remain valid. If necessary, some of that information shall be communicated to the Commission as provided for in Article 7.

Nevertheless, binding tariff information supplied nationally whose validity goes beyond, by more than six years, 1 January 1991, shall be invalid from the seventh year.

Article 19

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

It shall apply from 1 January 1991.

For the Council

The President

D. J. O'MALLEY

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

COUNCIL REGULATION (EEC) No 1716/90
of 20 June 1990
amending Regulation (EEC) No 1031/88 determining the persons liable for
payment of a customs debt

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas Council Regulation (EEC) No 2144/87 of 13 July 1987 on customs debt ⁽⁴⁾, as amended by Regulation (EEC) No 4108/88 ⁽⁵⁾, provided for a further case in which a customs debt on import is incurred resulting from the consumption or use in a free zone or a free warehouse, in circumstances other than those covered by the rules in force, of goods liable to import duties;

Whereas, in order to take account of this further case, Regulation (EEC) No 1031/88 ⁽⁶⁾ should be supplemented accordingly; whereas provision should be made that in such a case not only the persons who consumed or used the goods in question in circumstances other than those covered by the rules in force, but also any other persons who are liable, under the provisions in force in the Member States, by reason of such consumption or use, are jointly and severally liable for payment of the customs debt;

Whereas, in cases where goods have disappeared and the customs authorities consider that such goods have been consumed or used in the free zone or the free warehouse and in so far as none of the persons referred to in the preceding recital is known, the person liable for payment of the customs debt shall be the person who, according to the knowledge of the authorities, was last in possession of the goods in question; whereas in this case it is also important to provide that any other persons who are liable, under the provisions in force in the Member States by reason of the fact that the goods are considered to have been used or consumed in the free zone or the free ware-

house, shall be also jointly and severally liable for payment of the customs debt,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article is hereby added to Title I of Regulation (EEC) No 1031/88:

Article 6a

1. Where a customs debt has been incurred pursuant to Article 2 (1) (g) of Regulation (EEC) No 2144/87, the person having consumed or used the goods in a free zone or free warehouse in circumstances other than those covered by the rules in force shall be liable for payment of such debt.

Any other persons who are liable, under the provisions in force in the Member States, by reason of such consumption or use shall also be jointly and severally liable for payment of such debt.

2. Where goods have disappeared and the customs authorities consider that they have been consumed or used in the free zone or free warehouse, and where it is not possible to apply paragraph 1, the person who, according to the knowledge of the authorities, was last in possession of the goods, shall be the person liable for payment of the customs debt.

Any other persons who are liable, under the provisions in force in the Member States, by reason of the fact that the goods are considered to have been used or consumed in the free zone or the free warehouse, shall also be jointly and severally liable for payment of such debt.

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 be applicable from the date of implementation of Council Regulation (EEC) No 2504/88 of 25 July 1988 on free zones and free warehouses ⁽⁷⁾.

⁽¹⁾ OJ No C 142, 8. 6. 1989, p. 5.

⁽²⁾ OJ No C 323, 27. 12. 1989, p. 59;
OJ No C 96, 17. 4. 1990, p. 81.

⁽³⁾ OJ No C 298, 27. 11. 1989, p. 25.

⁽⁴⁾ OJ No L 201, 22. 7. 1987, p. 15.

⁽⁵⁾ OJ No L 361, 29. 12. 1988, p. 2.

⁽⁶⁾ OJ No L 102, 21. 4. 1988, p. 5.

⁽⁷⁾ OJ No L 225, 15. 8. 1988, p. 8.

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

Done at Luxembourg, 20 June 1990.

For the Council

The President

D. J. O'MALLEY

COMMISSION REGULATION (EEC) No 1717/90

of 25 June 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 1340/90⁽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 22 June 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 26 June 1990.

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

Done at Brussels, 25 June 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 134, 28. 5. 1990, 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 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 25 June 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	132,91 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	132,91 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	192,06 ⁽¹⁾ ⁽³⁾
1001 10 90	49,77	192,06 ⁽¹⁾ ⁽³⁾
1001 90 91	40,78	154,52
1001 90 99	40,78	154,52
1002 00 00	65,46	136,37 ⁽⁴⁾
1003 00 10	56,71	131,90
1003 00 90	56,71	131,90
1004 00 10	48,11	123,39
1004 00 90	48,11	123,39
1005 10 90	39,80	132,91 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	132,91 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	145,10 ⁽⁴⁾
1008 10 00	56,71	38,98
1008 20 00	56,71	106,93 ⁽⁴⁾
1008 30 00	56,71	7,05 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	56,71	7,05
1101 00 00	71,56	230,79
1102 10 00	106,11	206,12
1103 11 10	91,98	313,39
1103 11 90	75,71	247,67

⁽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 1718/90

of 25 June 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 1340/90 ⁽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 22 June 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 26 June 1990.

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

Done at Brussels, 25 June 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 134, 28. 5. 1990, 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 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 25 June 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 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	2,23	2,23	2,23
1001 10 90	0	2,23	2,23	2,23
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	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	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 1719/90

of 21 June 1990

amending the list annexed to Regulation (EEC) No 3699/89 establishing for 1990 the list of vessels exceeding eight metres length overall permitted to fish for sole in certain of the Community areas using beam trawls whose aggregate length exceeds nine metres

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 4056/89⁽²⁾,

Having regard to Commission Regulation (EEC) No 3699/89 of 11 December 1989 establishing for 1990 the list of vessels exceeding eight metres length overall authorized to fish for sole in certain Community zones using beam trawls of aggregate length exceeding nine metres⁽³⁾, as last amended by Regulation (EEC) No 1101/90⁽⁴⁾, and in particular Article 2 thereof;

Whereas the German authorities have requested replacement in the list annexed to Regulation (EEC) No 3699/89 of one vessel that no longer meets the requirements laid down in Article 1 (2) of that Regulation; whereas the

national authorities have provided all the information in support of the request required pursuant to Article 2 of Regulation (EEC) No 3699/89; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessel in question should be replaced in the list,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3699/89 is amended as indicated in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 21 June 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 362, 12. 12. 1989, p. 19.

⁽⁴⁾ OJ No L 111, 1. 5. 1990, p. 40.

ANNEX

The Annex to Regulation (EEC) No 3699/89 is amended as follows:

Vessel to be replaced:

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY DIT 4	Speculant		Ditzum	51

Vessel replacing the abovementioned vessel:

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY BX 765	Damkerort	DEXT	Bremerhaven	221

COMMISSION REGULATION (EEC) No 1720/90
of 21 June 1990

amending the list annexed to Regulation (EEC) No 3699/89 establishing for 1990 the list of vessels exceeding eight metres length overall permitted to fish for sole in certain of the Community areas using beam trawls whose aggregate length exceeds nine metres

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

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 4056/89⁽²⁾,

Having regard to Commission Regulation (EEC) No 3699/89 of 11 December 1989 establishing for 1990 the list of vessels exceeding eight metres length overall authorized to fish for sole in certain Community zones using beam trawls of aggregate length exceeding nine metres⁽³⁾, as last amended by Regulation (EEC) No 1719/90⁽⁴⁾, and in particular Article 2 thereof;

Whereas the German authorities have requested withdrawal from the list annexed to Regulation (EEC) No 3699/89 of two vessels that no longer meet the requirements laid down in Article 1 (2) of that Regulation;

whereas the national authorities have provided all the information in support of the request required pursuant to Article 2 of Regulation (EEC) No 3699/89; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessels in question should be withdrawn from the list,

HAS ADOPTED THIS REGULATION:

Article 1

The vessels listed in the Annex to this Regulation are deleted from the Annex to Regulation (EEC) No 3699/89.

Article 2

This Regulation shall enter into force on the 10th day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 21 June 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 362, 12. 12. 1989, p. 19.

⁽⁴⁾ See page 12 of this Official Journal.

ANNEX

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY				
— SU 9	Antares	DLXU	Husum	165
— SW 3	Runholt	DLYA	Wyk/Föhr	182

COMMISSION REGULATION (EEC) No 1721/90
of 21 June 1990

**amending the list annexed to Regulation (EEC) No 55/87 establishing the list of
vessels exceeding eight metres length overall permitted to use beam trawls
within certain areas of the Community**

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

Having regard to Council Regulation (EEC) No 3094/86
of 7 October 1986 laying down certain technical measures
for the conservation of fishery resources⁽¹⁾, as last
amended by Regulation (EEC) No 4056/89⁽²⁾,

Having regard to Commission Regulation (EEC) No
55/87 of 30 December 1986 establishing the list of vessels
exceeding eight metres length overall permitted to use
beam trawls within certain areas of the Community⁽³⁾, as
last amended by Regulation (EEC) No 1694/90⁽⁴⁾, and in
particular Article 3 thereof;

Whereas the French authorities have requested replace-
ment in the list annexed to Regulation (EEC) No 55/87 of
one vessel that no longer meets the requirements laid
down in Article 1 (2) of that Regulation; whereas the
national authorities have provided all the information in

support of the request required pursuant to Article 3 of
Regulation (EEC) No 55/87; whereas scrutiny of this
information shows that the requirements of the Regula-
tion are met; whereas the vessel in question should be
replaced in the list,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 55/87 is amended as
indicated in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day follo-
wing its publication in the *Official Journal of the Euro-
pean Communities*.

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

Done at Brussels, 21 June 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 8, 10. 1. 1987, p. 1.

⁽⁴⁾ OJ No L 158, 23. 6. 1990, p. 9.

ANNEX

The Annex to Regulation (EEC) No 55/87 is amended as follows:

Vessel to be replaced:

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
FRANCE DK 275775 F	Cyclone	FP 8453	Dunkerque	213

Vessel replacing the abovementioned vessel:

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
FRANCE DK 779894 F	Manootche	FG 8312	Dunkerque	162

COMMISSION REGULATION (EEC) No 1722/90

of 21 June 1990

amending the list annexed to Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, as last amended by Regulation (EEC) No 4056/89 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain areas of the Community ⁽³⁾, as last amended by Regulation (EEC) No 1721/90 ⁽⁴⁾, and in particular Article 3 thereof;

Whereas the German authorities have requested withdrawal from the list annexed to Regulation (EEC) No 55/87 of two vessels that no longer meet the requirements laid down in Article 1 (2) of that Regulation; whereas the national authorities have provided all the information in

support of the request required pursuant to Article 3 of Regulation (EEC) No 55/87; whereas scrutiny of this information shows that the requirements of the Regulation are met; whereas the vessels in question should be withdrawn from the list,

HAS ADOPTED THIS REGULATION:

Article 1

The vessels listed in the Annex to this Regulation are deleted from the Annex to Regulation (EEC) No 55/87.

Article 2

This Regulation shall enter into force on the 10th day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 21 June 1990.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 75.

⁽³⁾ OJ No L 8, 10. 1. 1987, p. 1.

⁽⁴⁾ See page 16 of this Official Journal.

ANNEX

External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
GERMANY				
— SU 9	Antares	DLXU	Husum	165
— SW 3	Rungholt	DLYA	Wyk/Föhr	182

COMMISSION REGULATION (EEC) No 1723/90
of 22 June 1990
on the supply of various lots of refined sunflower oil as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 500 tonnes of refined sunflower oil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 22 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation No⁽¹⁾**: 179/90
2. **Programme**: 1989
3. **Recipient**: Bolivia
4. **Representative of the recipient⁽²⁾**: Ing. Enrique Vargas, Superintendente de AADAA, Calle Gen. Arteaga 130, CP 1437 Arica, Chile; tel. 52 780; telex 221043
5. **Place or country of destination**: Bolivia
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods⁽³⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.2)
8. **Total quantity**: 275 tonnes net
9. **Number of lots**: one
10. **Packaging and marking**:
 - metal cans of five litres, with four cans per carton
 - as regards packaging and storage, the provisions on butteroil in point I.3.3 of the Commission notice in OJ No C 216, 14. 8. 1987, p. 7 shall apply. However hermetic sealing in an atmosphere of nitrogen shall not be required
 - the cans and the cartons must carry the following wording:
'ACCION Nº 179/90 / ACEITE DE GIRASOL / DONACION DE LA COMUNIDAD ECONOMICA EUROPEA A BOLIVIA / DISTRIBUCION GRATUITA'
11. **Method of mobilization**: on the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Arica
16. **Address of the warehouse and, if appropriate, port of landing⁽⁶⁾**:
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 4 — 11. 8. 1990
18. **Deadline for the supply**: 30. 9. 1990
19. **Procedure for determining the costs of supply⁽⁴⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 10. 7. 1990, not later than 12 noon. Tenders shall be valid until 12 midnight on 11. 7. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 17. 7. 1990, not later than 12 noon. Tenders shall be considered valid until 12 midnight on 18. 7. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 14 — 21. 8. 1990
 - (c) deadline for the supply: 10. 10. 1990
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tender⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur. N. Arend; bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer**: —

ANNEX II

1. **Operation No** (1): 180/90
2. **Programme**: 1989
3. **Recipient**: Bolivia
4. **Representative of the recipient** (2): Ing. Enrique Vargas, Superintendente de AADAA, Calle Gen. Arteaga 130, CP. 1437 Arica, Chile; tel. 52 780; telex 221043
5. **Place or country of destination**: Bolivia
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.2)
8. **Total quantity**: 225 tonnes net
9. **Number of lots**: one
10. **Packaging and marking**:
 - metal cans of five litres, with four cans per carton
 - as regards packaging and storage, the provisions on butteroil in point I.3.3 of the Commission notice in OJ No C 216, 14. 8. 1987, p. 7 shall apply. However hermetic sealing in an atmosphere of nitrogen shall not be required
 - the cans and the cartons must carry the following wording:
'ACCION Nº 180/90 / ACEITE DE GIRASOL / DONACION DE LA COMUNIDAD ECONOMICA EUROPEA A BOLIVIA / DISTRIBUCION GRATUITA'
11. **Method of mobilization**: on the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Arica
16. **Address of the warehouse and, if appropriate, port of landing**: (7)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 4 — 11. 8. 1990
18. **Deadline for the supply**: 30. 9. 1990
19. **Procedure for determining the costs of supply** (4): tendering
20. **Date of expiry of the period allowed for submission of tenders**: 10. 7. 1990, not later than 12 noon. Tenders shall be valid until 12 midnight on 11. 7. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 17. 7. 1990, not later than 12 noon. Tenders shall be considered valid until 12 midnight on 18. 7. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 14 — 21. 8. 1990
 - (c) deadline for the supply: 10. 10. 1990
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tender(s)** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer: Mr Boselli, Délégation CEE, Calle Orinoco-Las Mercedes, Ap. 768076 Las Americas 1061 A, Caracas, Venezuela; telex 27298 VC.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:

- phytosanitary certificate,
- certificate of origin.

- (4) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of these Annexes, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
 - either by porter at the office referred to in point 24 of these Annexes,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
 - (6) OFINAAL, Sr. A. Castro Canabria, Jefe Almacenes OFINAAL, Prolong. Cordero, 223, San Jorge, La Paz, Bolivia; tel. 36 40 51.
 - (7) OFINAAL, Sr. A. Arrazola, Jefe reg. OFINAAL, Barrio serv. nac. caminos, 76, Oruro, Bolivia; tel. 40 191.
-

COMMISSION REGULATION (EEC) No 1724/90

of 22 June 1990

on the supply of various consignments of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 27 300 tonnes of cereals;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 22 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No** (1): 919/89
2. **Programme**: 1989
3. **Recipient** (2): League of Red Cross and Red Crescent Societies, Logistic Service, PO. Box 372, CH-1211 Genève 19; telex 22555 LRCS CH; tel. 734 55 80, telefax 733-0395
4. **Representative of the recipient** (3): Croissant Rouge Marocain, Palais Mokri, Takaddoum BP 189, Rabat; tel. 508 98/514 95, telex Athilal 319 40 M Rabat
5. **Place or country of destination**: Morocco.
6. **Product to be mobilized**: durum wheat
7. **Characteristics and quality of the goods** (3) (7): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.2);
8. **Total quantity**: 300 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): see list in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (c), in 20-foot containers
Marking on the bags, in letters at least 5 cm high:
'ACTION N° 919/89 / a red crescent with the points facing to the right / FROMENT DUR / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX-ROUGE ET DU CROISSANT-ROUGE (LICROSS) / POUR DISTRIBUTION GRATUITE / CASABLANCA'
11. **Method of mobilization**: on the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Casablanca
16. **Address of the warehouse and, if appropriate, port of landing**: Entrepôt du Croissant Rouge, Skhirat
17. **Period for making the goods available at the port of shipment**: 1 — 15. 8. 1990
18. **Deadline for the supply**: 15. 9. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 10. 7. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24. 7. 1990, at 12 noon
 - (b) period for making the goods available at the port of shipment: 15. — 31. 8. 1990
 - (c) deadline for the supply: 30. 9. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 20. 6. 1990 fixed by Commission Regulation (EEC) No 1466/89 (OJ No L 140, 1. 6. 1990, p. 37)

LOT B and C

1. **Operation No** ⁽¹⁾: 148/90 and 172/90
2. **Programme**: 1989
3. **Recipient** ⁽²⁾: Ligue des sociétés de la Croix-Rouge et du Croissant-Rouge, service logistique, BP 372, CH-1211 Genève 19; tel. 734 55 80, telex 22555 LRCS CH, telefax 733 03 95
4. **Representative of the recipient** ⁽²⁾: Ethiopian Red Cross Society, Disaster Prevention Programme of the German Red Cross PO Box 195, Addis Ababa; tel. 44 93 64 / 15 90 74, telex 21338 ERCS ET
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 7 000 tonnes
9. **Number of lots**: two (lot B: 5 000 tonnes; lot C: 2 000 tonnes)
10. **Packaging and marking** ⁽⁴⁾ ⁽¹⁰⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1a)
Markings on the bags, in letters at least 5 cm high:
 - Lot B:
'ACTION No 148/90 / WHEAT / a red cross measuring 10 × 10 cm / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE LEAGUE OF THE RED CROSS SOCIETIES (LICROSS) / FOR FREE DISTRIBUTION / ASSAB'
 - Lot C:
'ACTION No 172/90 / WHEAT / a red cross measuring 10 × 10 cm / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE LEAGUE OF THE RED CROSS SOCIETIES (LICROSS) / FOR FREE DISTRIBUTION / ASSAB'
11. **Method of mobilization**: on the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Assab ⁽⁹⁾
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 15. 8. 1990
18. **Deadline for the supply**: 15. 9. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 10. 7. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 24. 7. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 31. 8. 1990
 - (c) deadline for the supply: 30. 9. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾: refund applicable on 20. 6. 1990, fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

LOTS D, E and F

1. **Operation No⁽¹⁾**: 470/89, 613/89 and 231/90
2. **Programme**: 1989 and 1990 (lot F)
3. **Recipient⁽²⁾**: M. M. Gaudé, UNHCR, CP 2500, CH 1211 Genève 2 Dépôt; tel. 739 84 80; telex 415740 HCR CH
4. **Representative of the recipient⁽²⁾**: UNHCR Regional Liaison Representative for Africa, PO Box 1076 Addis Ababa, Ground Floor EEC Building Higher 18 Kebele 26, House No 519/001; tel. 00251/1/51 39 98/55, telex 21431 UNHCR, telefax 51 01 14
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods⁽³⁾ (7)**: see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 15 000 tonnes
9. **Number of lots**: three (lot D: 6 000 tonnes; lot E: 4 000 tonnes; lot F: 5 000 tonnes)
10. **Packaging and marking⁽⁴⁾ (10)**: see OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1a)
Marking on the bags, in letters at least 5 cm high:
 - Lot D:
'ACTION No 470/89 / COMMON WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR PROGRAMME FOR REFUGEES IN ETHIOPIA'
 - Lot E:
'ACTION No 613/89 / COMMON WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR PROGRAMME FOR REFUGEES IN ETHIOPIA'
 - Lot F:
'ACTION No 231/90 / COMMON WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR PROGRAMME FOR REFUGEES IN ETHIOPIA'
11. **Method of mobilization**: on the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Assab (9)
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 15. 8. 1990
18. **Deadline for the supply**: 15. 9. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 10. 7. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 24. 7. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 31. 8. 1990
 - (c) deadline for the supply: 30. 9. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾**: refund applicable on 20. 6. 1990, fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

LOT G

1. **Operation No** (1): 189/90
2. **Programme**: 1990
3. **Recipient** (2): M. M. Gaudé, UNHCR, CP 2500, CH-1211 Genève 2 Dépôt; tel. 739 84 80, telex 415740 HCR CH
4. **Representative of the recipient** (2): UNHCR Regional Liaison Representative for Africa, PO Box 1076 Addis Ababa, Ground Floor EEC Building Higher 18 Kebele 26, House No 519/001; tel. 00251/1/51 39 98/55, telex 21431 UNHCR, telefax 51 01 14
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (3) (7): see OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1)
8. **Total quantity**: 5 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): see OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1a)
Marking on the bags, in letters at least 5 cm high:
‘ACTION No 189/90 / COMMON WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR PROGRAMME FOR REFUGEES IN ETHIOPIA’
11. **Method of mobilization**: on the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Djibouti
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 15. 8. 1990
18. **Deadline for the supply**: 15. 9. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 10. 7. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 24. 7. 1990
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 — 31. 8. 1990
 - (c) deadline for the supply: 30. 9. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 20. 6. 1990, fixed by Commission Regulation (EEC) No 1466/90 (OJ No L 140, 1. 6. 1990, p. 37)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
see list published in OJ No C 237, 7. 9. 1985, p. 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 levels.

- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking, followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - phytosanitary certificate,
 - certificate of origin,
 - fumigation certificate (Lots A, B and C).
- (⁸) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁹) The unloading is programmed for Assab. Nevertheless an option between the ports of Djibouti and Assab will remain open at the latest until the entry of the vessel into Ethiopian waters.
- (¹⁰) The following should be included in the charter party : 'Food-aid consignment from the European Economic Community : since the freight charges do not include coordination or supervision costs, the US \$ 1,50 tax normally paid must not be applied in the case of this ship.'

COMMISSION REGULATION (EEC) No 1725/90

of 25 June 1990

fixing for the 1990/91 marketing year the amount of the levy in connection with
the offsetting of storage costs for sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 8 (5) thereof,

Whereas Article 8 (1) of Regulation (EEC) No 1785/81 provides that the storage costs for sugar and syrups shall be reimbursed at a flat rate by the Member States;

Whereas Article 6 of Council Regulation (EEC) No 1358/77 ⁽³⁾, as last amended by Regulation (EEC) No 3042/78 ⁽⁴⁾, provides that the amount of the levy for Community sugar shall be calculated by dividing the total estimated reimbursement by the estimated quantity of sugar which will be marketed during the sugar marketing year in question; whereas the total estimated reimbursement is to be increased or decreased, as the case may be, by the amounts carried forward from previous marketing years;

Whereas Article 8 (4) of Regulation (EEC) No 1785/81 provides that the monthly reimbursement amount shall be fixed by the Council simultaneously with the derived intervention prices; whereas the amount for 1990/91 as laid down in Council Regulation (EEC) No 1313/90 ⁽⁵⁾, is ECU 0,52 per 100 kilograms of white sugar;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1358/77, the quantity in store to be taken into account for the reimbursement of any one month's storage costs is equal to the arithmetic mean of the quantities held in store in the beginning and at the end of the month in question; whereas, for the 1990/91 marketing year, the

quantities of Community sugar in store each month may be estimated by reference to estimated stocks at the beginning of the marketing year, estimated monthly production and the quantities likely to be marketed for domestic consumption or exported during the same month; whereas total average monthly stocks during the 1990/91 marketing year can be estimated at approximately 86 million tonnes of sugar expressed as white sugar; whereas the total reimbursement for Community sugar can thus be estimated at approximately ECU 449 million for the 1990/91 marketing year; whereas the balance of previous sugar marketing years can be estimated at a positive amount of ECU 137 whereas the detailed rules for the application of the system of offsetting storage costs for sugar provide that the levy is to be fixed per 100 kilograms of white sugar; whereas the quantity of Community sugar which will be marketed during the 1990/91 marketing year for home consumption or for export may be estimated at approximately 12 500 000 million tonnes of sugar expressed as white sugar; whereas the amount of the levy for Community sugar should therefore be ECU 2,50 per 100 kilograms of white sugar:

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 1990/91 marketing year, the amount of the levy referred to under the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81 is hereby fixed at ECU 2,50 per 100 kilograms of white sugar.

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 25 June 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 156, 25. 6. 1977, p. 4.

⁽⁴⁾ OJ No L 361, 23. 12. 1978, p. 8.

⁽⁵⁾ OJ No L 132, 23. 5. 1990, p. 3.

COMMISSION REGULATION (EEC) No 1726/90

of 25 June 1990

amending Regulation (EEC) No 859/89 laying down detailed rules for the application of intervention measures in the beef and veal sector

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

Having regard to Commission 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 6 (7) thereof,

Whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 1282/90 ⁽⁴⁾, laid down the conditions with which the products bought in must comply with, with a view to guaranteeing the quality thereof; whereas also provision should be made for fulfilling the requirements of Article 2a of Commission Decision 90/200/EEC ⁽⁵⁾, as last amended by Decision 90/261/EEC ⁽⁶⁾;

Whereas Annex II of Regulation (EEC) No 859/89 lists the products which may be bought in for intervention; whereas considering the severe weakness of the beef market in Great Britain, it is necessary to modify this list in order to include the products and qualities permitting the best support of the market in this region of the Community;

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

Done at Brussels, 25 June 1990.

Whereas this Regulation is in accordance with the opinion of the Management committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 859/89 is hereby amended as follows:

1. Article 4 (2) is completed by the following:
'(f) complying with the requirements of Article 2 a (1) or (2), of Decision 90/200/EEC.'
2. In Annex II, the section headed 'UNITED KINGDOM A. Great Britain' is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 26 June 1990.

It shall apply with effect from the second invitation to tender in June.

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 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 126, 16. 5. 1990, p. 31.

⁽⁵⁾ OJ No L 105, 25. 4. 1990, p. 24.

⁽⁶⁾ OJ No L 146, 9. 6. 1990, p. 29.

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

UNITED KINGDOM

A. Great Britain

Carcases, half-carcases:

- Category C class U3
 - Category C class U4
 - Category C class R3
 - Category C class R4
 - Category C class O3
-

COMMISSION REGULATION (EEC) No 1727/90

of 25 June 1990

introducing a countervailing charge on tomatoes originating in 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,

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 1193/90⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 830/90 of 30 March 1990 fixing for the 1990 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of June 1990 at ECU 99,96 per 100 kilograms net; whereas this price was adjusted by Commission Regulation (EEC) No 1484/90⁽⁴⁾;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative

markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the second indent of Article 1 (2) of Regulation (EEC) No 830/90;

Whereas, for tomatoes originating in Portugal, the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

Whereas, if the system is to operate normally, the entry price 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⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- 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, pursuant to Article 272 (1) of the Act of Accession of Spain and Portugal⁽⁹⁾, during the first stage of the transition period, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 316 provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fifth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 3,70 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Portugal.

Article 2

This Regulation shall enter into force on 27 June 1990.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 119, 11. 5. 1990, p. 43.
⁽³⁾ OJ No L 86, 31. 3. 1990, p. 22.
⁽⁴⁾ OJ No L 140, 1. 6. 1990, p. 90.
⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.
⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁹⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 25 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1728/90

of 25 June 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 Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽³⁾;

Whereas Commission Regulation (EEC) No 588/86 ⁽⁴⁾, as last amended by Regulation (EEC) No 1367/90 ⁽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 2 July 1990.

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

Done at Brussels, 25 June 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 121, 12. 5. 1990, p. 30.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁵⁾ OJ No L 131, 23. 5. 1990, p. 16.

ANNEX

to the Commission Regulation of 25 June 1990 fixing the specific levies on imports of beef and veal from Portugal

CN code	(ECU/100 kg)
	Amount of the special levies
0102 90 10	13,86
0102 90 31	13,86
0102 90 33	13,86
0102 90 35	13,86
0102 90 37	13,86
0201 10 10	26,16
0201 10 90	26,16
0201 20 21	26,16
0201 20 29	26,16
0201 20 31	20,93
0201 20 39	20,93
0201 20 51	31,39
0201 20 59	31,39
0201 20 90	39,24
0201 30 00	45,00
0202 10 00	23,54
0202 20 10	23,54
0202 20 30	18,84
0202 20 50	29,30
0202 20 90	35,32
0202 30 10	29,30
0202 30 50	29,30
0202 30 90	40,55
0206 10 95	45,00
0206 29 91	40,55
0210 20 10	39,24
0210 20 90	45,00
0210 90 41	45,00
0210 90 90	45,00
1602 50 10	45,00
1602 90 61	45,00

COMMISSION REGULATION (EEC) No 1729/90**of 25 June 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 1714/90 ⁽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 26 June 1990.

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

Done at Brussels, 25 June 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 158, 23. 6. 1990, p. 54.

ANNEX

to the Commission Regulation of 25 June 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	33,70 ⁽¹⁾
1701 11 90	33,70 ⁽¹⁾
1701 12 10	33,70 ⁽¹⁾
1701 12 90	33,70 ⁽¹⁾
1701 91 00	37,18
1701 99 10	37,18
1701 99 90	37,18 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 22 May 1990

to the Member States concerning the adoption of a European schedule of occupational diseases

(90/326/EEC)

The Commission, under the terms of the Treaty establishing the European Economic Community and in particular Article 155 thereof, and without prejudice to more favourable national laws or regulations, recommends that the Member States:

1. introduce as soon as possible into their national laws, regulations or administrative provisions concerning scientifically recognized occupational diseases liable for compensation and subject to preventive measures, the European schedule in Annex I;
2. take steps to introduce into their national laws, regulations or administrative provisions the right of a worker to compensation in respect of occupational diseases if the worker is suffering from an ailment which is not listed in Annex I but which can be proved to be occupational in origin and nature, particularly if the ailment is listed in Annex II;
3. ensure as far as possible that all cases of occupational disease are reported and progressively make their statistics on occupational diseases compatible with the schedule in Annex I;
4. — develop and improve the various preventive measures for the diseases mentioned in the European schedule, turning, if necessary, to the Commission for information on the experience acquired by Member States,
— use for this purpose the European schedule as a reference document on the prevention of occupational diseases and certain work accidents;
5. — circulate notices on the occupational diseases in their national list, taking special account of the medical information notices on occupational diseases in the European schedule, drawn up by the Commission,
— supply in particular all relevant information on diseases or agents recognized in their national legislation when requested to do so by another Member State through the Commission, and supply the Commission with statistical and epidemiological information on the incidence of occupational diseases;
6. Provide the personnel responsible for implementing the national provisions resulting from this recommendation with adequate training;
7. — introduce a system for the collection of information on data concerning the epidemiology of the diseases listed in Annex II and any other disease of an occupational nature,
— promote research in the field of ailments linked to an occupational activity, in particular the ailments listed in Annex II.

This recommendation shall not apply to diseases which are not recognized as being occupational in origin.

The Member States shall themselves determine the criteria for recognizing each occupational disease in accordance with their current national laws or practices.

The Commission requests the Member States to inform it, at the end of a three-year period, of the measures taken or envisaged in response to this recommendation. The Commission will then examine the extent to which this recommendation has been implemented in the Member States, in order to determine whether there is a need for binding legislation.

Done at Brussels, 22 May 1990.

For the Commission

Vasso PAPANDREOU

Member of the Commission

ANNEX I

EUROPEAN SCHEDULE OF OCCUPATIONAL DISEASES

The diseases mentioned in this schedule must be linked directly to the occupation. The Commission will determine the criteria for recognizing each of the occupational diseases listed hereunder:

1. Diseases caused by the following chemical agents:

		EEC No
100	Acrylonitrile	608 003 004
101	Arsenic or compounds thereof	033 002 005
102	Beryllium (glucinium) or compounds thereof	—
103.01	Carbon monoxide	006 001 002
103.02	Carbon oxychloride	—
104.01	Hydrocyanic acid	—
104.02	Cyanides and compounds thereof	006 007 005
104.03	Isocyanates	—
105	Cadmium or compounds thereof	048 001 005
106	Chromium or compounds thereof	—
107	Mercury or compounds thereof	080 001 000
108	Manganese or compounds thereof	—
109.01	Nitric acid	007 004 001
109.02	Oxides of nitrogen	007 002 000
109.03	Ammonia	007 001 005
110	Nickel or compounds thereof	—
111	Phosphorus or compounds thereof	015 001 001
112	Lead or compounds thereof	082 001 006
113.01	Oxides of sulphur	—
113.02	Sulphuric acid	016 020 008
113.03	Carbon disulphide	006 003 003
114	Vanadium or compounds thereof	—
115.01	Chlorine	017 001 007
115.02	Bromine	—
115.04	Iodine	602 005 003
115.05	Fluorine or compounds thereof	009 001 000
116	Aliphatic or alicyclic hydrocarbons derived from petroleum spirit or petrol	—
117	Halogenated derivatives of the aliphatic or alicyclic hydrocarbons	—
118	Butyl, methyl and isopropyl alcohol	—
119	Ethylene glycol, diethylene glycol, 1,4-butanediol and the nitrated derivatives of the glycols and of glycerol	—
120	Methyl ether, ethyl ether, isopropyl ether, vinyl ether, dichloroisopropyl ether, guaiacol, methyl ether and ethyl of ethylene glycol	—
121	Acetone, chloroacetone, bromoacetone, hexafluoroacetone, methyl ethyl ketone, methyl n-butyl ketone, methyl isobutyl ketone, diacetone alcohol, mesityl oxide, 2-methylcyclohexanone	—
122	Organophosphorus esters	—
123	Organic acids	—
124	Formaldehyde	—
125	Aliphatic nitrated derivatives	—
126.01	Benzene or counterparts thereof (the counterparts of benzene are defined by the formula: C_nH_{2n-6})	601 020 008
126.02	Naphthalene or naphthalene counterparts (the counterpart of naphthalene is defined by the formula: C_nH_{2n-12})	—
126.03	Vinylbenzene and divinylbenzene	—
127	Halogenated derivatives of the aromatic hydrocarbons	—

		EEC No
128.01	Phenols or counterparts or halogenated derivatives thereof	—
128.02	Naphthols or counterparts or halogenated derivatives thereof	—
128.03	Halogenated derivatives of the alkylaryl oxides	—
128.04	Halogenated derivatives of the alkylaryl sulfonates	—
128.05	Benzoquinones	—
129.01	Aromatic amines or aromatic hydrazines or halogenated, phenolic, nitrified, nitrated or sulfonated derivatives thereof	—
129.02	Aliphatic amines and halogenated derivatives thereof	—
130.01	Nitrated derivatives of aromatic hydrocarbons	—
130.02	Nitrated derivatives of phenols or their counterparts	—
131	Antimony and derivatives thereof	051 003 009
2.	Skin diseases caused by substances and agents not included under other headings	
201	<i>Skin diseases and skin cancers caused by:</i>	
201.01	Soot	
201.02	Tar	
201.03	Bitumen	
201.04	Pitch	
201.05	Anthracene or compounds thereof	—
201.06	Mineral and other oils	
201.07	Crude paraffin	
201.08	Carbazole or compounds thereof	—
201.09	By-products of the distillation of coal	
202	Occupational skin ailments caused by scientifically recognized allergy provoking or irritative substances not included under other headings	
3.	Diseases caused by the inhalation of substances and agents not included under other headings	
301	<i>Diseases of the respiratory system and cancers:</i>	
301.11	Silicosis	
301.12	Silicosis combined with pulmonary tuberculosis	
301.21	Asbestosis	
301.22	Mesothelioma following the inhalation of asbestos dust	
301.31	Pneumoconioses caused by dusts of silicates	
302	Complication of asbestos in the form of bronchial cancer	
303	Broncho-pulmonary ailments caused by dusts from sintered metals	
304.01	Extrinsic allergic alveolites	
304.02	Lung diseases caused by the inhalation of dusts and fibres from cotton, flax, hemp, jute, sisal and bagasse	
304.03	Respiratory ailments of an allergic nature caused by the inhalation of substances consistently recognized as causing allergies and inherent to the type of work	
304.04	Respiratory ailments caused by the inhalation of dust from cobalt, tin, barium and graphite	
304.05	Siderosis	
305.01	Cancerous diseases of the upper respiratory tract caused by dust from wood	
4.	Infectious and parasitic diseases:	
401	Infectious or parasitic diseases transmitted to man by animals or remains of animals	
402	Tetanus	
403	Brucellosis	
404	Viral hepatitis	
405	Tuberculosis	
406	Amoebiasis	
5.	Diseases caused by the following physical agents:	
502.01	Cataracts caused by heat radiation	
502.02	Conjunctival ailments following exposure to ultraviolet radiation	
503	Hypacusis or deafness caused by noise	
504	Diseases caused by atmospheric compression or decompression	

505.01	Osteoarticular diseases of the hands and wrists caused by mechanical vibration
505.02	Angioneurotic diseases caused by mechanical vibration
506.10	Diseases of the periarticular sacs due to pressure
506.21	Diseases due to overstraining of the tendon sheaths
506.22	Diseases due to overstraining of the peritendineum
506.23	Diseases due to overstraining of the muscular and tendonous insertions
506.30	Meniscus lesions following extended periods of work in a kneeling or squatting position
506.40	Paralysis of the nerves due to pressure
507	Miner's nystagmus
508	Diseases caused by ionizing radiation

ANNEX II

**ADDITIONAL LIST OF DISEASES SUSPECTED OF BEING OCCUPATIONAL IN ORIGIN
WHICH SHOULD BE SUBJECT TO NOTIFICATION AND WHICH MAY BE CONSIDERED
AT A LATER STAGE FOR INCLUSION IN ANNEX I TO THE EUROPEAN SCHEDULE**

2.1. Diseases caused by the following chemical agents :

		<i>EEC No</i>
2.101	Ozone	—
2.102	Aliphatic hydrocarbons other than those referred to under heading 1.116 of Annex I	—
2.103	Diphenyl	—
2.104	Decalin	—
2.105	Aromatic acids — aromatic anhydrides	—
2.106	Diphenyl oxide	—
2.107	Tetrahydrophurane	603 025 000
2.108	Thiopene	—
2.109	Methacrylonitrile	608 001 003
	Acetonitrile	—
2.110	Hydrogen sulphide	016 001 004
2.111	Thioalcohols	—
2.112	Mercaptans and thioethers	—
2.113	Thallium or compounds thereof	081 002 009
2.114	Alcohols or their halogenated derivatives not referred to under heading 1.118 of Annex I	—
2.115	Glycols or their halogenated derivatives not referred to under heading 1.119 of Annex I	—
2.116	Ethers or their halogenated derivatives not referred to under heading 1.120 of Annex I	—
2.117	Ketones or their halogenated derivatives not referred to under heading 1.121 of Annex I	—
2.118	Esters or their halogenated derivatives not referred to under heading 1.122 of Annex I	—
2.119	Furfural	605 010 004
2.120	Thiophenols or counterparts or halogenated derivatives thereof	—
2.121	Silver	—
2.122	Selenium	034 002 008
2.123	Copper	—
2.124	Zinc	—
2.125	Magnesium	—
2.126	Platinum	—
2.127	Tantalum	—
2.128	Titanium	—
2.129	Terpenes	—
2.130	Boranes	—
2.140	Diseases caused by inhaling nacre dust	
2.141	Diseases caused by hormonal substances	
2.150	Dental caries associated with work in the chocolate, sugar and flour industries	

2.2. Skin diseases caused by substances and agents not included under other headings :

2.201 Allergic and orthoallergic skin ailments not recognized in Annex I

2.3. Diseases caused by inhaling substances not included under other headings :

2.301 Pulmonary fibroses due to metals not included in the European schedule

2.302 Broncho-pulmonary ailments caused by dusts or fumes from aluminium or compounds thereof

- 2.303 Broncho-pulmonary ailments and cancers associated with exposure to the following :
— soot,
— tar,
— bitumen,
— pitch,
— anthracene or compounds thereof,
— mineral and other oils
- 2.304 Broncho-pulmonary ailments caused by man-made mineral fibres
- 2.305 Broncho-pulmonary ailments caused by synthetic fibres
- 2.306 Broncho-pulmonary ailments caused by dusts from basic slags
- 2.4. **Infectious and parasitic diseases not described in Annex I :**
- 2.401 Parasitic diseases
- 2.402 Tropical diseases
- 2.403 Infectious diseases, not included in Annex I, of workers engaged in disease prevention, health care, domiciliary assistance or laboratory work and other activities where a risk of infection exists
- 2.5. **Avulsion due to overstraining of the spinous processes**
-

*ANNEX III***THE SITUATION IN THE MEMBER STATES**

This Annex was adopted in 1989 and is for guidance only, as the situation is in constant development. It will be updated when the Commission presents its report on the impact of the present recommendation in accordance with Item 4 of the explanatory memorandum.

1. Belgium

Belgium has a list of occupational diseases carrying entitlement to compensation.

The occupational diseases are broken down into the following categories :

1. caused by chemical agents ;
2. caused by physical agents ;
3. caused by biological agents ;
4. of the skin due to various causes ;
5. of the respiratory tract due to various causes.

Furthermore, Belgium has lists of 'occupational' diseases not carrying entitlement to compensation, but which are now being studied with a view to possible inclusion in the list of occupational diseases carrying entitlement to compensation.

The mixed system of compensation is not used in Belgium.

2. Denmark

The list of occupational diseases contains seven categories :

1. occupational diseases caused by chemical agents (Category A) ;
2. occupational diseases of the skin caused by substances or agents which do not come under other headings (Category B) ;
3. occupational diseases caused by the inhalation of substances or agents which do not come under other headings (Category C) ;
4. infectious or parasitic occupational diseases (Category D) ;
5. occupational diseases caused by physical agents (Category E) ;
6. initial stages of malignant ailments caused by organic compounds (Category F) ;
7. dental or periodontal diseases (Category G).

The mixed system of compensation is used.

3. Federal Republic of Germany

The list of occupational diseases carrying entitlement to compensation contains six categories :

1. diseases caused by chemical agents ;
2. diseases caused by physical agents ;
3. diseases caused by biological agents ;
4. respiratory tract and lung diseases ;
5. skin diseases ;
6. diseases not covered in the above.

Total : 59 occupational diseases carrying entitlement to compensation.

A mixed system is used on the basis of specific conditions governing compensation.

4. Greece

The list of occupational diseases carrying entitlement to compensation contains five categories :

1. (a) poisoning and allergies caused by 13 listed chemical substances ;
(b) skin diseases caused by chromium and cement ;
2. parasitic and contagious diseases ;
3. (a) diseases caused by physical agents ;
(b) miners' diseases ;
4. skin diseases ;
5. lung diseases.

Total : 52 occupational diseases carrying entitlement to compensation.

The mixed system of compensation is not used.

5. Spain

The list of occupational diseases carrying entitlement to compensation contains six categories:

- diseases caused by chemical agents,
- diseases of the skin caused by agents which do not come under other headings:
 - skin cancers,
 - other skin diseases of occupational origin,
- pneumoconioses,
- infectious and parasitic diseases,
- diseases caused by physical agents,
- diseases not classifiable under other headings.

Total: 71 occupational diseases carrying entitlement to compensation.

The mixed system is not used.

6. France

For the general scheme for employees, there are 91 occupational disease tables, which are not broken down by the agents responsible but by disease families and the products or agents responsible. Compensation for occupational diseases is on a flat-rate basis, but employees are given the benefit of the assumption that their disease is attributable to work if it meets the conditions set out in each table (symptoms of the disease, products or agents, period required for recognition, work involving exposure, and occasionally duration of exposure).

There is a mixed system for recognition and compensation in the case of pneumoconioses, with the procedure involving an approved doctor or a board of three specialists.

A claim for compensation (not limited to a flat-rate) can be made in respect of any disease not covered by the tables by invoking the liability of the employer.

There is also a schedule for occupational diseases containing 47 tables for farmers and farm employees. It effectively corresponds largely to the first schedule, but with special features owing to the particular nature of the risks covered.

A total of 300 symptoms or groups of symptoms carry entitlement to compensation under the general scheme for employees and nearly the same number is covered by the farm scheme. New tables are established or the existing ones are revised when it is found, as a result of epidemiological study, that a new type of disease is, almost certainly, occupationally induced. Furthermore, consideration is being given to the extension of the mixed system.

7. Ireland

The classification of occupational diseases is divided into four categories (A, B, C and D):

- A: diseases caused by physical agents (14 diseases),
- B: diseases caused by biological agents (10 diseases),
- C: diseases caused by chemical agents (29 diseases),
- D: diseases with various causes other than those above (three diseases).

Total: 56 occupational diseases carrying entitlement to compensation; seven further occupational diseases have carried entitlement to compensation since 1985.

A mixed system of compensation exists only for certain respiratory diseases, including certain pneumoconioses, respiratory and skin diseases.

8. Italy

There are two lists of occupational diseases:

- one list covering occupational diseases in industry,
- one list covering occupational diseases in agriculture.

The first list contains 49 headings carrying entitlement to compensation not classified by agents responsible.

The second list contains 21 occupational diseases in agriculture carrying entitlement to compensation not classified by agents responsible.

Total: 70 occupational diseases carrying entitlement to compensation.

The system of compensation is currently being amended.

9. Luxembourg

The list of occupational diseases carrying entitlement to compensation contains six categories:

1. diseases caused by chemical agents;
2. diseases caused by physical agents;
3. diseases caused by biological agents;
4. respiratory tract and lung diseases (including pneumoconioses);
5. skin diseases;
6. diseases covered in the above.

Total: 55 occupational diseases carrying entitlement to compensation.

The mixed system is used on the basis of specific conditions governing compensation.

10. Netherlands

In the Netherlands the European Schedule of Occupational Diseases is used as a basic reference document for the diagnosis, reporting and registration of occupational diseases, provided, however, that there is a cause-and-effect link between the disease and the occupational activity. Under the Dutch social security system all cases of disease or incapacity for work give rise to compensation, regardless of the cause.

The form this compensation takes does not depend on whether the disease is occupational in origin or not.

11. Portugal

There are two groups of occupational diseases :

- (a) The diseases contained in a list published by the relevant Ministry, which is based on the French list and contains 89 tables of diseases giving the causal agent, the type of disease caused, the recognition period and a list of the main activities responsible. These occupational diseases are divided into seven categories :
 - 1. poisoning ;
 - 2. lung ailments ;
 - 3. dermatoses ;
 - 4. diseases caused by physical agents ;
 - 5. diseases caused by biological agents ;
 - 6. tumours ;
 - 7. mucous membrane allergies.
- (b) Injuries, functional disorders or diseases not included in the above list for which no compensation will be obtained unless a link is established between the activity carried out by the worker and the ailment caused (mixed system).

12. United Kingdom

The list of occupational diseases contains four categories (A, B, C and D) :

A : diseases caused by physical agents (11 diseases) ;

B : diseases caused by biological agents (nine diseases) ;

C : diseases caused by chemical agents (29 diseases) ;

D : diseases with various causes which do not come under the above categories (10 diseases).

Total : 59 occupational diseases carrying entitlement to compensation.

There is no mixed system of compensation, except in the case of industrial accidents and certain specific diseases.

COMMISSION DECISION

of 22 June 1990

amending, for the second time, Decision 90/161/EEC concerning certain protection measures relating to classical swine fever in Belgium

(90/327/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 89/662/EEC⁽²⁾, and in particular Article 9 thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 89/662/EEC, and in particular Article 8 thereof,

Having regard to Council Directive 80/215/EEC of 22 January 1980 on health problems affecting intra-Community trade in meat products⁽⁴⁾, as last amended by Directive 89/662/EEC, and in particular Article 7 thereof,

Whereas several outbreaks of classical swine fever have occurred in parts of Belgium with a high density of pigs;

Whereas these outbreaks are liable to endanger the herds of other Member States, in view of the trade in live pigs, fresh pigmeat and certain meat-based pork products;

Whereas, since it is possible to identify a geographically limited area which presents a particular risk, the restrictions on trade could be applied on a regional basis;

Whereas, as a result of the epizootic of classical swine fever, the Commission adopted Decision 90/161/EEC of 30 March 1990 concerning certain protective measures relating to classical swine fever in Belgium⁽⁵⁾, as amended by Decision 90/187/EEC⁽⁶⁾;

Whereas it appears necessary to adjust the restrictive measures to take account of the evolution of the disease;

Whereas the Belgian authorities have engaged themselves to implement national measures that are necessary to guarantee the efficient implementation of the Decision;

Whereas it is necessary that the Commission is supplied with all necessary information, with a view to reexamining the provisions of the present Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/161/EEC is amended as follows:

1. In Article 1 (2), 'the restrictions described in paragraph 1' is replaced by 'the restrictions described in paragraph 1 and 3'.

2. In Article 1, paragraph 3 is replaced by the following:

'3. (a) As from 22 June 1990, the Kingdom of Belgium shall not send to other Member States, live pigs, fresh pigmeat, and pigmeat products obtained from pigs slaughtered after 1 June 1990 coming from those parts of their territory described in Annex III.

(b) Transit of pigs through the area described in Annex III shall not take place, and this measure shall be reviewed on 4 July 1990.'

3. In Article 2 (1), (2) and (3), '90/187/EEC' is replaced by '90/327/EEC'.

4. In Article 4, '3 May' is replaced by '4 July'.

5. A new Annex III is added as follows:

ANNEX III

All parts of the territory of Belgium situated north and west of a line formed by:

- the motorway E 34 from the Dutch border to the city of Antwerp to the river Schelde,
- the river Schelde from Antwerp to the town Dendermonde,
- the river Dender from Dendermonde to the town Geraardsbergen,
- the national road N 493 from Geraardsbergen to the village of Brakel,
- the national road N 48 from Brakel to the town of Ronse,

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁵⁾ OJ No L 90, 5. 4. 1990, p. 26.

⁽⁶⁾ OJ No L 101, 21. 4. 1990, p. 33.

- the national road N 36 from Ronse to the bridge over the river Schelde,
- the river Schelde in direction southwest to the point where it joins the canal van Spiere,
- the canal van Spiere in direction west to the French border.

Article 2

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with

this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3947/89 of 20 December 1989 amending Regulation (EEC) No 3665/87 as regards the grant of export refunds in the case of trans-shipment or transit operations within the Community of products deemed to have left the customs territory of the Community

(Official Journal of the European Communities No L 379 of 28 December 1989)

On page 30, Article 1:

The following text is added at the end of Article 6a (3) in the quoted matter:

'The provisions of this subparagraph (d) shall be the subject of suitable spot checks by the paying agency.

- (e) In cases where it is found that the conditions set out in subparagraph (a) have not been complied with, for the purposes of Articles 33 and 48, the day/days by which the 28-day limit is exceeded shall be deemed to be days by which the time limit laid down in Articles 4 and 32 is exceeded.'
-

Corrigendum to Commission Regulation (EEC) No 1680/90 of 21 June 1990 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 1167/90

(Official Journal of the European Communities No L 157 of 22 June 1990)

On page 19, Article 3 (1):

for: 'ECU 10 per 100 kilogramms';

read: 'ECU 100 per 100 kilogramms'.
