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## Legislation

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## I

(Acts whose publication is obligatory)

## COMMISSION REGULATION (EEC) No 2800/90

of 28 September 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(4)</sup>, 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 1801/90 <sup>(5)</sup> 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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 27 September 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 1801/90 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 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 167, 30. 6. 1990, p. 8.

## ANNEX

to the Commission Regulation of 28 September 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 | 27,72          | 138,77 <sup>(2)</sup> <sup>(3)</sup> |
| 0712 90 19 | 27,72          | 138,77 <sup>(2)</sup> <sup>(3)</sup> |
| 1001 10 10 | 22,57          | 191,99 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 22,57          | 191,99 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 28,29          | 159,81                               |
| 1001 90 99 | 28,29          | 159,81                               |
| 1002 00 00 | 53,04          | 147,28 <sup>(4)</sup>                |
| 1003 00 10 | 44,41          | 150,27                               |
| 1003 00 90 | 44,41          | 150,27                               |
| 1004 00 10 | 36,05          | 135,26                               |
| 1004 00 90 | 36,05          | 135,26                               |
| 1005 10 90 | 27,72          | 138,77 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 27,72          | 138,77 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 44,41          | 143,96 <sup>(4)</sup>                |
| 1008 10 00 | 44,41          | 57,81                                |
| 1008 20 00 | 44,41          | 110,39 <sup>(4)</sup>                |
| 1008 30 00 | 44,41          | 47,24 <sup>(5)</sup>                 |
| 1008 90 10 | <sup>(7)</sup> | <sup>(7)</sup>                       |
| 1008 90 90 | 44,41          | 47,24                                |
| 1101 00 00 | 53,12          | 237,24                               |
| 1102 10 00 | 87,77          | 219,70                               |
| 1103 11 10 | 48,18          | 310,78                               |
| 1103 11 90 | 56,82          | 255,67                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

<sup>(2)</sup> 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'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

<sup>(7)</sup> 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 2801/90

of 28 September 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, 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 1802/90<sup>(5)</sup> 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 the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 167, 30. 6. 1990, p. 11.

## ANNEX

to the Commission Regulation of 28 September 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<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 |
| 0709 90 60 | 0             | 0,53             | 0,53             | 0               |
| 0712 90 19 | 0             | 0,53             | 0,53             | 0               |
| 1001 10 10 | 0             | 0                | 0                | 0               |
| 1001 10 90 | 0             | 0                | 0                | 0               |
| 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             | 0,53             | 0,53             | 0               |
| 1005 90 00 | 0             | 0,53             | 0,53             | 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<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 |
| 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 2802/90**  
**of 28 September 1990**  
**fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 <sup>(3)</sup>, as amended by Regulation (EEC) No 1546/87 <sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2512/90 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2706/90 <sup>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 144, 4. 6. 1987, p. 10.

<sup>(5)</sup> OJ No L 237, 1. 9. 1990, p. 11.

<sup>(6)</sup> OJ No L 258, 22. 9. 1990, p. 5.

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the import levies on rice and broken rice

| (ECU / tonne) |          |                                                     |                                                                        |                                                              |
|---------------|----------|-----------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------|
| CN code       | Portugal | Arrangement<br>in<br>Regulation (EEC)<br>No 3877/86 | ACP or OCT<br>( <sup>(1)</sup> ) ( <sup>(2)</sup> ) ( <sup>(3)</sup> ) | Third countries<br>(except ACP or OCT)<br>( <sup>(3)</sup> ) |
| 1006 10 21    | —        | —                                                   | 151,97                                                                 | 311,15                                                       |
| 1006 10 23    | —        | 236,63                                              | 154,15                                                                 | 315,50                                                       |
| 1006 10 25    | —        | 236,63                                              | 154,15                                                                 | 315,50                                                       |
| 1006 10 27    | —        | 236,63                                              | 154,15                                                                 | 315,50                                                       |
| 1006 10 92    | —        | —                                                   | 151,97                                                                 | 311,15                                                       |
| 1006 10 94    | —        | 236,63                                              | 154,15                                                                 | 315,50                                                       |
| 1006 10 96    | —        | 236,63                                              | 154,15                                                                 | 315,50                                                       |
| 1006 10 98    | —        | 236,63                                              | 154,15                                                                 | 315,50                                                       |
| 1006 20 11    | —        | —                                                   | 190,87                                                                 | 388,94                                                       |
| 1006 20 13    | —        | 295,78                                              | 193,58                                                                 | 394,37                                                       |
| 1006 20 15    | —        | 295,78                                              | 193,58                                                                 | 394,37                                                       |
| 1006 20 17    | —        | 295,78                                              | 193,58                                                                 | 394,37                                                       |
| 1006 20 92    | —        | —                                                   | 190,87                                                                 | 388,94                                                       |
| 1006 20 94    | —        | 295,78                                              | 193,58                                                                 | 394,37                                                       |
| 1006 20 96    | —        | 295,78                                              | 193,58                                                                 | 394,37                                                       |
| 1006 20 98    | —        | 295,78                                              | 193,58                                                                 | 394,37                                                       |
| 1006 30 21    | 13,05    | —                                                   | 236,70                                                                 | 497,25                                                       |
| 1006 30 23    | 12,97    | 448,11                                              | 286,85                                                                 | 597,48                                                       |
| 1006 30 25    | 12,97    | 448,11                                              | 286,85                                                                 | 597,48                                                       |
| 1006 30 27    | 12,97    | 448,11                                              | 286,85                                                                 | 597,48                                                       |
| 1006 30 42    | 13,05    | —                                                   | 236,70                                                                 | 497,25                                                       |
| 1006 30 44    | 12,97    | 448,11                                              | 286,85                                                                 | 597,48                                                       |
| 1006 30 46    | 12,97    | 448,11                                              | 286,85                                                                 | 597,48                                                       |
| 1006 30 48    | 12,97    | 448,11                                              | 286,85                                                                 | 597,48                                                       |
| 1006 30 61    | 13,90    | —                                                   | 252,43                                                                 | 529,57                                                       |
| 1006 30 63    | 13,90    | 480,38                                              | 307,90                                                                 | 640,50                                                       |
| 1006 30 65    | 13,90    | 480,38                                              | 307,90                                                                 | 640,50                                                       |
| 1006 30 67    | 13,90    | 480,38                                              | 307,90                                                                 | 640,50                                                       |
| 1006 30 92    | 13,90    | —                                                   | 252,43                                                                 | 529,57                                                       |
| 1006 30 94    | 13,90    | 480,38                                              | 307,90                                                                 | 640,50                                                       |
| 1006 30 96    | 13,90    | 480,38                                              | 307,90                                                                 | 640,50                                                       |
| 1006 30 98    | 13,90    | 480,38                                              | 307,90                                                                 | 640,50                                                       |
| 1006 40 00    | 0,51     | —                                                   | 92,13                                                                  | 190,27                                                       |

(<sup>(1)</sup>) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(<sup>(2)</sup>) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products imported directly into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

(<sup>(3)</sup>) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

**COMMISSION REGULATION (EEC) No 2803/90**  
**of 28 September 1990**  
**fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2513/90 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2707/90 <sup>(4)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

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

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 237, 1. 9. 1990, p. 14.

<sup>(4)</sup> OJ No L 258, 22. 9. 1990, p. 7.

## ANNEX

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

| CN code    | (ECU/tonne)   |                  |                  |                 |
|------------|---------------|------------------|------------------|-----------------|
|            | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 |
| 1006 10 21 | 0             | 0                | 0                | —               |
| 1006 10 23 | 0             | 0                | 0                | —               |
| 1006 10 25 | 0             | 0                | 0                | —               |
| 1006 10 27 | 0             | 0                | 0                | —               |
| 1006 10 92 | 0             | 0                | 0                | —               |
| 1006 10 94 | 0             | 0                | 0                | —               |
| 1006 10 96 | 0             | 0                | 0                | —               |
| 1006 10 98 | 0             | 0                | 0                | —               |
| 1006 20 11 | 0             | 0                | 0                | —               |
| 1006 20 13 | 0             | 0                | 0                | —               |
| 1006 20 15 | 0             | 0                | 0                | —               |
| 1006 20 17 | 0             | 0                | 0                | —               |
| 1006 20 92 | 0             | 0                | 0                | —               |
| 1006 20 94 | 0             | 0                | 0                | —               |
| 1006 20 96 | 0             | 0                | 0                | —               |
| 1006 20 98 | 0             | 0                | 0                | —               |
| 1006 30 21 | 0             | 0                | 0                | —               |
| 1006 30 23 | 0             | 0                | 0                | —               |
| 1006 30 25 | 0             | 0                | 0                | —               |
| 1006 30 27 | 0             | 0                | 0                | —               |
| 1006 30 42 | 0             | 0                | 0                | —               |
| 1006 30 44 | 0             | 0                | 0                | —               |
| 1006 30 46 | 0             | 0                | 0                | —               |
| 1006 30 48 | 0             | 0                | 0                | —               |
| 1006 30 61 | 0             | 0                | 0                | —               |
| 1006 30 63 | 0             | 0                | 0                | —               |
| 1006 30 65 | 0             | 0                | 0                | —               |
| 1006 30 67 | 0             | 0                | 0                | —               |
| 1006 30 92 | 0             | 0                | 0                | —               |
| 1006 30 94 | 0             | 0                | 0                | —               |
| 1006 30 96 | 0             | 0                | 0                | —               |
| 1006 30 98 | 0             | 0                | 0                | —               |
| 1006 40 00 | 0             | 0                | 0                | 0               |

## COMMISSION REGULATION (EEC) No 2804/90

of 28 September 1990

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(6)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(7)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(8)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(9)</sup> OJ No L 181, 27. 7. 1968, p. 1.

<sup>(10)</sup> OJ No L 283, 24. 12. 1971, p. 30.

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/79 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal and the German Democratic Republic has not been fixed.

#### *Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the export refunds on products  
processed from cereals and rice

| (ECU/tonne)    |        | (ECU/tonne)    |        |
|----------------|--------|----------------|--------|
| Product code   | Refund | Product code   | Refund |
| 1102 20 10 100 | 150,43 | 1104 22 30 100 | 157,83 |
| 1102 20 10 300 | 128,94 | 1104 22 30 900 | —      |
| 1102 20 10 900 | —      | 1104 22 50 000 | —      |
| 1102 20 90 100 | 128,94 | 1104 23 10 100 | 161,18 |
| 1102 20 90 900 | —      | 1104 23 10 300 | 123,57 |
| 1102 30 00 000 | —      | 1104 23 10 900 | —      |
| 1102 90 10 100 | 136,22 | 1104 29 11 000 | —      |
| 1102 90 10 900 | 92,63  | 1104 29 15 000 | —      |
| 1102 90 30 100 | 167,11 | 1104 29 19 000 | —      |
| 1102 90 30 900 | —      | 1104 29 91 000 | 96,24  |
| 1103 12 00 100 | 167,11 | 1104 29 95 000 | 96,24  |
| 1103 12 00 900 | —      | 1104 30 10 000 | 24,52  |
| 1103 13 11 100 | 193,41 | 1104 30 90 000 | 26,86  |
| 1103 13 11 300 | 150,43 | 1107 10 11 000 | 174,60 |
| 1103 13 11 500 | 128,94 | 1107 10 91 000 | 161,64 |
| 1103 13 11 900 | —      | 1108 11 00 100 | 196,18 |
| 1103 13 19 100 | 193,41 | 1108 11 00 900 | —      |
| 1103 13 19 300 | 150,43 | 1108 12 00 100 | 171,92 |
| 1103 13 19 500 | 128,94 | 1108 12 00 900 | —      |
| 1103 13 19 900 | —      | 1108 13 00 100 | 171,92 |
| 1103 13 90 100 | 128,94 | 1108 13 00 900 | —      |
| 1103 13 90 900 | —      | 1108 14 00 100 | —      |
| 1103 14 00 000 | —      | 1108 14 00 900 | —      |
| 1103 19 10 000 | 96,24  | 1108 19 10 100 | 275,29 |
| 1103 19 30 100 | 140,76 | 1108 19 10 900 | —      |
| 1103 19 30 900 | —      | 1108 19 90 100 | —      |
| 1103 21 00 000 | 100,05 | 1108 19 90 900 | —      |
| 1103 29 20 000 | 92,63  | 1109 00 00 100 | 0,00   |
| 1103 29 30 000 | —      | 1109 00 00 900 | —      |
| 1103 29 40 000 | 109,60 | 1702 30 51 000 | 224,57 |
| 1104 11 90 100 | 136,22 | 1702 30 59 000 | 171,92 |
| 1104 11 90 900 | —      | 1702 30 91 000 | 224,57 |
| 1104 12 90 100 | 185,68 | 1702 30 99 000 | 171,92 |
| 1104 12 90 300 | 148,54 | 1702 40 90 000 | 171,92 |
| 1104 12 90 900 | —      | 1702 90 50 100 | 224,57 |
| 1104 19 10 000 | 100,05 | 1702 90 50 900 | 171,92 |
| 1104 19 50 110 | 171,92 | 1702 90 75 000 | 235,32 |
| 1104 19 50 130 | 139,69 | 1702 90 79 000 | 163,32 |
| 1104 19 50 150 | —      | 2106 90 55 000 | 171,92 |
| 1104 19 50 190 | —      | 2302 10 10 000 | 23,71  |
| 1104 19 50 900 | —      | 2302 10 90 100 | 23,71  |
| 1104 19 91 000 | —      | 2302 10 90 900 | —      |
| 1104 21 10 100 | 136,22 | 2302 20 10 000 | 23,71  |
| 1104 21 10 900 | —      | 2302 20 90 100 | 23,71  |
| 1104 21 30 100 | 136,22 | 2302 20 90 900 | —      |
| 1104 21 30 900 | —      | 2302 30 10 000 | 23,71  |
| 1104 21 50 100 | 181,62 | 2302 30 90 000 | 23,71  |
| 1104 21 50 300 | 145,30 | 2302 40 10 000 | 23,71  |
| 1104 21 50 900 | —      | 2302 40 90 000 | 23,71  |
| 1104 22 10 100 | 148,54 | 2303 10 11 100 | 85,96  |
| 1104 22 10 900 | —      | 2303 10 11 900 | —      |

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

**COMMISSION REGULATION (EEC) No 2805/90****of 28 September 1990****fixing the export refunds on cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 60.

<sup>(5)</sup> OJ No L 90, 2. 4. 1987, p. 2.

<sup>(6)</sup> OJ No L 246, 30. 9. 1969, p. 11.

<sup>(7)</sup> OJ No L 127, 16. 5. 1987, p. 14.

<sup>(8)</sup> OJ No L 134, 28. 5. 1977, p. 53.

<sup>(9)</sup> OJ No L 292, 11. 10. 1989, p. 10.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the

market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

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

The refund on export to Portugal and the German Democratic Republic has not been fixed.

#### *Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the export refunds on  
cereal-based compound feedingstuffs

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 10 11 050 | —               | —                |
| 2309 10 11 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 10 11 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 10 11 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 10 11 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 10 11 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 10 11 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 10 11 900 | —               | —                |
| 2309 10 13 050 | —               | —                |
| 2309 10 13 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 10 13 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 10 13 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 10 13 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 10 13 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 10 13 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 10 13 900 | —               | —                |
| 2309 10 31 050 | —               | —                |
| 2309 10 31 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 10 31 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 10 31 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 10 31 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 10 31 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 10 31 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 10 31 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 10 31 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 10 31 510 | 01              | 50,56            |
|                | 09              | —                |

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 10 31 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 10 31 610 | 01              | 63,20            |
|                | 09              | —                |
| 2309 10 31 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 10 31 900 | —               | —                |
| 2309 10 33 050 | —               | —                |
| 2309 10 33 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 10 33 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 10 33 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 10 33 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 10 33 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 10 33 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 10 33 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 10 33 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 10 33 510 | 01              | 50,56            |
|                | 09              | —                |
| 2309 10 33 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 10 33 610 | 01              | 63,20            |
|                | 09              | —                |
| 2309 10 33 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 10 33 900 | —               | —                |
| 2309 10 51 050 | —               | —                |
| 2309 10 51 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 10 51 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 10 51 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 10 51 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 10 51 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 10 51 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 10 51 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 10 51 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 10 51 510 | 01              | 50,56            |
|                | 09              | —                |
| 2309 10 51 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 10 51 610 | 01              | 63,20            |
|                | 09              | —                |

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 10 51 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 10 51 710 | 01              | 75,84            |
|                | 09              | —                |
| 2309 10 51 790 | 01              | 59,15            |
|                | 09              | —                |
| 2309 10 51 810 | 01              | 82,74            |
|                | 09              | —                |
| 2309 10 51 890 | 01              | 64,53            |
|                | 09              | —                |
| 2309 10 51 900 | —               | —                |
| 2309 10 53 050 | —               | —                |
| 2309 10 53 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 10 53 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 10 53 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 10 53 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 10 53 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 10 53 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 10 53 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 10 53 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 10 53 510 | 01              | 50,56            |
|                | 09              | —                |
| 2309 10 53 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 10 53 610 | 01              | 63,20            |
|                | 09              | —                |
| 2309 10 53 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 10 53 710 | 01              | 75,84            |
|                | 09              | —                |
| 2309 10 53 790 | 01              | 59,15            |
|                | 09              | —                |
| 2309 10 53 810 | 01              | 82,74            |
|                | 09              | —                |
| 2309 10 53 890 | 01              | 64,53            |
|                | 09              | —                |
| 2309 10 53 900 | —               | —                |
| 2309 90 31 050 | —               | —                |
| 2309 90 31 110 | 01              | 6,32             |
|                | 09              | —                |

| (ECU / tonne)  |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 90 31 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 90 31 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 90 31 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 90 31 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 90 31 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 90 31 900 | —               | —                |
| 2309 90 33 050 | —               | —                |
| 2309 90 33 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 90 33 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 90 33 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 90 33 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 90 33 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 90 33 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 90 33 900 | —               | —                |
| 2309 90 41 050 | —               | —                |
| 2309 90 41 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 90 41 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 90 41 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 90 41 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 90 41 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 90 41 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 90 41 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 90 41 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 90 41 510 | 01              | 50,56            |
|                | 09              | —                |
| 2309 90 41 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 90 41 610 | 01              | 63,20            |
|                | 09              | —                |
| 2309 90 41 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 90 41 900 | —               | —                |
| 2309 90 43 050 | —               | —                |
| 2309 90 43 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 90 43 190 | 01              | 4,93             |
|                | 09              | —                |

| (ECU / tonne)  |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 90 43 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 90 43 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 90 43 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 90 43 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 90 43 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 90 43 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 90 43 510 | 01              | 50,56            |
|                | 09              | —                |
| 2309 90 43 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 90 43 610 | 01              | 63,20            |
|                | 09              | —                |
| 2309 90 43 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 90 43 900 | —               | —                |
| 2309 90 51 050 | —               | —                |
| 2309 90 51 110 | 01              | 6,32             |
|                | 09              | —                |
| 2309 90 51 190 | 01              | 4,93             |
|                | 09              | —                |
| 2309 90 51 210 | 01              | 12,64            |
|                | 09              | —                |
| 2309 90 51 290 | 01              | 9,86             |
|                | 09              | —                |
| 2309 90 51 310 | 01              | 25,28            |
|                | 09              | —                |
| 2309 90 51 390 | 01              | 19,72            |
|                | 09              | —                |
| 2309 90 51 410 | 01              | 37,92            |
|                | 09              | —                |
| 2309 90 51 490 | 01              | 29,57            |
|                | 09              | —                |
| 2309 90 51 510 | 01              | 50,56            |
|                | 09              | —                |
| 2309 90 51 590 | 01              | 39,43            |
|                | 09              | —                |
| 2309 90 51 610 | 01              | 63,20            |
|                | 09              | —                |
| 2309 90 51 690 | 01              | 49,29            |
|                | 09              | —                |
| 2309 90 51 710 | 01              | 75,84            |
|                | 09              | —                |
| 2309 90 51 790 | 01              | 59,15            |
|                | 09              | —                |
| 2309 90 51 810 | 01              | 82,74            |
|                | 09              | —                |

(ECU/tonne)

| Product code   | Destination <sup>(1)</sup> | Amount of refund |
|----------------|----------------------------|------------------|
| 2309 90 51 890 | 01                         | 64,53            |
|                | 09                         | —                |
| 2309 90 51 900 | —                          | —                |
| 2309 90 53 050 | —                          | —                |
| 2309 90 53 110 | 01                         | 6,32             |
|                | 09                         | —                |
| 2309 90 53 190 | 01                         | 4,93             |
|                | 09                         | —                |
| 2309 90 53 210 | 01                         | 12,64            |
|                | 09                         | —                |
| 2309 90 53 290 | 01                         | 9,86             |
|                | 09                         | —                |
| 2309 90 53 310 | 01                         | 25,28            |
|                | 09                         | —                |
| 2309 90 53 390 | 01                         | 19,72            |
|                | 09                         | —                |
| 2309 90 53 410 | 01                         | 37,92            |
|                | 09                         | —                |
| 2309 90 53 490 | 01                         | 29,57            |
|                | 09                         | —                |
| 2309 90 53 510 | 01                         | 50,56            |
|                | 09                         | —                |
| 2309 90 53 590 | 01                         | 39,43            |
|                | 09                         | —                |
| 2309 90 53 610 | 01                         | 63,20            |
|                | 09                         | —                |
| 2309 90 53 690 | 01                         | 49,29            |
|                | 09                         | —                |
| 2309 90 53 710 | 01                         | 75,84            |
|                | 09                         | —                |
| 2309 90 53 790 | 01                         | 59,15            |
|                | 09                         | —                |
| 2309 90 53 810 | 01                         | 82,74            |
|                | 09                         | —                |
| 2309 90 53 890 | 01                         | 64,53            |
|                | 09                         | —                |
| 2309 90 53 900 | —                          | —                |

<sup>(1)</sup> The destinations are as follows:

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

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

**COMMISSION REGULATION (EEC) No 2806/90**  
**of 28 September 1990**  
**fixing production refunds in the cereals and rice sectors**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90 <sup>(2)</sup>, and in particular Article 11a <sup>(5)</sup> thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors <sup>(3)</sup>, as last amended by Regulation (EEC) No 2779/89 <sup>(4)</sup> and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors <sup>(5)</sup>, as last amended by Regulation (EEC) No 524/90 <sup>(6)</sup>, provides that the production refund shall be fixed on a quarterly basis using the difference between the purchase price for maize applicable in the first month of the period in question and the cif price used for calculation of the maize import levy, multiplied by a coefficient of 1,6; whereas the same Article provides

for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The production refunds payable in the cereals and rice sectors in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with amended Regulation (EEC) No 2169/86 shall be as follows in ECU 116,78 per tonne.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 94, 9. 4. 1986, p. 6.

<sup>(4)</sup> OJ No L 268, 15. 9. 1989, p. 20.

<sup>(5)</sup> OJ No L 189, 11. 7. 1986, p. 12.

<sup>(6)</sup> OJ No L 53, 1. 3. 1990, p. 83.

## COMMISSION REGULATION (EEC) No 2807/90

of 28 September 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16(2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(4)</sup>, and in particular Article 11(2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid<sup>(5)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

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

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas Article 3 of Council Regulation (EEC) No 2746/75<sup>(6)</sup> and Article 6 of Council Regulation (EEC) No 2744/75<sup>(7)</sup>, as last amended by Regulation (EEC) No 1906/87<sup>(8)</sup>, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76<sup>(9)</sup>;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

*Article 3*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 288, 25. 10. 1974, p. 1.

<sup>(6)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(7)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(8)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(9)</sup> OJ No L 166, 25. 6. 1976, p. 36.

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the refunds applicable for October 1990 to cereal and rice sector products supplied as Community and national food aid

| (ECU/tonne)    |        |
|----------------|--------|
| Product code   | Refund |
| 1001 10 90 000 | 155,90 |
| 1001 90 99 000 | 104,95 |
| 1002 00 00 000 | 95,00  |
| 1003 00 90 000 | 100,94 |
| 1004 00 90 000 | —      |
| 1005 90 00 000 | 100,00 |
| 1006 20 92 000 | 195,33 |
| 1006 20 94 000 | 195,33 |
| 1006 30 42 000 | —      |
| 1006 30 44 000 | —      |
| 1006 30 92 000 | 244,16 |
| 1006 30 94 100 | 244,16 |
| 1006 30 94 900 | 244,16 |
| 1006 30 96 100 | 244,16 |
| 1006 30 96 900 | 244,16 |
| 1006 40 00 000 | —      |
| 1007 00 90 000 | 100,00 |
| 1101 00 00 110 | 127,00 |
| 1101 00 00 120 | 127,00 |
| 1101 00 00 130 | 127,00 |
| 1102 20 10 100 | 150,43 |
| 1102 20 10 300 | 128,94 |
| 1102 30 00 000 | —      |
| 1102 90 10 100 | 136,22 |
| 1103 11 10 500 | 224,00 |
| 1103 11 90 100 | 143,00 |
| 1103 13 19 100 | 193,41 |
| 1103 14 00 000 | —      |
| 1104 12 90 100 | 185,68 |
| 1104 21 50 100 | 181,62 |
| 1104 21 50 100 | 181,62 |

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

## COMMISSION REGULATION (EEC) No 2808/90

of 28 September 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 <sup>(5)</sup>, as last amended by Regulation (EEC) No 1340/90 <sup>(6)</sup>, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(8)</sup>,

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 151, 30. 6. 1968, p. 42.

<sup>(4)</sup> OJ No L 171, 28. 6. 1978, p. 34.

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(6)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> OJ No L 201, 31. 7. 1990, p. 9.

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

ANNEX

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

(ECU)

| CN code    | Basic amount per percentage point of sucrose content and per 100 kg net of the product in question | Amount of levy per 100 kg of dry matter |
|------------|----------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1702 20 10 | 0,4371                                                                                             | —                                       |
| 1702 20 90 | 0,4371                                                                                             | —                                       |
| 1702 30 10 | —                                                                                                  | 53,38                                   |
| 1702 40 10 | —                                                                                                  | 53,38                                   |
| 1702 60 10 | —                                                                                                  | 53,38                                   |
| 1702 60 90 | 0,4371                                                                                             | —                                       |
| 1702 90 30 | —                                                                                                  | 53,38                                   |
| 1702 90 60 | 0,4371                                                                                             | —                                       |
| 1702 90 71 | 0,4371                                                                                             | —                                       |
| 1702 90 90 | 0,4371                                                                                             | —                                       |
| 2106 90 30 | —                                                                                                  | 53,38                                   |
| 2106 90 59 | 0,4371                                                                                             | —                                       |

**COMMISSION REGULATION (EEC) No 2809/90****of 28 September 1990****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(4)</sup> OJ No L 167, 26. 6. 1976, p. 13.

<sup>(5)</sup> OJ No L 50, 4. 3. 1970, p. 1.

<sup>(6)</sup> OJ No L 152, 18. 6. 1988, p. 23.

<sup>(7)</sup> OJ No L 170, 27. 6. 1978, p. 9.

<sup>(8)</sup> OJ No L 162, 1. 7. 1977, p. 9.

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the

market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

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

2. The refund on export to the German Democratic Republic has not been fixed.

#### *Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

| Product code   | Basic amount per percentage point of sucrose content and per 100 kg net of the product in question <sup>(1)</sup> | Amount of refund per 100 kg of dry matter <sup>(2)</sup> |
|----------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1702 40 10 100 |                                                                                                                   | 36,74                                                    |
| 1702 60 10 000 |                                                                                                                   | 36,74                                                    |
| 1702 60 90 000 | 0,3674                                                                                                            |                                                          |
| 1702 90 30 000 |                                                                                                                   | 36,74                                                    |
| 1702 90 60 000 | 0,3674                                                                                                            |                                                          |
| 1702 90 71 000 | 0,3674                                                                                                            |                                                          |
| 1702 90 90 900 | 0,3674                                                                                                            |                                                          |
| 2106 90 30 000 |                                                                                                                   | 36,74                                                    |
| 2106 90 59 000 | 0,3674                                                                                                            |                                                          |

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

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

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

## COMMISSION REGULATION (EEC) No 2810/90

of 28 September 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 599/86 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2524/90 <sup>(4)</sup>, fixes

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 25,25 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 18.<sup>(4)</sup> OJ No L 237, 1. 9. 1990, p. 49.

## COMMISSION REGULATION (EEC) No 2811/90

of 28 September 1990

fixing the production refund for white sugar used in the chemical industry

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89<sup>(2)</sup>, and in particular Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry<sup>(3)</sup>, as last amended by Regulation (EEC) No 1771/90<sup>(4)</sup>, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry<sup>(5)</sup>, as last amended by Regulation (EEC) No 748/89<sup>(6)</sup>, specifies the method to be used for establishing the production refund; whereas Article 1 of

Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 31,505 for three months from 1 October to 31 December 1990. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(4)</sup> OJ No L 163, 29. 6. 1990, p. 1.

<sup>(5)</sup> OJ No L 201, 25. 7. 1978, p. 26.

<sup>(6)</sup> OJ No L 80, 23. 3. 1989, p. 51.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2812/90

of 28 September 1990

fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture<sup>(4)</sup>, as last amended by Regulation (EEC) No 2496/90<sup>(5)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed<sup>(6)</sup>, as last amended by Regulation (EEC) No 2206/90<sup>(7)</sup>, and in particular Article 2 (3) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

1990/91 marketing year were fixed by Regulations (EEC) No 1317/90<sup>(10)</sup> and (EEC) No 1318/90<sup>(11)</sup>;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year<sup>(12)</sup>;

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

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86<sup>(13)</sup>;

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

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) No 2509/90<sup>(14)</sup>;

<sup>(10)</sup> OJ No L 132, 23. 5. 1990, p. 9.

<sup>(11)</sup> OJ No L 132, 23. 5. 1990, p. 11.

<sup>(12)</sup> OJ No L 83, 30. 3. 1990, p. 102.

<sup>(13)</sup> OJ No L 53, 1. 3. 1986, p. 55.

<sup>(14)</sup> OJ No L 237, 1. 9. 1990, p. 52.

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

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

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(5)</sup> OJ No L 236, 31. 8. 1990, p. 8.

<sup>(6)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(7)</sup> OJ No L 201, 31. 7. 1990, p. 11.

<sup>(8)</sup> OJ No L 213, 11. 8. 1975, p. 1.

<sup>(9)</sup> OJ No L 252, 3. 9. 1987, p. 6.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds <sup>(1)</sup>, as last amended by Regulation (EEC) No 1815/84 <sup>(2)</sup>, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84 <sup>(3)</sup>;

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

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84 <sup>(4)</sup>, as last amended by Regulation (EEC) No 1539/90 <sup>(5)</sup>, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

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

— the conversion rate used under the common agricultural policy, and

— the conversion rate resulting from the central rate of the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85 <sup>(6)</sup> as last amended by Regulation (EEC) No 2205/90 <sup>(7)</sup>.

- (b) In the case of Member States other than those referred to in (a), the difference between:

— the agricultural conversion rate, and

— the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined, multiplied by the factor referred to in the second indent of (a).

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

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

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

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

<sup>(1)</sup> OJ No L 75, 30. 3. 1971, p. 16.

<sup>(2)</sup> OJ No L 170, 29. 6. 1984, p. 46.

<sup>(3)</sup> OJ No L 113, 28. 4. 1984, p. 8.

<sup>(4)</sup> OJ No L 170, 29. 6. 1984, p. 41.

<sup>(5)</sup> OJ No L 145, 8. 6. 1990, p. 20.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 6.

<sup>(7)</sup> OJ No L 201, 31. 7. 1990, p. 20.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. No refund shall be fixed for such products exported to the German Democratic Republic.

3. There shall be no refund on sunflower seed.

4. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

*ANNEX*

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

(amounts per 100 kilograms)

|                                     | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 |
|-------------------------------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|
| 1. Gross refunds (ECU) :            |               |                  |                  |                 |                 |                 |
| — Spain                             | 0,000         | 0,278            | —                | —               | —               | —               |
| — Portugal                          | 23,470        | 23,748           | —                | —               | —               | —               |
| — other Member States               | 16,500        | 16,778           | —                | —               | —               | —               |
| 2. Final refunds :                  |               |                  |                  |                 |                 |                 |
| Seeds harvested and exported from : |               |                  |                  |                 |                 |                 |
| — Federal Republic of Germany (DM)  | 38,63         | 39,28            | —                | —               | —               | —               |
| — Netherlands (Fl)                  | 43,52         | 44,26            | —                | —               | —               | —               |
| — BLEU (Bfrs/Lfrs)                  | 796,74        | 810,16           | —                | —               | —               | —               |
| — France (FF)                       | 129,56        | 131,74           | —                | —               | —               | —               |
| — Denmark (Dkr)                     | 147,35        | 149,83           | —                | —               | —               | —               |
| — Ireland (£ Irl)                   | 14,419        | 14,662           | —                | —               | —               | —               |
| — United Kingdom (£)                | 12,491        | 12,708           | —                | —               | —               | —               |
| — Italy (Lit)                       | 28 903        | 29 390           | —                | —               | —               | —               |
| — Greece (Dr)                       | 3 344,37      | 3 396,97         | —                | —               | —               | —               |
| — Spain (Pta)                       | 68,63         | 111,13           | —                | —               | —               | —               |
| — Portugal (Esc)                    | 4 812,31      | 4 869,83         | —                | —               | —               | —               |

**COMMISSION REGULATION (EEC) No 2813/90****of 28 September 1990****fixing for October 1990 the levy applicable in Spain to products subject to the price control system**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain<sup>(1)</sup>, as last amended by Regulation (EEC) No 1581/90<sup>(2)</sup>, and in particular Article 14 thereof,

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

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

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

*Article 1*

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 340,82 per tonne of oil for October 1990.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 107, 24. 4. 1986, p. 17.

<sup>(2)</sup> OJ No L 150, 14. 6. 1990, p. 9.

## COMMISSION REGULATION (EEC) No 2814/90

of 28 September 1990

laying down detailed rules for the definition of lambs fattened as heavy carcasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, and in particular Articles 5 (9) and 28 thereof,

Having regard to Council Regulation (EEC) No 3901/89 of 12 December 1989 defining lambs fattened as heavy carcasses<sup>(2)</sup>, and in particular Article 1 (2) thereof,

Whereas Article 5 (4) of Regulation (EEC) No 3013/89 states that a producer marketing sheep's milk or sheep's milk products will, if he can prove that at least 40 % of the lambs born on his holding have been fattened as heavy carcasses with a view to their slaughter, be able, at his request, to receive the premium for the heavy category, in proportion to the number of lambs born on his holding which are fattened as heavy carcasses;

Whereas Article 1 (1) of Regulation (EEC) No 3901/89 defines lambs fattened as heavy carcasses as those which have been the subject, after weaning, of a declaration of stock sent for fattening in verifiable batches and have reached a minimum average weight of 25 kilograms following a minimum period of fattening of 45 days; whereas, however, the second subparagraph of that paragraph provides for a derogation with regard to weaning for lambs belonging to a limited number of meat breeds and raised in geographically well defined areas;

Whereas the obligations to be complied with by the producer in order to be able to benefit from the provisions of Article 5 (4) of Regulation (EEC) No 3013/89 should be defined; whereas it is necessary to provide for an effective control procedure to ensure compliance with the provisions in question; whereas in cases where lambs are fattened in a Member State other than that in which the producer lodged his premium application and fattening declaration a procedure for administrative cooperation between the competent authorities of the two Member States must be set up and such procedures are to be notified to the Commission;

Whereas, for application of the derogation with regard to weaning, specific obligations should be laid down in order to make effective control possible; whereas for that

purpose the beneficiary should be required to fatten as heavy carcasses all the lambs born to his ewes; whereas this obligation is in line with customary farming practice in the geographical areas and for the breeds for which this derogation is intended;

Whereas, pursuant to Article 22 (8) of Regulation (EEC) No 3013/89, the arrangements which are the subject of this Regulation may apply in Spain or Portugal from the 1990 marketing year if those Member States have introduced, from the 1990 marketing year, the measures provided for in Article 4 (4) of that Regulation; whereas, by Commission Decision 90/19/EEC<sup>(3)</sup>, Spain was authorized, on a transitional basis and from the beginning of that marketing year, to introduce the arrangements on the basis of national implementing provisions; whereas Portugal has stated its intention to introduce the arrangements during the 1990 marketing year; whereas there should therefore be provision for this Regulation to apply only to premiums to be paid for the 1990 marketing year for which application has not yet been made;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. In order to be able, subject to the special provisions laid down in Article 2, to receive the premium for the heavy category in accordance with Article 5 (4) of Regulation (EEC) No 3013/89, each producer marketing sheep's milk or sheep's milk products shall submit an application for the premium in the course of a set period within the period 1 November to 31 December preceding the beginning of the marketing year to which the premium relates and state his intention to fatten with a view to slaughter at least 40 % of the lambs born to the ewes to which the application for the premium relates. Following submission of the application he shall also submit to the competent authority, no later than the day fattening of a batch begins, a specific declaration stating at least:

- the date fattening is to begin,
- the number of lambs in the batch,
- the location where fattening is to take place.

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 375, 23. 12. 1989, p. 4.

<sup>(3)</sup> OJ No L 11, 13. 1. 1990, p. 51.

These specific declarations shall relate to lambs whose fattening begins between 15 November preceding the beginning of the marketing year for which they are submitted and the following 14 November.

Furthermore, if fattening takes place away from the beneficiary's holding, the declaration referred to in the previous subparagraph shall be accompanied by an undertaking by the manager of the fattening house to permit the controls for which provision is made in order to ensure that the fattening operations are being carried out.

2. Holders of lambs that are fattened shall keep an up-to-date fattening register including the following information :

(a) for each batch brought in for fattening :

- the number of the batch, the number of lambs and the date fattening began,
- a note of the indelible identification mark of the lambs and of the holding of origin ;

(b) for each batch leaving after fattening :

- the date and average weight of the batch,
- the composition of the batch showing the number of lambs from each batch brought in making up the batch leaving.

3. The competent authorities designated by the Member States shall institute measures to check the declarations referred to in paragraph 1. These measures shall include :

- on-the-spot inspections at the place of fattening of at least 10 % of those submitting declarations in respect of any marketing year,
- an obligation on a person holding batches in a fattening house to provide the information needed for such checks.

4. Where the lambs are fattened in a Member State other than the one in which the producer submitted his application for the premium and fattening declaration, the competent authorities of the two Member States concerned shall establish a procedure for administrative cooperation. The Member States shall forthwith inform the Commission of the procedure adopted.

5. For calculation of the proportion referred to in Article 5 (4) of Regulation (EEC) No 3013/89, there shall be an average index of one lamb per ewe per year.

## Article 2

1. Each producer marketing sheep's milk or sheep's milk products who wishes to benefit from the derogation provided for in the second subparagraph of Article 1 (1) of

Regulation (EEC) No 3901/89 with regard to the weaning of lambs in the geographical areas and belonging to the breeds listed in the Annex to this Regulation shall give in his application for the premium, which shall be lodged in the course of a set period within the period 1 November to 31 December preceding the beginning of the marketing year to which the premium relates :

- the actual or expected periods of birth of the lambs to be fattened as heavy carcasses during the marketing year ; if it subsequently turns out that the actual periods of birth are substantially different from the expected periods referred to above, the producer shall notify the competent authority within one month of the change,
- an undertaking to raise on his holding all the lambs born to the ewes declared in the application for the premium and to fatten them until they reach the minimum average weight laid down in the second indent of Article 1 (1) (c) of Regulation (EEC) No 3901/89.

2. For each batch corresponding to a particular birth period, an average period of at least 75 days shall elapse before the lambas can be marketed with a view to slaughter. Each lamb shall be identified by an indelible mark showing the batch to which it belongs.

3. The competent authorities designated by the Member States shall undertake on-the-spot inspections of at least 10 % of the applicants referred to in paragraph 1 in each marketing year, covering in particular :

- the number and identification of each batch of lambs,
- their presence during the minimum period of 75 days,
- their estimated average weight at the time of the inspection.

4. Producers who have complied with all the obligations set out in paragraphs 1 and 2 shall receive the premium for the heavy category referred to in Article 5 (4) of Regulation (EEC) No 3013/89 in respect of all their eligible ewes.

A lower index than that specified in Article 1 (4) may be used for application of the said Article 5 (4) if the producer can demonstrate that because of natural circumstances a smaller number of lambs was fattened than the minimum required.

However, as regards Portugal, a number of lambs of less than one lamb per ewe but not less than 0,80 may be considered to constitute natural circumstances that do not have to be notified by the producer.

*Article 3*

In Member States where Article 22 (8) of Regulation (EEC) No 3013/89 applies for the 1990 marketing year, the periods stipulated in Articles 1 (1) and 2 (1) shall by derogation for the 1990 marketing year be :

- 1 November to 31 December 1990 for premium applications,
- 15 November 1990 to 14 November 1991 for specific declarations.

*Article 4*

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

It shall apply to 1991 marketing year premiums.

However, in Member States where Article 22 (8) of Regulation (EEC) No 3013/89 applies for the 1990 marketing year it shall be applicable to 1990 marketing year premiums not yet applied for.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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*ANNEX*

**LIST OF GEOGRAPHICAL AREAS AND BREEDS REFERRED TO IN ARTICLE 2 (1)**

**I. GEOGRAPHICAL AREAS**

**A. Spain**

*Provinces*

Cáceres

*Municipalities*

Aldea del Cano  
Aliseda  
Arroyo de la Luz  
Cáceres  
Cañaveral  
Casar de Cáceres  
Casos de Millán  
Garrovillas  
Hinojal  
Malpartida de Cáceres  
Santiago del Campo  
Sierra de Fuentes  
Talaván  
Torre de Santa María  
Torremocha  
Torrequemada  
Valdefuentes  
Zarza de Montánchez

**Badajoz**

Benquerencia de la Serena  
Cabeza de Buey  
Capilla  
Castuera  
Esparragosa de la Serena  
Higuera de la Serena  
Malpartida de la Serena  
Monterrubio de la Serena  
Peñalsordo  
Quintana de la Serena  
Valle de la Serena  
Zalamea de la Serena  
Zarza-Capilla

**Ciudad Real**

Abenójar  
Almodóvar del Campo  
Almuradiel  
Brazatortas  
Cabezarrubias del Puerto  
Fuencaliente  
Hinojosa de Calatrava  
Mestanza  
Puertollano  
San Lorenzo de Calatrava  
Solana del Pino  
Villanueva de San Carlos  
Viso del Marqués  
Agudo  
Alamillo  
Almadén  
Almadenejos  
Chillón  
Guadalmaz  
Saceruela  
Valdemanco de Esteras

**B. Portugal***Districts of:*

Beja  
Castelo Branco  
Évora  
Faro  
Leiria  
Lisboa  
Santarém  
Setúbal

**II. BREEDS**

- A. Spain : Merina and its crosses with non-dairy breeds.
- B. Portugal : Merina, Campaniça and their crosses with non-dairy breeds.
-

## COMMISSION REGULATION (EEC) No 2815/90

of 28 September 1990

fixing the aid for soya beans

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

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

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

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

Whereas the abatement of the subsidy which arises,  
where appropriate, from the system of maximum guaran-  
teed quantities for the 1990/91 marketing year, has not  
yet been fixed; whereas the amount of the subsidy for the  
1990/91 marketing year has been calculated provisionally  
on the basis of the abatement for the 1989/90 marketing  
year;

Whereas the amount of the aid referred to in Article 2 (1)  
of Regulation (EEC) No 1491/85 was fixed by Commis-  
sion Regulation (EEC) No 2534/90 <sup>(4)</sup>, as amended by  
Regulation (EEC) No 2672/90 <sup>(5)</sup>;

Whereas it follows from applying the rules and other  
provisions contained in Regulation (EEC) No 2534/90 to  
the information at present available to the Commission  
that the amount of the aid at present in force should be  
altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amount of the aid provided in article 2 for in  
Regulation (EEC) No 1491/85 and the amount of the  
special aid provided for in Article 1 of Regulation (EEC)  
No 2286/88 in the case of Portugal shall be as set out in  
the Annex hereto.

2. However, the amount of the subsidy in the case of  
advance fixing for the 1990/91 marketing year for soya  
beans, will be confirmed or replaced as from 1 October  
1990 to take into account the application of maximum  
guaranteed quantities for the 1990/91 marketing year.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 151, 10. 6. 1985, p. 15.

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 11.

<sup>(3)</sup> OJ No L 201, 27. 7. 1988, p. 2.

<sup>(4)</sup> OJ No L 220, 15. 8. 1990, p. 16.

<sup>(5)</sup> OJ No L 254, 18. 9. 1990, p. 60.

## ANNEX

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

(ECU/100 kg)

|                                      | Seed harvested in |            |                      |
|--------------------------------------|-------------------|------------|----------------------|
|                                      | Spain             | Portugal   | another Member State |
| Seed processed in current period (1) |                   |            |                      |
| — Spain                              | 0,000             | 28,884     | 28,884               |
| — Portugal                           | 22,687            | 28,884 (*) | 28,884               |
| — another Member State               | 22,687            | 28,884     | 28,884               |
| Seed processed in first period (1)   |                   |            |                      |
| — Spain                              | 0,000             | 28,785     | 28,785               |
| — Portugal                           | 22,588            | 28,785 (*) | 28,785               |
| — another Member State               | 22,588            | 28,785     | 28,785               |
| Seed processed in second period (1)  |                   |            |                      |
| — Spain                              | 0,000             | 28,536     | 28,536               |
| — Portugal                           | 22,339            | 28,536 (*) | 28,536               |
| — another Member State               | 22,339            | 28,536     | 28,536               |
| Seed processed in third period (1)   |                   |            |                      |
| — Spain                              | 22,190            | 28,387     | 28,387               |
| — Portugal                           | 22,190            | 28,387     | 28,387               |
| — another Member State               | 22,190            | 28,387     | 28,387               |
| Seed processed in fourth period (1)  |                   |            |                      |
| — Spain                              | 21,991            | 28,188     | 28,188               |
| — Portugal                           | 21,991            | 28,188     | 28,188               |
| — another Member State               | 21,991            | 28,188     | 28,188               |
| Seed processed in fifth period (1)   |                   |            |                      |
| — Spain                              | 21,825            | 28,022     | 28,022               |
| — Portugal                           | 21,825            | 28,022     | 28,022               |
| — another Member State               | 21,825            | 28,022     | 28,022               |

(\*) Special aid.

(1) Subject, in cases of advance fixing for the 1990/91 marketing year, to application of maximum guaranteed quantity arrangements for that marketing year.

**COMMISSION REGULATION (EEC) No 2816/90**  
**of 28 September 1990**  
**fixing the aid for cotton**

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2533/90<sup>(4)</sup>, as last amended by Regulation (EEC) No 2755/90<sup>(5)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2533/90 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 45,240 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 377, 31. 12. 1987, p. 49.

<sup>(2)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 85, 30. 3. 1989, p. 7.

<sup>(4)</sup> OJ No L 237, 1. 9. 1990, p. 75.

<sup>(5)</sup> OJ No L 264, 27. 9. 1990, p. 47.

**COMMISSION REGULATION (EEC) No 2817/90**  
**of 28 September 1990**  
**fixing the amount of aid for peas, field beans and sweet lupins**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins <sup>(3)</sup>, as last amended by Regulation (EEC) No 2249/90 <sup>(4)</sup>, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2206/90 <sup>(6)</sup>;

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

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90 <sup>(7)</sup>; whereas, as provided for in Article 2a of

Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90 <sup>(8)</sup>;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has been fixed by Commission Regulation (EEC) No 2510/90 <sup>(9)</sup>;

Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990 <sup>(10)</sup>;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 <sup>(11)</sup>, as last amended by Regulation (EEC) No 1238/87 <sup>(12)</sup>, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 <sup>(13)</sup> delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

<sup>(1)</sup> OJ No L 162, 12. 6. 1982, p. 28.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 16.

<sup>(3)</sup> OJ No L 342, 19. 12. 1985, p. 1.

<sup>(4)</sup> OJ No L 203, 1. 8. 1990, p. 56.

<sup>(5)</sup> OJ No L 219, 28. 7. 1982, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 11.

<sup>(7)</sup> OJ No L 119, 11. 5. 1990, p. 37.

<sup>(8)</sup> OJ No L 119, 11. 5. 1990, p. 40.

<sup>(9)</sup> OJ No L 237, 1. 9. 1990, p. 8.

<sup>(10)</sup> OJ No L 162, 28. 6. 1990, p. 18.

<sup>(11)</sup> OJ No L 219, 28. 7. 1982, p. 36.

<sup>(12)</sup> OJ No L 117, 5. 5. 1987, p. 9.

<sup>(13)</sup> OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1677/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1834/90 <sup>(3)</sup>; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

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

#### *Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 6.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(3)</sup> OJ No L 167, 30. 6. 1990, p. 94.

## ANNEX I

## Gross aid

Products intended for human consumption :

(ECU per 100 kg)

|                           | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 | 6th period<br>4 |
|---------------------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|-----------------|
| Peas used :               |               |                  |                  |                 |                 |                 |                 |
| — in Spain                | 5,657         | 5,815            | 5,973            | 6,131           | 6,289           | 6,447           | 6,605           |
| — in Portugal             | 5,684         | 5,842            | 6,000            | 6,158           | 6,316           | 6,474           | 6,632           |
| — in another Member State | 5,886         | 6,044            | 6,202            | 6,360           | 6,518           | 6,676           | 6,834           |
| Field beans used :        |               |                  |                  |                 |                 |                 |                 |
| — in Spain                | 5,886         | 6,044            | 6,202            | 6,360           | 6,518           | 6,676           | 6,834           |
| — in Portugal             | 5,684         | 5,842            | 6,000            | 6,158           | 6,316           | 6,474           | 6,632           |
| — in another Member State | 5,886         | 6,044            | 6,202            | 6,360           | 6,518           | 6,676           | 6,834           |

Products used in animal feed :

(ECU per 100 kg)

|                                                              | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 | 6th period<br>4 |
|--------------------------------------------------------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|-----------------|
| A. Peas used :                                               |               |                  |                  |                 |                 |                 |                 |
| — in Spain                                                   | 8,672         | 8,678            | 8,836            | 8,572           | 8,729           | 8,887           | 9,195           |
| — in Portugal                                                | 8,729         | 8,737            | 8,894            | 8,634           | 8,792           | 8,949           | 9,256           |
| — in another Member State                                    | 8,729         | 8,737            | 8,894            | 8,634           | 8,792           | 8,949           | 9,256           |
| B. Field beans used :                                        |               |                  |                  |                 |                 |                 |                 |
| — in Spain                                                   | 8,672         | 8,678            | 8,836            | 8,572           | 8,729           | 8,887           | 9,195           |
| — in Portugal                                                | 8,729         | 8,737            | 8,894            | 8,634           | 8,792           | 8,949           | 9,256           |
| — in another Member State                                    | 8,729         | 8,737            | 8,894            | 8,634           | 8,792           | 8,949           | 9,256           |
| C. Sweet lupins harvested in Spain and used :                |               |                  |                  |                 |                 |                 |                 |
| — in Spain                                                   | 11,469        | 11,268           | 11,268           | 10,706          | 10,706          | 10,706          | 10,906          |
| — in Portugal                                                | 11,545        | 11,346           | 11,346           | 10,789          | 10,789          | 10,789          | 10,987          |
| — in another Member State                                    | 11,545        | 11,346           | 11,346           | 10,789          | 10,789          | 10,789          | 10,987          |
| D. Sweet lupins harvested in another Member State and used : |               |                  |                  |                 |                 |                 |                 |
| — in Spain                                                   | 11,469        | 11,268           | 11,268           | 10,706          | 10,706          | 10,706          | 10,906          |
| — in Portugal                                                | 11,545        | 11,346           | 11,346           | 10,789          | 10,789          | 10,789          | 10,987          |
| — in another Member State                                    | 11,545        | 11,346           | 11,346           | 10,789          | 10,789          | 10,789          | 10,987          |



[illegible]



## ANNEX VIII

## Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

| Use of products :                  | BLEU  | DK    | DE    | EL    | ES    | FR    | IRL   | IT    | NL    | PT    | UK    |
|------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Products harvested in :            |       |       |       |       |       |       |       |       |       |       |       |
| — BLEU (Bfrs/Lfrs)                 | 0,00  | 0,00  | 0,00  | 5,26  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — Denmark (Dkr)                    | 0,00  | 0,00  | 0,00  | 0,97  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — Federal Republic of Germany (DM) | 0,00  | 0,00  | 0,00  | 0,25  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — Greece (Dr)                      | 0,00  | 0,00  | 0,00  | 24,06 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — Spain (Pta)                      | 0,00  | 0,00  | 0,00  | 16,71 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — France (FF)                      | 0,00  | 0,00  | 0,00  | 0,85  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — Ireland (£ Irl)                  | 0,000 | 0,000 | 0,000 | 0,095 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 |
| — Italy (Lit)                      | 0     | 0     | 0     | 983   | 0     | 0     | 0     | 0     | 0     | 0     | 0     |
| — Netherlands (Fl)                 | 0,00  | 0,00  | 0,00  | 0,29  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — Portugal (Esc)                   | 0,00  | 0,00  | 0,00  | 22,52 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  |
| — United Kingdom (£)               | 0,000 | 0,000 | 0,000 | 0,085 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 |

## ANNEX IX

## Exchange rate of the ecu to be used

|                               | BLEU    | DK      | DE      | EL      | ES      | FR      | IRL      | IT       | NL      | PT      | UK       |
|-------------------------------|---------|---------|---------|---------|---------|---------|----------|----------|---------|---------|----------|
| In national currency, ECU 1 = | 42,1679 | 7,79845 | 2,04446 | 202,572 | 129,155 | 6,85684 | 0,763159 | 1 529,70 | 2,30358 | 183,124 | 0,700392 |

## COMMISSION REGULATION (EEC) No 2818/90

of 28 September 1990

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1192/90<sup>(3)</sup> for the marketing year 1990/1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1758/90 of 27 June 1990 establishing the guide price fixed in ecus by the Council in the dried fodder sector and reduced as a result of the monetary realignment of 5 January 1990<sup>(4)</sup>;

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

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder<sup>(5)</sup>, as last amended by Regulation (EEC) No 1110/89<sup>(6)</sup>, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No

1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder<sup>(7)</sup>, as last amended by Regulation (EEC) No 1757/90<sup>(8)</sup>;

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

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

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

<sup>(1)</sup> OJ No L 142, 30. 5. 1978, p. 1.

<sup>(2)</sup> OJ No L 218, 28. 7. 1989, p. 1.

<sup>(3)</sup> OJ No L 119, 11. 5. 1990, p. 42.

<sup>(4)</sup> OJ No L 162, 28. 6. 1990, p. 22.

<sup>(5)</sup> OJ No L 171, 28. 6. 1978, p. 1.

<sup>(6)</sup> OJ No L 118, 29. 4. 1989, p. 1.

<sup>(7)</sup> OJ No L 179, 1. 7. 1978, p. 10.

<sup>(8)</sup> OJ No L 162, 28. 6. 1990, p. 21.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a conversion rate based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(2)</sup>,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal

to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 9.

## ANNEX

## to the Commission Regulation of 28 September 1990 fixing the rate of the aid for dried fodder

Aid applicable from 1 October 1990 to dried fodder:

(ECU/tonne)

|     | Fodder dehydrated by artificial heat drying<br>Protein concentrates |          |                           | Fodder otherwise dried |                           |
|-----|---------------------------------------------------------------------|----------|---------------------------|------------------------|---------------------------|
|     | Spain                                                               | Portugal | Other<br>Member<br>States | Portugal               | Other<br>Member<br>States |
| Aid | 101,645                                                             | 109,496  | 110,265                   | 76,556                 | 77,325                    |

Aid in case of advance fixing for the month of:

(ECU/tonne)

|               |         |         |         |        |        |
|---------------|---------|---------|---------|--------|--------|
| November 1990 | 100,888 | 108,731 | 109,508 | 75,791 | 76,568 |
| December 1990 | 100,603 | 108,442 | 109,223 | 75,502 | 76,283 |
| January 1991  | 95,791  | 103,576 | 104,411 | 70,636 | 71,471 |
| February 1991 | 95,128  | 102,906 | 103,748 | 69,966 | 70,808 |
| March 1991    | 95,128  | 102,906 | 103,748 | 69,966 | 70,808 |

## COMMISSION REGULATION (EEC) No 2819/90

of 28 September 1990

altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2756/90<sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2756/90 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in view of the present circumstance in the German Democratic Republic and their effects on the

market situation, no refund should be fixed for products to be exported to that destination,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2756/90 are hereby altered to the amounts shown in the Annex hereto.

2. The refund on export to the German Democratic Republic has not been fixed.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 264, 27. 9. 1990, p. 48.

## ANNEX

to the Commission Regulation of 28 September 1990 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

| Product code   | Amount of refund     |                                                                                       |
|----------------|----------------------|---------------------------------------------------------------------------------------|
|                | per 100 kg           | per percentage point of sucrose content and per 100 kg net of the product in question |
| 1701 11 90 100 | 33,80 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 910 | 32,18 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 12 90 100 | 33,80 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 910 | 32,18 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 91 00 000 |                      | 0,3674                                                                                |
| 1701 99 10 100 | 36,74                |                                                                                       |
| 1701 99 10 910 | 36,74                |                                                                                       |
| 1701 99 10 950 | 36,74                |                                                                                       |
| 1701 99 90 100 |                      | 0,3674                                                                                |

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

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

## COMMISSION REGULATION (EEC) No 2820/90

of 28 September 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry<sup>(5)</sup>, as last amended by Regulation (EEC) 1771/90<sup>(6)</sup>, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(7)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(8)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(9)</sup>, as last amended by Regulation (EEC) No 1615/90<sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 286, 20. 10. 1988, p. 6.

<sup>(5)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ No L 163, 29. 6. 1990, p. 1.

<sup>(7)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(8)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(9)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(10)</sup> OJ No L 152, 16. 6. 1990, p. 33.

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

However, no refund shall be fixed for such products exported with destination the German Democratic Republic.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

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

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

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

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 798/80 <sup>(1)</sup>, if the goods have been placed under the export refund advance payment arrangements.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Martin BANGEMANN

*Vice-President*

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<sup>(1)</sup> OJ No L 87, 1. 4. 1980, p. 42.

## ANNEX

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

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*Rate of refund in ECU/100 kg:*

White sugar : 36,74

Raw sugar : 32,18

Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):

$$36,74 \times \frac{S^{(1)}}{100} \quad \text{or}$$

If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:

The rate fixed above for 100 kg of white or raw sugar used for the dissolution

Molasses :

—

Isoglucose <sup>(2)</sup> :

36,74 <sup>(2)</sup>

---

<sup>(1)</sup> 'S' represents in 100 kilograms of syrup

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

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

<sup>(3)</sup> Amount of refund per 100 kilograms of dry matter.

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## COMMISSION REGULATION (EEC) No 2821/90

of 28 September 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates<sup>(5)</sup>, as last amended by Regulation (EEC) No 1435/90<sup>(6)</sup>;

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

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

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

<sup>(1)</sup> OJ No L 169, 18. 7. 1968, p. 6.

<sup>(2)</sup> OJ No L 138, 31. 5. 1990, p. 8.

<sup>(3)</sup> OJ No L 52, 23. 2. 1984, p. 12.

<sup>(4)</sup> OJ No L 64, 6. 3. 1986, p. 12.

<sup>(5)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(6)</sup> OJ No L 111, 22. 4. 1989, p. 24.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 378, 27. 12. 1989, p. 1.

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 286, 20. 10. 1988, p. 6.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No

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

However, no refund shall be fixed for such products exported with destination the German Democratic Republic.

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

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Martin BANGEMANN

*Vice-President*

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## ANNEX

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

| CN code       | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                               | (ECU/100 kg)<br>Rate of refund |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| ex 0402 10 19 | Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):<br>a) On exportation of goods of CN code 3501<br>b) On exportation of other goods                                                                                                                                                                                                                               | —<br>70,00                     |
| ex 0402 21 19 | Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):<br>a) On exportation of goods of CN codes 0403 10 59, 0403 90 79, 1806 20 90, 1806 90 90, 1901 90 90 and 2106 90 99 containing 40 % or more by weight of milk fat<br>b) On exportation of other goods                                                                                                                           | 55,45<br>115,00                |
| ex 0405 00 10 | Butter, with a fat content by weight of 82 % (PG 6):<br>a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Commission Regulations (EEC) No 442/84, (EEC) No 2409/86 <sup>(1)</sup> , (EEC) No 570/88, (EEC) No 262/79 <sup>(2)</sup> and (EEC) No 1932/81 <sup>(3)</sup><br>b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat<br>c) On exportation of other goods | —<br>181,00<br>175,00          |

<sup>(1)</sup> OJ No L 208, 31. 7. 1986, p. 29.

<sup>(2)</sup> OJ No L 41, 16. 2. 1979, p. 1.

<sup>(3)</sup> OJ No L 191, 14. 7. 1981, p. 6.

## COMMISSION REGULATION (EEC) No 2822/90

of 28 September 1990

fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(1)</sup>, as last amended by Regulation (EEC) No 1235/89<sup>(2)</sup>, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EEC) No 3209/88<sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance with the second subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas, in accordance with paragraph 2 of that Article, when that rate is being determined particular account should be taken of:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Martin BANGEMANN

*Vice-President*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 49.  
<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 29.  
<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.  
<sup>(4)</sup> OJ No L 286, 20. 10. 1988, p. 6.

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)

| CN code       | Description                                                                                                                                                                                                  | Rate of refund |
|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 0407 00       | Birds' eggs, in shell, fresh, preserved or cooked :                                                                                                                                                          |                |
|               | — Of poultry :                                                                                                                                                                                               |                |
| 0407 00 30    | — — Other                                                                                                                                                                                                    | 18,00          |
| 0408          | Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter : |                |
|               | — Egg yolks :                                                                                                                                                                                                |                |
| 0408 11       | — — Dried :                                                                                                                                                                                                  |                |
| ex 0408 11 10 | — — — Suitable for human consumption :<br>not sweetened                                                                                                                                                      | 96,00          |
| 0408 19       | — — Other :                                                                                                                                                                                                  |                |
|               | — — — Suitable for human consumption :                                                                                                                                                                       |                |
| ex 0408 19 11 | — — — — Liquid :<br>not sweetened                                                                                                                                                                            | 47,00          |
| ex 0408 19 19 | — — — — Frozen :<br>not sweetened                                                                                                                                                                            | 51,00          |
|               | — Other :                                                                                                                                                                                                    |                |
| 0408 91       | — — Dried :                                                                                                                                                                                                  |                |
| ex 0408 91 10 | — — — Suitable for human consumption :<br>not sweetened                                                                                                                                                      | 90,00          |
| 0408 99       | — — Other :                                                                                                                                                                                                  |                |
| ex 0408 99 10 | — — — Suitable for human consumption :<br>not sweetened                                                                                                                                                      | 15,00          |

## COMMISSION REGULATION (EEC) No 2823/90

of 28 September 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 2727/75  
of 29 October 1975 on the common organization of the  
market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC)  
No 1340/90<sup>(2)</sup>, and in particular the first sentence of the  
fourth subparagraph of Article 16 (2) thereof,

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

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

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

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

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

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

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

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

Whereas Council Regulation (EEC) No 565/80 of 4  
March 1980 on the advance payment of export refunds in  
respect of agricultural products<sup>(10)</sup>, as amended by Regu-  
lation (EEC) No 2026/83<sup>(11)</sup>, and Commission Regulation  
(EEC) No 3665/87 of 27 November 1987 laying down  
common detailed rules for the application of the system  
of export refunds on agricultural products<sup>(12)</sup>, as last  
amended by Regulation (EEC) No 1615/90<sup>(13)</sup>, lay down  
rules on the advance payment of export refunds that must  
be adhered to when these are adjusted;

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(6)</sup> OJ No L 286, 20. 10. 1988, p. 6.

<sup>(7)</sup> OJ No L 94, 9. 4. 1986, p. 6.

<sup>(8)</sup> OJ No L 268, 15. 9. 1989, p. 20.

<sup>(9)</sup> OJ No L 3, 6. 1. 1990, p. 9.

<sup>(10)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(11)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(12)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(13)</sup> OJ No L 152, 16. 6. 1990, p. 33.

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

Whereas, in order to ensure equitable treatment between maize products exported in the form of pellets, rolled or flaked grains falling within CN code 1904 10 and other maize products, it is necessary to differentiate the refunds on those goods;

Whereas, in view of the present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed for products to be exported to that destination;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

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

However, no refund shall be fixed for such products exported with destination the German Democratic Republic.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the accep-

ance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

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

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

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

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

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

#### *Article 2*

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

#### *Article 3*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Martin BANGEMANN

*Vice-President*

(<sup>1</sup>) OJ No L 275, 29. 9. 1987, p. 36.

## ANNEX

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

| CN code    | Description                                                                                                                                                                                                     | (ECU/100 kg)<br>Rate<br>of refund |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 1001 10 90 | Durum wheat :<br>— On exports of goods falling within CN codes<br>1902 11 00 and 1902 19 to the United States of America<br>— In all other cases                                                                | 8,880<br>13,661                   |
| 1001 90 99 | Common wheat, and meslin (mixed wheat and rye) :<br>— On exports of goods falling within CN codes<br>1902 11 00 and 1902 19 to the United States of America<br>— In all other cases                             | 6,376<br>9,809                    |
| 1002 00 00 | Rye                                                                                                                                                                                                             | 9,624                             |
| 1003 00 90 | Barley                                                                                                                                                                                                          | 10,601                            |
| 1004 00 90 | Oats                                                                                                                                                                                                            | 9,284                             |
| 1005 90 00 | Maize, other than hybrid maize for sowing) :<br>— Maize in pellets, rolled or flake grains with a fat content<br>exceeding 1,5 % in the form of goods falling within CN<br>code 1904 10<br>— In all other cases | 6,089<br>10,745                   |
| 1006 20    | Round grain husked rice<br>Medium grain husked rice<br>Long grain husked rice                                                                                                                                   | 24,460<br>22,692<br>22,692        |
| ex 1006 30 | Round grain wholly milled rice<br>Medium grain wholly milled rice<br>Long grain wholly milled rice                                                                                                              | 31,736<br>38,664<br>38,664        |
| 1006 40 00 | Broken rice                                                                                                                                                                                                     | 18,111                            |
| 1007 00 90 | Sorghum                                                                                                                                                                                                         | 6,401                             |
| 1101 00 00 | Wheat or meslin flour :<br>— On exports of goods falling within CN codes<br>1902 11 00 and 1902 19 to the United States of America<br>— In all other cases                                                      | 7,544<br>11,607                   |
| 1102 10 00 | Rye flour                                                                                                                                                                                                       | 19,757                            |
| 1103 11 10 | Durum wheat groats and meal :<br>— On exports of goods falling within CN codes<br>1902 11 00 and 1902 19 to the United States of America<br>— In all other cases                                                | 13,763<br>21,175                  |
| 1103 11 90 | Common wheat groats and meal :<br>— On exports of goods falling within CN codes<br>1902 11 00 and 1902 19 to the United States of America<br>— In all other cases                                               | 7,544<br>11,607                   |

**COMMISSION REGULATION (EEC) No 2824/90**  
**of 28 September 1990**  
**fixing the sluice-gate prices and levies for eggs**

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 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(1)</sup>, as last amended by Regulation (EEC) No 1235/89<sup>(2)</sup>, and in particular Articles 3 and 7 (1) thereof,

Whereas sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs<sup>(3)</sup>, as last amended by Regulation (EEC) No 4155/87<sup>(4)</sup>;

Whereas, since sluice-gate prices and levies for eggs were, by Commission Regulation (EEC) No 1677/90<sup>(5)</sup>, last fixed for the period 1 July to 31 September 1990, they must be fixed anew for the period 1 October to 31 December 1990; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 April to 31 August 1990;

Whereas, when the sluice-gate prices April to 31 August October, 1 January and 1 April are being fixed, changes in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2773/75, the minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding

quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 October to 31 December 1990;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, world market prices for feed grain are to be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price has been fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas Commission Regulation (EEC) No 630/86 of 28 February 1986 on the application of import levies on egg products from Portugal and amending Regulation (EEC) No 176/86<sup>(6)</sup> suspended the application of import levies on egg products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other; whereas that situation still pertains;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The levies provided for in Article 3 of Regulation (EEC) No 2771/75, in respect of the products specified in Article 1 (1) thereof and the sluice-gate prices provided for in Article 7 thereof, in respect of the like products, shall be as set out in the Annex hereto.

2. For imports from Portugal of products specified in paragraph 1, application of the levies specified in the Annex shall be suspended.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

<sup>(6)</sup> OJ No L 60, 1. 3. 1986, p. 10.

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 49.

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 29.

<sup>(3)</sup> OJ No L 282, 1. 11. 1975, p. 64.

<sup>(4)</sup> OJ No L 392, 31. 12. 1987, p. 29.

<sup>(5)</sup> OJ No L 157, 22. 6. 1990, p. 8.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

*ANNEX*

to the Commission Regulation of 28 September 1990 fixing the sluice-gate prices and levies for eggs

| CN code    | Sluice-gate price | Levy          |
|------------|-------------------|---------------|
|            | ECU/100 units     | ECU/100 units |
| 0407 00 11 | 52,46             | 12,72         |
| 0407 00 19 | 11,25             | 3,89          |
|            | ECU/100 kg        | ECU/100 kg    |
| 0407 00 30 | 85,91             | 33,35         |
| 0408 11 10 | 416,44            | 156,08        |
| 0408 19 11 | 188,16            | 68,03         |
| 0408 19 19 | 200,50            | 72,70         |
| 0408 91 10 | 349,42            | 150,74        |
| 0408 99 10 | 92,51             | 38,69         |

## COMMISSION REGULATION (EEC) No 2825/90

of 28 September 1990

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

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 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin<sup>(1)</sup>, as amended by Regulation (EEC) No 4001/87<sup>(2)</sup>, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties of the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 1679/90 of 28 June 1990 fixing sluice-gate prices and import duties for ovalbumin and lactalbumin<sup>(3)</sup>;

Whereas, since sluice-gate prices and import duties for ovalbumin and lactalbumin were, by Commission Regulation (EEC) No 1679/90 last fixed for the period 1 July to 30 September 1990, they must be fixed anew for the period 1 October to 31 December 1990; whereas such prices and duties should be calculated by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;

Whereas these have been fixed by Commission Regulation (EEC) No 2824/90 of 28 September 1990 fixing the sluice-gate prices and levies for eggs<sup>(4)</sup>;

Whereas the sluice-gate price and levy applicable to eggs in shell have been altered by the said Regulation; whereas

it is therefore necessary likewise to alter the sluice-gate prices and import duties for ovalbumin and lactalbumin fixed by Regulation (EEC) No 3818/89;

Whereas Commission Regulation (EEC) No 632/86 of 28 February 1986 on the application of import duties on ovalbumin and lactalbumin products from Portugal and amending Regulation (EEC) No 178/86<sup>(5)</sup> suspended the application of import levies on ovalbumin and lactalbumin products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other; whereas that situation still pertains;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The import duties provided for in Article 2 of Regulation (EEC) No 2783/75, in respect of the products specified in Article 1 thereof and the sluice-gate prices provided for in Article 5 thereof, in respect of the like products, shall be as set out in the Annex hereto.

2. Application of the duties shown in the Annex shall be suspended in respect of imports from Portugal of the products specified in paragraph 1.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 104.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 44.

<sup>(3)</sup> OJ No L 157, 22. 6. 1990, p. 16.

<sup>(4)</sup> See page 65 of this Official Journal.

<sup>(5)</sup> OJ No L 60, 1. 3. 1986, p. 12.

*ANNEX*

**to the Commission Regulation of 28 September 1990 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin**

| CN code    | Sluice-gate price | Import duty |
|------------|-------------------|-------------|
|            | ECU/100 kg        | ECU/100 kg  |
| 3502 10 91 | 399,07            | 135,40      |
| 3502 10 99 | 53,51             | 18,34       |
| 3502 90 51 | 399,07            | 135,40      |
| 3502 90 59 | 53,51             | 18,34       |

**COMMISSION REGULATION (EEC) No 2826/90**  
**of 28 September 1990**  
**fixing the sluice-gate prices and levies for poultrymeat**

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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1235/89<sup>(2)</sup>, and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat<sup>(3)</sup>, as last amended by Regulation (EEC) No 3986/87<sup>(4)</sup>;

Whereas, since the sluice-gate prices and levies for poultrymeat were, by Commission Regulation (EEC) No 1678/90<sup>(5)</sup>, last fixed for the period 1 July to 30 September 1990, they must be fixed anew for the period 1 October to 31 December 1990; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 April 1989 to 31 August 1990;

Whereas, when the sluice-gate prices applicable from 1 October, 1 January and 1 April are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required for the production of poultry other than fowls varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 October to 31 December 1990;

Whereas the price of the quantity of feed grain required for the production of fowls does not vary by 3 % or more from that used for the preceding quarter; whereas the sluice-gate prices fixed by Regulation (EEC) No 1678/90 should accordingly be maintained unchanged until 31 December 1990 for these products;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, changes in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed for certain product; changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas Commission Regulation (EEC) No 631/86 of 28 February 1986 on the application of import levies on products from Portugal and amending Regulation (EEC) No 177/86<sup>(6)</sup> suspended the application of import levies on poultrymeat products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other; whereas that situation still pertains;

Whereas, by Council Regulations (EEC) No 3899/89 of 18 December 1989 reducing for 1990 the levies on certain agricultural products originating in developing countries<sup>(7)</sup> and (EEC) 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or the overseas countries and territories (OCT)<sup>(8)</sup>, special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain poultry meat products;

Whereas Council Regulation (EEC) No 3898/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of certain agricultural products originating in developing countries<sup>(9)</sup> partially or totally suspends Common Tariff duties, in particular on certain poultry meat products;

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

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 77.

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 29.

<sup>(3)</sup> OJ No L 282, 1. 11. 1975, p. 84.

<sup>(4)</sup> OJ No L 376, 31. 12. 1987, p. 7.

<sup>(5)</sup> OJ No L 157, 22. 6. 1990, p. 11.

<sup>(6)</sup> OJ No L 60, 1. 3. 1986, p. 11.

<sup>(7)</sup> OJ No L 383, 30. 12. 1989, p. 125.

<sup>(8)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(9)</sup> OJ No L 383, 30. 12. 1989, p. 90.

HAS ADOPTED THIS REGULATION:

*Article 1*

1. In respect of the products specified in Article 1 (1) of Regulation (EEC) No 2777/75, the levies provided for in Article 3 thereof and the sluice-gate prices provided for in Article 7 thereof shall be as shown in the Annex hereto.

2. However, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71,

0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

3. For imports of products specified in paragraph 1 from Portugal, application of the levies specified in the Annex is suspended.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

## ANNEX

to the Commission Regulation of 28 September 1990 fixing the sluice-gate prices and levies for poultrymeat <sup>(1)</sup>

| CN code    | Sluice-gate price | Levy                 | Conventional rate of duty |
|------------|-------------------|----------------------|---------------------------|
|            | ECU/100 units     | ECU/100 units        | %                         |
| 0105 11 00 | 22,81             | 5,93                 | —                         |
| 0105 19 10 | 100,44            | 19,70                | —                         |
| 0105 19 90 | 22,81             | 5,93                 | —                         |
|            | ECU/100 kg        | ECU/100 kg           |                           |
| 0105 91 00 | 79,34             | 23,75                | —                         |
| 0105 99 10 | 90,30             | 36,96                | —                         |
| 0105 99 20 | 116,00            | 37,18                | —                         |
| 0105 99 30 | 104,75            | 28,04                | —                         |
| 0105 99 50 | 121,73            | 38,79                | —                         |
| 0207 10 11 | 99,67             | 29,83                | —                         |
| 0207 10 15 | 113,34            | 33,93                | —                         |
| 0207 10 19 | 123,49            | 36,96                | —                         |
| 0207 10 31 | 149,64            | 40,06                | —                         |
| 0207 10 39 | 164,03            | 43,81                | —                         |
| 0207 10 51 | 106,23            | 43,49                | —                         |
| 0207 10 55 | 129,00            | 52,80                | —                         |
| 0207 10 59 | 143,33            | 58,67 <sup>(2)</sup> | —                         |
| 0207 10 71 | 165,71            | 53,11                | —                         |
| 0207 10 79 | 156,99            | 56,37 <sup>(2)</sup> | —                         |
| 0207 10 90 | 173,90            | 55,41                | —                         |
| 0207 21 10 | 113,34            | 33,93                | —                         |
| 0207 21 90 | 123,49            | 36,96                | —                         |
| 0207 22 10 | 149,64            | 40,06                | —                         |
| 0207 22 90 | 164,03            | 43,91                | —                         |
| 0207 23 11 | 129,00            | 52,80                | —                         |
| 0207 23 19 | 143,33            | 58,67 <sup>(2)</sup> | —                         |
| 0207 23 51 | 165,71            | 53,11                | —                         |
| 0207 23 59 | 156,99            | 56,37 <sup>(2)</sup> | —                         |
| 0207 23 90 | 173,90            | 55,41                | —                         |
| 0207 31 00 | 1 657,10          | 531,10               | 3 <sup>(3)</sup>          |
| 0207 39 11 | 291,38            | 99,50                | —                         |
| 0207 39 13 | 135,84            | 40,66                | —                         |
| 0207 39 15 | 93,97             | 31,01                | —                         |
| 0207 39 17 | 65,06             | 21,47                | —                         |
| 0207 39 21 | 187,01            | 55,98                | —                         |
| 0207 39 23 | 175,68            | 52,59                | —                         |
| 0207 39 25 | 289,14            | 95,42                | —                         |
| 0207 39 27 | 65,06             | 21,47                | —                         |
| 0207 39 31 | 314,24            | 84,13                | —                         |

| CN code    | Sluice-gate price | Levy       | Conventional rate of duty |
|------------|-------------------|------------|---------------------------|
|            | ECU/100 kg        | ECU/100 kg | %                         |
| 0207 39 33 | 180,43            | 48,30      | —                         |
| 0207 39 35 | 93,97             | 31,01      | —                         |
| 0207 39 37 | 65,06             | 21,47      | —                         |
| 0207 39 41 | 239,42            | 64,10      | —                         |
| 0207 39 43 | 112,23            | 30,05      | —                         |
| 0207 39 45 | 202,01            | 54,08      | —                         |
| 0207 39 47 | 289,14            | 95,42      | —                         |
| 0207 39 51 | 65,06             | 21,47      | —                         |
| 0207 39 53 | 329,68            | 118,38 (?) | —                         |
| 0207 39 55 | 291,38            | 99,50      | —                         |
| 0207 39 57 | 157,66            | 64,54      | —                         |
| 0207 39 61 | 172,69            | 62,01 (?)  | —                         |
| 0207 39 63 | 191,29            | 60,95      | —                         |
| 0207 39 65 | 93,97             | 31,01 (?)  | —                         |
| 0207 39 67 | 65,06             | 21,47 (?)  | —                         |
| 0207 39 71 | 235,49            | 84,56 (?)  | —                         |
| 0207 39 73 | 187,01            | 55,98      | —                         |
| 0207 39 75 | 227,64            | 81,74 (?)  | —                         |
| 0207 39 77 | 175,68            | 52,59      | —                         |
| 0207 39 81 | 200,20            | 76,43 (?)  | —                         |
| 0207 39 83 | 289,14            | 95,42      | —                         |
| 0207 39 85 | 65,06             | 21,47      | —                         |
| 0207 39 90 | 166,26            | 54,87      | 10                        |
| 0207 41 10 | 291,38            | 99,50      | —                         |
| 0207 41 11 | 135,84            | 40,66      | —                         |
| 0207 41 21 | 93,97             | 31,01      | —                         |
| 0207 41 31 | 65,06             | 21,47      | —                         |
| 0207 41 41 | 187,01            | 55,98      | —                         |
| 0207 41 51 | 175,68            | 52,59      | —                         |
| 0207 41 71 | 289,14            | 95,42      | —                         |
| 0207 41 90 | 65,06             | 21,47      | —                         |
| 0207 42 10 | 314,24            | 84,13      | —                         |
| 0207 42 11 | 180,43            | 48,30      | —                         |
| 0207 42 21 | 93,97             | 31,01      | —                         |
| 0207 42 31 | 65,06             | 21,47      | —                         |
| 0207 42 41 | 239,42            | 64,10      | —                         |
| 0207 42 51 | 112,23            | 30,05      | —                         |
| 0207 42 59 | 202,01            | 54,08      | —                         |
| 0207 42 71 | 289,14            | 95,42      | —                         |
| 0207 42 90 | 65,06             | 21,47      | —                         |
| 0207 43 11 | 329,68            | 118,38 (?) | —                         |
| 0207 43 15 | 291,38            | 99,50      | —                         |
| 0207 43 21 | 157,66            | 64,54      | —                         |
| 0207 43 23 | 172,69            | 62,01 (?)  | —                         |

| CN code    | Sluice-gate price | Levy                 | Conventional rate of duty |
|------------|-------------------|----------------------|---------------------------|
|            | ECU/100 kg        | ECU/100 kg           | %                         |
| 0207 43 25 | 191,29            | 60,95                | —                         |
| 0207 43 31 | 93,97             | 31,01 <sup>(2)</sup> | —                         |
| 0207 43 41 | 65,06             | 21,47 <sup>(2)</sup> | —                         |
| 0207 43 51 | 235,49            | 84,56 <sup>(2)</sup> | —                         |
| 0207 43 53 | 187,01            | 55,98                | —                         |
| 0207 43 61 | 227,64            | 81,74 <sup>(2)</sup> | —                         |
| 0207 43 63 | 175,68            | 52,59                | —                         |
| 0207 43 71 | 200,20            | 76,43 <sup>(2)</sup> | —                         |
| 0207 43 81 | 289,14            | 95,42                | —                         |
| 0207 43 90 | 65,06             | 21,47                | —                         |
| 0207 50 10 | 1 657,10          | 531,10               | 3 <sup>(3)</sup>          |
| 0207 50 90 | 166,26            | 54,87                | 10                        |
| 0209 00 90 | 144,57            | 47,71                | —                         |
| 0210 90 71 | 1 657,10          | 531,10               | 3                         |
| 0210 90 79 | 166,26            | 54,87                | 10                        |
| 1501 00 90 | 173,48            | 57,25                | 18                        |
| 1602 31 11 | 299,28            | 80,12                | 17                        |
| 1602 31 19 | 318,05            | 104,96               | 17                        |
| 1602 31 30 | 173,48            | 57,25                | 17                        |
| 1602 31 90 | 101,20            | 33,40                | 17                        |
| 1602 39 11 | 286,62            | 99,26                | —                         |
| 1602 39 19 | 318,05            | 104,96               | 17                        |
| 1602 39 30 | 173,48            | 57,25                | 17                        |
| 1602 39 90 | 101,20            | 33,40                | 17                        |

<sup>(1)</sup> The levy on products covered by CN codes 0207, 1602 31 and 1602 39 originating in the ACP/OCT countries and listed in Article 6 of Regulation (EEC) No 715/90 is reduced by 50 % within the limits of the quotas referred to in that Regulation.

<sup>(2)</sup> The levy on such products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3899/89 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

<sup>(3)</sup> The Common Customs Tariff duties on these products originating in the developing countries and listed in Regulation (EEC) No 3898/89 are suspended and no levy is to be collected.

**COMMISSION REGULATION (EEC) No 2827/90**  
**of 28 September 1990**  
**altering the corrective amount applicable to the refund on cereals**

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90 <sup>(2)</sup>, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 2521/90 <sup>(4)</sup>;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 2521/90, which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 237, 1. 9. 1990, p. 41.

## ANNEX

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

(ECU/tonne)

| Product code   | Destination (1) | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 | 6th period<br>4 |
|----------------|-----------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|-----------------|
| 0709 90 60 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 0712 90 19 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1001 10 10 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1001 10 90 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1001 90 91 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1001 90 99 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1002 00 00 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1003 00 10 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1003 00 90 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1004 00 10 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1004 00 90 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1005 10 90 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1005 90 00 000 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1007 00 90 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1008 20 00 000 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1101 00 00 110 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1101 00 00 120 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1101 00 00 130 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1101 00 00 150 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1101 00 00 170 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1101 00 00 180 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1101 00 00 190 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1101 00 00 900 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1102 10 00 100 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1102 10 00 200 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1102 10 00 300 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1102 10 00 500 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1102 10 00 900 | —               | —             | —                | —                | —               | —               | —               | —               |
| 1103 11 10 100 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1103 11 10 200 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1103 11 10 500 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1103 11 10 900 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1103 11 90 100 | 01              | 0             | 0                | 0                | 0               | 0               | 0               | 0               |
| 1103 11 90 900 | —               | —             | —                | —                | —               | —               | —               | —               |

(1) For the following destinations:

01 All third countries.

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

## COMMISSION REGULATION (EEC) No 2828/90

of 28 September 1990

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1678/85<sup>(3)</sup> fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 2496/90<sup>(4)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed<sup>(5)</sup>, as last amended by Regulation (EEC) No 2206/90<sup>(6)</sup>, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1990/91 marketing year were fixed by Council Regulations (EEC) No 1317/90<sup>(7)</sup> and (EEC) No 1318/90<sup>(8)</sup>;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed by Regulation (EEC) No 1317/90 for the 1990/91 marketing year;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1989/90 and 1990/91 marketing years; whereas the coefficients of equivalence applied to the prices of sunflower seed from third coun-

tries have been fixed by Commission Regulation No 225/67/EEC<sup>(9)</sup>, as last amended by Regulation (EEC) No 2869/87<sup>(10)</sup>;

Whereas the target prices and the intervention prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1756/90 of 27 June 1990 establishing the target and intervention prices for colza, rape and sunflower seed and the guide and minimum prices for soya beans, fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990<sup>(11)</sup>;

Whereas the abatement of the subsidy for colza and rape seed which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has been fixed by Commission Regulation (EEC) No 2509/90<sup>(12)</sup>;

Whereas the abatement of the subsidy for sunflower seed which arise from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) 2833/90<sup>(13)</sup>;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point<sup>(14)</sup>, as last amended by Regulation (EEC) No 1983/82<sup>(15)</sup>, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Regulation No 225/67/EEC provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded;

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(4)</sup> OJ No L 236, 31. 8. 1990, p. 8.

<sup>(5)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 11.

<sup>(7)</sup> OJ No L 132, 23. 5. 1990, p. 9.

<sup>(8)</sup> OJ No L 132, 23. 5. 1990, p. 11.

<sup>(9)</sup> OJ No 136, 30. 6. 1967, p. 2919/67.

<sup>(10)</sup> OJ No L 273, 26. 9. 1987, p. 16.

<sup>(11)</sup> OJ No L 162, 28. 6. 1990, p. 19.

<sup>(12)</sup> OJ No L 237, 1. 9. 1990, p. 7.

<sup>(13)</sup> See page 86 of this Official Journal.

<sup>(14)</sup> OJ No 111, 10. 6. 1967, p. 2196/67.

<sup>(15)</sup> OJ No L 215, 23. 7. 1982, p. 6.

whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by ECU 0,242;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis

for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds<sup>(1)</sup>, as last amended by Regulation (EEC) No 1321/90<sup>(2)</sup>, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds<sup>(3)</sup>, as last amended by Regulation (EEC) No 2248/90<sup>(4)</sup>, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance

<sup>(1)</sup> OJ No L 163, 22. 6. 1983, p. 44.

<sup>(2)</sup> OJ No L 132, 23. 5. 1990, p. 15.

<sup>(3)</sup> OJ No L 266, 28. 9. 1983, p. 1.

<sup>(4)</sup> OJ No L 203, 1. 8. 1990, p. 55.

with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals ;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86<sup>(1)</sup>; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States ;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain<sup>(2)</sup>, as last amended by Regulation (EEC) No 387/90<sup>(3)</sup>, provision is made for the granting of compensatory aid, subject to certain conditions ; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain ;

Whereas Council Regulation (EEC) No 1920/87<sup>(4)</sup>, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal ; whereas the amount of this subsidy should be fixed ;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84<sup>(5)</sup>, as last amended by Regulation (EEC) No 1539/90<sup>(6)</sup>, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :
  - the conversion rate used under the common agricultural policy, and
  - the conversion rate resulting from the central rate multiplied by the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85<sup>(7)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(8)</sup> ;

- (b) for Member States other than those referred to in (a), the difference between :

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined multiplied by the factor referred to in the second indent of point (a) ;

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

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week ; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary ;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ecus and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation ; whereas, pursuant to the same Article, the spot and forward exchange rates for the ecu in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION :

#### Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.

#### Article 2

This Regulation shall enter into force on 1 October 1990.

<sup>(1)</sup> OJ No L 53, 1. 3. 1986, p. 55.

<sup>(2)</sup> OJ No L 53, 1. 3. 1986, p. 47.

<sup>(3)</sup> OJ No L 42, 16. 2. 1990, p. 8.

<sup>(4)</sup> OJ No L 183, 3. 7. 1987, p. 18.

<sup>(5)</sup> OJ No L 170, 29. 6. 1984, p. 41.

<sup>(6)</sup> OJ No L 145, 8. 6. 1990, p. 20.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 6.

<sup>(8)</sup> OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX I

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

(amounts per 100 kg)

|                                               | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 |
|-----------------------------------------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |               |                  |                  |                 |                 |                 |
| — Spain                                       | 0,000         | 0,000            | 0,000            | 0,000           | 0,000           | 0,000           |
| — Portugal                                    | 0,000         | 0,000            | 0,000            | 26,856          | 26,616          | 26,895          |
| — Other Member States                         | 20,135        | 19,770           | 19,848           | 19,886          | 19,646          | 19,925          |
| 2. Final aids:                                |               |                  |                  |                 |                 |                 |
| (a) Seed harvested and processed in:          |               |                  |                  |                 |                 |                 |
| — Federal Republic of Germany (DM)            | 47,14         | 46,28            | 46,47            | 46,56           | 45,99           | 46,79           |
| — Netherlands (Fl)                            | 53,11         | 52,15            | 52,36            | 52,46           | 51,82           | 52,72           |
| — BLEU (Bfrs/Lfrs)                            | 972,26        | 954,63           | 958,40           | 960,23          | 948,65          | 963,13          |
| — France (FF)                                 | 158,10        | 155,23           | 155,84           | 156,14          | 154,26          | 156,45          |
| — Denmark (Dkr)                               | 179,81        | 176,55           | 177,24           | 177,58          | 175,44          | 177,93          |
| — Ireland (£ Irl)                             | 17,596        | 17,277           | 17,345           | 17,378          | 17,169          | 17,412          |
| — United Kingdom (£)                          | 15,406        | 15,108           | 15,136           | 15,129          | 14,929          | 15,053          |
| — Italy (Lit)                                 | 35 270        | 34 631           | 34 767           | 34 834          | 34 413          | 34 902          |
| — Greece (Dr)                                 | 4 187,57      | 4 092,98         | 4 078,30         | 4 060,42        | 3 999,17        | 3 976,48        |
| (b) Seed harvested in Spain and processed:    |               |                  |                  |                 |                 |                 |
| — in Spain (Pta)                              | 0,00          | 0,00             | 0,00             | 0,00            | 0,00            | 0,00            |
| — in another Member State (Pta)               | 0,00          | 0,00             | 0,00             | 0,00            | 0,00            | 0,00            |
| (c) Seed harvested in Portugal and processed: |               |                  |                  |                 |                 |                 |
| — in Portugal (Esc)                           | 0,00          | 0,00             | 0,00             | 5 501,00        | 5 449,28        | 5 464,70        |
| — in another Member State (Esc)               | 5 574,56      | 5 497,34         | 5 507,73         | 5 501,00        | 5 449,28        | 5 464,70        |

## ANNEX II

## Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

|                                               | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 |
|-----------------------------------------------|---------------|------------------|------------------|-----------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |               |                  |                  |                 |                 |                 |
| — Spain                                       | 2,500         | 2,500            | 2,500            | 2,500           | 2,500           | 2,500           |
| — Portugal                                    | 2,500         | 2,500            | 2,500            | 29,356          | 29,116          | 29,395          |
| — Other Member States                         | 22,635        | 22,270           | 22,348           | 22,386          | 22,146          | 22,429          |
| 2. Final aids:                                |               |                  |                  |                 |                 |                 |
| (a) Seed harvested and processed in:          |               |                  |                  |                 |                 |                 |
| — Federal Republic of Germany (DM)            | 52,99         | 52,14            | 52,32            | 52,41           | 51,85           | 52,64           |
| — Netherlands (Fl)                            | 59,71         | 58,74            | 58,95            | 59,05           | 58,42           | 59,31           |
| — BLEU (Bfrs/Lfrs)                            | 1 092,98      | 1 075,35         | 1 079,12         | 1 080,95        | 1 069,36        | 1 083,84        |
| — France (FF)                                 | 177,73        | 174,86           | 175,47           | 175,77          | 173,89          | 176,08          |
| — Denmark (Dkr)                               | 202,13        | 198,87           | 199,57           | 199,91          | 197,77          | 200,26          |
| — Ireland (£ Irl)                             | 19,781        | 19,462           | 19,530           | 19,563          | 19,353          | 19,597          |
| — United Kingdom (£)                          | 17,355        | 17,057           | 17,087           | 17,078          | 16,878          | 17,002          |
| — Italy (Lit)                                 | 39 649        | 39 010           | 39 146           | 39 213          | 38 792          | 39 281          |
| — Greece (Dr)                                 | 4 730,93      | 4 636,34         | 4 621,66         | 4 603,78        | 4 542,53        | 4 519,84        |
| (b) Seed harvested in Spain and processed:    |               |                  |                  |                 |                 |                 |
| — in Spain (Pta)                              | 382,24        | 382,24           | 382,24           | 382,24          | 382,24          | 382,24          |
| — in another Member State (Pta)               | 146,94        | 94,17            | 101,50           | 99,37           | 64,67           | 82,45           |
| (c) Seed harvested in Portugal and processed: |               |                  |                  |                 |                 |                 |
| — in Portugal (Esc)                           | 517,26        | 517,26           | 517,26           | 6 018,26        | 5 966,53        | 5 981,96        |
| — in another Member State (Esc)               | 6 091,81      | 6 014,60         | 6 024,99         | 6 018,26        | 5 966,53        | 5 981,96        |

## ANNEX III

## Aids to sunflower seed

(amounts per 100 kg)

|                                               | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 |
|-----------------------------------------------|---------------|------------------|------------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |               |                  |                  |                 |                 |
| — Spain                                       | 8,600         | 8,600            | 8,600            | 28,779          | 28,875          |
| — Portugal                                    | 0,000         | 0,000            | 0,000            | 37,798          | 37,899          |
| — Other Member States                         | 26,166        | 26,297           | 26,428           | 25,558          | 25,659          |
| 2. Final aids:                                |               |                  |                  |                 |                 |
| (a) Seed harvested and processed in (1):      |               |                  |                  |                 |                 |
| — Federal Republic of Germany (DM)            | 61,26         | 61,56            | 61,87            | 59,83           | 60,07           |
| — Netherlands (Fl)                            | 69,02         | 69,37            | 69,71            | 67,42           | 67,68           |
| — BLEU (Bfrs/Lfrs)                            | 1 263,48      | 1 269,80         | 1 276,13         | 1 234,12        | 1 239,00        |
| — France (FF)                                 | 205,45        | 206,48           | 207,51           | 200,68          | 201,47          |
| — Denmark (Dkr)                               | 233,66        | 234,83           | 236,00           | 228,23          | 229,14          |
| — Ireland (£ Irl)                             | 22,866        | 22,981           | 23,095           | 22,335          | 22,423          |
| — United Kingdom (£)                          | 20,086        | 20,185           | 20,255           | 19,512          | 19,585          |
| — Italy (Lit)                                 | 45 834        | 46 064           | 46 293           | 44 769          | 44 946          |
| — Greece (Dr)                                 | 5 484,27      | 5 503,82         | 5 499,68         | 5 265,64        | 5 284,06        |
| (b) Seed harvested in Spain and processed:    |               |                  |                  |                 |                 |
| — in Spain (Pta)                              | 1 314,91      | 1 314,91         | 1 314,91         | 4 463,66        | 4 479,12        |
| — in another Member State (Pta)               | 4 633,29      | 4 654,10         | 4 670,44         | 4 534,95        | 4 551,16        |
| (c) Seed harvested in Portugal and processed: |               |                  |                  |                 |                 |
| — in Portugal (Esc)                           | 0,00          | 0,00             | 0,00             | 7 761,60        | 7 781,69        |
| — in Spain (Esc)                              | 8 088,77      | 8 116,03         | 8 137,96         | 7 935,03        | 7 955,58        |
| — in another Member State (Esc)               | 7 911,98      | 7 938,64         | 7 960,09         | 7 761,60        | 7 781,69        |
| 3. Compensatory aids:                         |               |                  |                  |                 |                 |
| — in Spain (Pta)                              | 4 606,26      | 4 627,07         | 4 643,41         | —               | —               |
| 4. Special aid:                               |               |                  |                  |                 |                 |
| — in Portugal (Esc)                           | 7 911,98      | 7 938,64         | 7 960,09         | —               | —               |

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

## ANNEX IV

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

(value of ECU 1)

|           | Current<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>2 | 5th period<br>3 |
|-----------|---------------|------------------|------------------|-----------------|-----------------|-----------------|
| DM        | 2,060430      | 2,057290         | 2,053810         | 2,050580        | 2,050580        | 2,041450        |
| Fl        | 2,322950      | 2,319380         | 2,315570         | 2,311960        | 2,311960        | 2,301740        |
| Bfrs/Lfrs | 42,386700     | 42,340100        | 42,286700        | 42,236000       | 42,236000       | 42,113000       |
| FF        | 6,899960      | 6,898570         | 6,898440         | 6,897830        | 6,897830        | 6,894970        |
| Dkr       | 7,846020      | 7,848860         | 7,850460         | 7,852150        | 7,852150        | 7,852820        |
| £Irl      | 0,766744      | 0,767649         | 0,767690         | 0,768297        | 0,768297        | 0,769691        |
| £         | 0,701002      | 0,703675         | 0,706281         | 0,708466        | 0,708466        | 0,714430        |
| Lit       | 1 538,35      | 1 537,88         | 1 538,32         | 1 539,42        | 1 539,42        | 1 543,60        |
| Dr        | 201,94600     | 203,39500        | 205,37700        | 206,89200       | 206,89200       | 212,34500       |
| Esc       | 182,47000     | 183,05200        | 183,74800        | 184,69600       | 184,69600       | 187,48800       |
| Pta       | 129,03800     | 129,50700        | 129,95900        | 130,40700       | 130,40700       | 131,62000       |

## COMMISSION REGULATION (EEC) No 2829/90

of 27 September 1990

concerning the stopping of fishing for hake by vessels flying the flag of Denmark

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

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

Whereas Council Regulation (EEC) No 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished <sup>(3)</sup>, as last amended by Regulation (EEC) No 1887/90 <sup>(4)</sup>, provides for hake quotas for 1990;

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

Whereas, according to the information communicated to the Commission, catches of hake in the waters of ICES divisions III a, III b, c and d (EC zone) by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1990; whereas Denmark

has prohibited fishing for this stock as from 22 August 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of hake in the waters of ICES divisions III a, III b, c and d (EC zone) by vessels flying the flag of Denmark are deemed to have exhausted the quota allocated to Denmark for 1990.

Fishing for hake in the waters of ICES divisions III a, III b, c and d (EC zone) by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

*Article 2*

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

It shall apply with effect from 22 August 1990.

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

Done at Brussels, 27 September 1990.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 207, 29. 7. 1987, p. 1.

<sup>(2)</sup> OJ No L 306, 11. 11. 1988, p. 2.

<sup>(3)</sup> OJ No L 389, 30. 12. 1989, p. 1.

<sup>(4)</sup> OJ No L 172, 5. 7. 1990, p. 1.

**COMMISSION REGULATION (EEC) No 2830/90****of 27 September 1990****concerning the stopping of fishing for pollack by vessels flying the flag of Spain**

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

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

Whereas Council Regulation (EEC) No 4047/89 of 19 December 1989 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished <sup>(3)</sup>, as last amended by Regulation (EEC) No 1887/90 <sup>(4)</sup>, provides for pollack quotas for 1990;

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

Whereas, according to the information communicated to the Commission, catches of pollack in the waters of ICES division VII by vessels flying the flag of Spain or registered in Spain have reached the quota allocated for 1990;

whereas Spain has prohibited fishing for this stock as from 25 September 1990; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of pollack in the waters of ICES division VII by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1990.

Fishing for pollack in the waters of ICES division VII by vessels flying the flag of Spain or registered in Spain is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

*Article 2*

This Regulation shall enter into force on 25 September 1990.

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

Done at Brussels, 27 September 1990.

*For the Commission*

Manuel MARÍN

*Vice-President*

<sup>(1)</sup> OJ No L 207, 29. 7. 1987, p. 1.

<sup>(2)</sup> OJ No L 306, 11. 11. 1988, p. 2.

<sup>(3)</sup> OJ No L 389, 30. 12. 1989, p. 1.

<sup>(4)</sup> OJ No L 172, 5. 7. 1990, p. 1.

## COMMISSION REGULATION (EEC) No 2831/90

of 27 September 1990

amending Regulation (EEC) No 2253/90 fixing the export refunds on beef and veal and amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 571/89 <sup>(2)</sup>, and in particular Article 18 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 <sup>(3)</sup>, as last amended by Regulation (EEC) No 427/77 <sup>(4)</sup>, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Commission Regulation (EEC) No 2253/90 <sup>(5)</sup> increased the refunds with effect from 1 August 1990 but excluded from the increase frozen meat from intervention stocks put up for sale under Commission Regulations (EEC) No 1680/90 on the sale of boneless beef <sup>(6)</sup> and (EEC) No 1682/90 on the sale of bone-in beef <sup>(7)</sup> held by certain intervention agencies and intended for export;

whereas, for the purposes of clarification, it should be specified that, for the products put up for sale under the latter two Regulations, the export refunds set out in the Annex to Commission Regulation (EEC) No 1309/90 of 18 May 1990 fixing the export refunds on beef and veal <sup>(8)</sup> should be applied;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex I to Regulation (EEC) No 2253/90, the following sentence is added to footnote 10:

'However, in the case of exports under Regulations (EEC) No 1680/90 and (EEC) No 1682/90, the export refunds set out in the Annex to Regulation (EEC) No 1309/90 should be applied.'

*Article 2*

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

It shall apply with effect from 1 August 1990.

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

Done at Brussels, 27 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 61, 4. 3. 1989, p. 43.

<sup>(3)</sup> OJ No L 156, 4. 7. 1968, p. 2.

<sup>(4)</sup> OJ No L 61, 5. 3. 1977, p. 16.

<sup>(5)</sup> OJ No L 203, 1. 8. 1990, p. 63.

<sup>(6)</sup> OJ No L 157, 22. 6. 1990, p. 18.

<sup>(7)</sup> OJ No L 157, 22. 6. 1990, p. 26.

<sup>(8)</sup> OJ No L 129, 19. 5. 1990, p. 21.

**COMMISSION REGULATION (EEC) No 2832/90**  
**of 28 September 1990**  
**amending Regulation (EEC) No 756/70 on granting aid for skimmed milk**  
**processed into casein and caseinates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EEC) No 3879/89 <sup>(2)</sup>, and in particular Article 11 (3) thereof,

Whereas the amount of aid for 100 kilograms of skimmed milk processed into casein or caseinates was fixed at ECU 6,64 by Article 2 (1) of Commission Regulation (EEC) No 756/70 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3463/89 <sup>(4)</sup>; whereas the amount of aid must be adjusted

to take account of the movement of prices for caseins in international trade;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 2 (1) of Regulation (EEC) No 756/70, 'ECU 6,64' is replaced by 'ECU 7,94'.

*Article 2*

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

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 378, 27. 12. 1989, p. 1.

<sup>(3)</sup> OJ No L 91, 25. 4. 1970, p. 28.

<sup>(4)</sup> OJ No L 334, 18. 11. 1989, p. 26.

**COMMISSION REGULATION (EEC) No 2833/90**  
**of 28 September 1990**

**fixing the level of estimated sunflower seed production for the 1990/91 marketing year, the level of actual sunflower seed production for the 1989/90 marketing year, and the adjustment to be made to the amount of the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 2902/89<sup>(2)</sup>, and in particular Article 27a (6) thereof,

Whereas Article 32a of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds<sup>(3)</sup>, as last amended by Regulation (EEC) No 2248/90<sup>(4)</sup>, specifies the factors which must be determined in order to implement the system of maximum guaranteed quantities; whereas the level of estimated sunflower seed production for the 1990/91 marketing year, the level of actual sunflower seed production for the 1989/90 marketing year, and the resulting adjustment to the aid for the 1990/91 marketing year should be fixed on the basis of the available data;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1990/91 marketing year, the estimated production of sunflower seed is hereby fixed at:

- 1 307 000 tonnes for Spain,
- 56 000 tonnes for Portugal,
- 2 595 000 tonnes for the other Member States.

*Article 2*

For the 1989/90 marketing year, the actual production of sunflower seed is hereby fixed at:

- 980 000 tonnes for Spain,
- 45 000 tonnes for Portugal,
- 2 562 000 tonnes for the other Member States.

*Article 3*

For the 1990/91 marketing year, the adjustment to be made to the amount of the aid for sunflower seed is hereby fixed at:

- ECU 0 per 100 kilograms for Spain,
- ECU 0 per 100 kilograms for Portugal,
- ECU -12,24 per 100 kilograms for the other Member States.

*Article 4*

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

It shall apply with effect from 1 August 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

<sup>(3)</sup> OJ No L 266, 28. 9. 1983, p. 1.

<sup>(4)</sup> OJ No L 203, 1. 8. 1990, p. 55.

## COMMISSION REGULATION (EEC) No 2834/90

of 28 September 1990

derogating, for the 1990/91 marketing year, from the time limit fixed for the allocation of unused quantities and the conclusion of additional processing contracts in the processed tomato product sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 2201/90<sup>(2)</sup>, and in particular Article 3 (4) thereof,

Having regard to Council Regulation (EEC) No 1203/90 of 7 May 1990 on temporary measures relating to production aid for processed tomato products<sup>(3)</sup>, and in particular Article 4 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 2117/90 of 24 July 1990 laying down detailed rules for the application of temporary measures relating to production aid for processed tomato products<sup>(4)</sup> lays down that Member States may allocate unused quantities which have not been the subject of the preliminary contracts provided for in Article 4a or of the processing contracts referred to in Article 5 of Commission Regulation (EEC) No 1599/84<sup>(5)</sup>, as last amended by Regulation (EEC) No 396/90<sup>(6)</sup>, not later than 15 August of each year; whereas the resulting processing contracts must be concluded not later than 31 August;

Whereas, for the 1990/91 marketing year, in particular, owing to the late publication of the provisions on prices

applicable to tomatoes, and administrative difficulties in certain Member States, the time limits laid down should be extended;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Notwithstanding the second subparagraph of Article 4 (4) of Regulation (EEC) No 2117/90, for the 1990/91 marketing year, Member States may allocate unused quantities which have not been the subject of preliminary contracts and processing contracts not later than 5 October 1990. Processing contracts shall be concluded not later than 15 October 1990.

*Article 2*

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

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1990, p. 1.

<sup>(3)</sup> OJ No L 119, 11. 5. 1990, p. 68.

<sup>(4)</sup> OJ No L 193, 25. 7. 1990, p. 17.

<sup>(5)</sup> OJ No L 152, 8. 6. 1984, p. 6.

<sup>(6)</sup> OJ No L 42, 16. 2. 1990, p. 47.

## COMMISSION REGULATION (EEC) No 2835/90

of 28 September 1990

amending Regulation (EEC) No 3077/78 on the equivalence with Community certificates of attestations accompanying hops imported from non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops<sup>(1)</sup>, as last amended by Regulation (EEC) No 3998/87<sup>(2)</sup>, and in particular Article 5 (2) thereof,

Whereas Commission Regulation (EEC) No 3077/78<sup>(3)</sup>, as last amended by Regulation (EEC) No 3975/88<sup>(4)</sup>, recognizes the equivalence with Community certificates of attestations accompanying hops imported from certain non-member countries, and contains a list of the bodies in those countries authorized to issue attestations of equivalence;

Whereas, since that time, the body authorized by the German Democratic Republic to issue attestations of equivalence, as set out in the Annex to Regulation (EEC) No 3077/78, has ceased to exist; whereas another body has therefore been authorized to issue these attestations as of 1 July 1990; whereas the respective entry in the Annex to Regulation (EEC) No 3077/78 should be therefore amended;

Whereas, due to the accession of the German Democratic Republic to the Federal Republic of Germany, the territory of the German Democratic Republic becomes part of the Community and will no longer be considered a third country; whereas the issuing of attestations of equivalence will no longer be required; whereas the respective entry in the Annex to Regulation (EEC) No 3077/78 should be therefore deleted on the date of the German unification;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The entry in the Annex to Regulation (EEC) No 3077/78 concerning the German Democratic Republic is hereby replaced by the following:

| Country of origin          | Organizations authorized to issue attestations              | Products                                              | CN code                          |
|----------------------------|-------------------------------------------------------------|-------------------------------------------------------|----------------------------------|
| German Democratic Republic | Hopfenverwertungsgenossenschaft<br>Elbe-Saale eG<br>Leipzig | Hop cones<br>Hop powders<br>Saps and extracts of hops | ex 1210<br>ex 1210<br>1302 13 00 |

*Article 2*

All references to the German Democratic Republic in the Annex to Regulation (EEC) No 3077/78 are deleted with effect from the day of accession of the German Democratic Republic to the Federal Republic of Germany.

*Article 3*

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

It shall apply with effect from 1 July 1990.

<sup>(1)</sup> OJ No L 175, 4. 8. 1971, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 40.

<sup>(3)</sup> OJ No L 367, 28. 12. 1978, p. 28.

<sup>(4)</sup> OJ No L 351, 21. 12. 1988, p. 23.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2836/90

of 26 September 1990

reimposing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

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

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

Having regard to Council Regulation (EEC) No 3606/89 of 20 November 1989 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia (1990) <sup>(2)</sup>, and in particular Article 1 thereof,

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

Whereas imports into the Community of those products, originating in Yugoslavia, have reached those ceilings;

whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be reimposed,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 2 October to 31 December 1990, the levying of customs duties applicable to third countries shall be reimposed on imports into the Community of the products listed in the Annex, originating in Yugoslavia.

*Article 2*

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

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

Done at Brussels, 26 September 1990.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

<sup>(1)</sup> OJ No L 41, 14. 2. 1983, p. 2.

<sup>(2)</sup> OJ No L 352, 4. 12. 1989, p. 1.

## ANNEX

| Order No | CN code    | Description of goods                                                                   | Ceiling (tonnes) |
|----------|------------|----------------------------------------------------------------------------------------|------------------|
| 01.0210  | 7903       | Zinc dust, powders and flakes                                                          | } 3 248          |
|          | 7905       | Zinc plates, sheets, strip and foil                                                    |                  |
| 01.0270  | 8716       | Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof: | } 2 875          |
|          | 8716 10    | - Trailers and semi-trailers of the caravan type, for housing or camping:              |                  |
|          | 8716 10 10 | - - Trailer tents                                                                      |                  |
|          |            | - - Other, of a weight:                                                                |                  |
|          | 8716 10 91 | - - - Not exceeding 750 kg                                                             |                  |
|          | 8716 10 93 | - - - Exceeding 750 kg but not exceeding 3 500 kg                                      |                  |
|          | 8716 10 99 | - - - Exceeding 3 500 kg                                                               |                  |
|          | 8716 20    | - Self-loading or self-unloading trailers and semi-trailers for agricultural purposes: |                  |
|          | 8716 20 10 | - - Manure spreaders                                                                   |                  |
|          | 8716 20 90 | - - Other                                                                              |                  |
|          |            | - Other trailers and semi-trailers for the transport of goods:                         |                  |
|          | 8716 31 00 | - - Tanker trailers and tanker semi-trailers:                                          |                  |
|          |            | - - - New:                                                                             |                  |
|          | 8716 39 30 | - - - - Semi-trailers                                                                  |                  |
|          |            | - - - - Other:                                                                         |                  |
|          | 8716 39 51 | - - - - - With a single axle                                                           |                  |
|          | 8716 39 59 | - - - - - Other                                                                        |                  |
|          | 8716 39 80 | - - - Used                                                                             |                  |
|          | 8716 40 00 | - Other trailers and semi-trailers                                                     |                  |

**COMMISSION REGULATION (EEC) No 2837/90**  
**of 28 September 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2547/90 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2794/90 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2547/90 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 29 September 1990.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 237, 1. 9. 1990, p. 102.

<sup>(4)</sup> OJ No L 265, 28. 9. 1990, p. 33.

## ANNEX

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

(ECU/100 kg)

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 37,07 <sup>(1)</sup> |
| 1701 11 90 | 37,07 <sup>(1)</sup> |
| 1701 12 10 | 37,07 <sup>(1)</sup> |
| 1701 12 90 | 37,07 <sup>(1)</sup> |
| 1701 91 00 | 43,71                |
| 1701 99 10 | 43,71                |
| 1701 99 90 | 43,71 <sup>(2)</sup> |

<sup>(1)</sup> 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).

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

## COMMISSION REGULATION (EEC) No 2838/90

of 28 September 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1340/90<sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(5)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(6)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2752/90<sup>(7)</sup>;

Whereas Council Regulation (EEC) No 1906/87<sup>(8)</sup> amended Council Regulation (EEC) No 2744/75<sup>(9)</sup> as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 134, 28. 5. 1990, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(7)</sup> OJ No L 264, 27. 9. 1990, p. 39.

<sup>(8)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(9)</sup> OJ No L 281, 1. 11. 1975, p. 65.

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

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74<sup>(10)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(11)</sup>, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 2752/90 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 October 1990.

<sup>(10)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(11)</sup> OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 28 September 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX

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

(ECU/tonne)

| CN code                      | Import levies |                                      |                                            |
|------------------------------|---------------|--------------------------------------|--------------------------------------------|
|                              | Portugal      | ACP or OCT                           | Third countries<br>(other than ACP or OCT) |
| 0714 10 10 <sup>(1)</sup>    | 47,49         | 147,14                               | 153,79                                     |
| 0714 10 91                   | 44,47         | 150,77 <sup>(3)</sup> <sup>(7)</sup> | 150,77                                     |
| 0714 10 99                   | 47,49         | 148,96                               | 153,79                                     |
| 0714 90 11                   | 44,47         | 150,77 <sup>(3)</sup> <sup>(7)</sup> | 150,77                                     |
| 0714 90 19                   | 47,49         | 148,96 <sup>(3)</sup>                | 153,79                                     |
| 1102 20 10                   | 56,04         | 248,08                               | 254,12                                     |
| 1102 20 90                   | 31,36         | 140,58                               | 143,60                                     |
| 1102 90 10                   | 86,09         | 271,39                               | 277,43                                     |
| 1102 90 30                   | 71,04         | 243,76                               | 249,80                                     |
| 1103 12 00                   | 71,04         | 243,76                               | 249,80                                     |
| 1103 13 11                   | 56,04         | 248,08                               | 254,12                                     |
| 1103 13 19                   | 56,04         | 248,08                               | 254,12                                     |
| 1103 13 90                   | 31,36         | 140,58                               | 143,60                                     |
| 1103 19 30                   | 86,09         | 271,39                               | 277,43                                     |
| 1103 29 20                   | 86,09         | 271,39                               | 277,43                                     |
| 1103 29 30                   | 71,04         | 243,76                               | 249,80                                     |
| 1103 29 40                   | 56,04         | 248,08                               | 254,12                                     |
| 1104 11 10                   | 48,38         | 153,79                               | 156,81                                     |
| 1104 11 90                   | 94,98         | 301,54                               | 307,58                                     |
| 1104 12 10                   | 39,85         | 138,13                               | 141,15                                     |
| 1104 12 90                   | 78,26         | 270,84                               | 276,88                                     |
| 1104 19 50                   | 56,04         | 248,08                               | 254,12                                     |
| 1104 21 10                   | 74,17         | 241,23                               | 244,25                                     |
| 1104 21 30                   | 74,17         | 241,23                               | 244,25                                     |
| 1104 21 50                   | 117,22        | 376,93                               | 382,97                                     |
| 1104 21 90                   | 48,38         | 153,79                               | 156,81                                     |
| 1104 22 10 10 <sup>(4)</sup> | 39,85         | 138,13                               | 141,15                                     |
| 1104 22 10 90 <sup>(5)</sup> | 68,02         | 243,76                               | 246,78                                     |
| 1104 22 30                   | 68,02         | 243,76                               | 246,78                                     |
| 1104 22 50                   | 60,80         | 216,67                               | 219,69                                     |
| 1104 22 90                   | 39,85         | 138,13                               | 141,15                                     |
| 1104 23 10                   | 47,47         | 220,51                               | 223,53                                     |
| 1104 23 30                   | 47,47         | 220,51                               | 223,53                                     |
| 1104 23 90                   | 31,36         | 140,58                               | 143,60                                     |
| 1104 30 90                   | 26,88         | 103,37                               | 109,41                                     |
| 1106 20 10                   | 47,49         | 147,14 <sup>(3)</sup>                | 153,79                                     |
| 1106 20 91                   | 65,28         | 218,26 <sup>(2)</sup>                | 242,44                                     |
| 1106 20 99                   | 65,28         | 218,26 <sup>(2)</sup>                | 242,44                                     |
| 1107 10 91                   | 90,04         | 268,37                               | 279,25 <sup>(2)</sup>                      |
| 1107 10 99                   | 70,03         | 200,52                               | 211,40                                     |
| 1107 20 00                   | 79,81         | 233,69                               | 244,57 <sup>(2)</sup>                      |

(ECU/tonne)

| CN code    | Import levies |                       |                                            |
|------------|---------------|-----------------------|--------------------------------------------|
|            | Portugal      | ACP or OCT            | Third countries<br>(other than ACP or OCT) |
| 1108 12 00 | 65,28         | 221,89                | 242,44                                     |
| 1108 13 00 | 65,28         | 221,89                | 242,44 <sup>(6)</sup>                      |
| 1108 14 00 | 65,28         | 110,94                | 242,44                                     |
| 1108 19 90 | 65,28         | 110,94 <sup>(3)</sup> | 242,44                                     |
| 1702 30 51 | 155,06        | 289,42                | 386,14                                     |
| 1702 30 59 | 111,22        | 221,89                | 288,38                                     |
| 1702 30 91 | 155,06        | 289,42                | 386,14                                     |
| 1702 30 99 | 111,22        | 221,89                | 288,38                                     |
| 1702 40 90 | 111,22        | 221,89                | 288,38                                     |
| 1702 90 50 | 111,22        | 221,89                | 288,38                                     |
| 1702 90 75 | 157,84        | 303,20                | 399,92                                     |
| 1702 90 79 | 108,99        | 210,86                | 277,35                                     |
| 2106 90 55 | 111,22        | 221,89                | 288,38                                     |
| 2302 10 10 | 20,08         | 62,66                 | 68,66                                      |
| 2302 10 90 | 36,18         | 134,27                | 140,27                                     |
| 2302 20 10 | 20,08         | 62,66                 | 68,66                                      |
| 2302 20 90 | 36,18         | 134,27                | 140,27                                     |
| 2302 30 10 | 20,08         | 62,66                 | 68,66                                      |
| 2302 30 90 | 36,18         | 134,27                | 140,27                                     |
| 2302 40 10 | 20,08         | 62,66                 | 68,66                                      |
| 2302 40 90 | 36,18         | 134,27                | 140,27                                     |
| 2303 10 11 | 236,90        | 275,64                | 456,98                                     |

(<sup>1</sup>) 6 % *ad valorem*, subject to certain conditions.

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

(<sup>3</sup>) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(<sup>4</sup>) Taric code: clipped oats.

(<sup>5</sup>) Taric code: CN code 1104 22 10, other than 'clipped oats'.

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

(<sup>7</sup>) 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.