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Contents

I Acts whose publication is obligatory

Commission Regulation (EEC) No 161/89 of 24 January 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 162/89 of 24 January 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
★ Commission Regulation (EEC) No 163/89 of 24 January 1989 concerning the fishing vessel register of the Community	5
★ Commission Regulation (EEC) No 164/89 of 24 January 1989 amending Regulation (EEC) No 2185/87 on the repayment of export refunds for certain agricultural products exported in the form of certain goods not covered by Annex II to the Treaty and the charging of accession compensatory amounts	12
★ Commission Regulation (EEC) No 165/89 of 24 January 1989 amending Regulation (EEC) No 2169/86 laying down detailed rules for the control and payment of the production refunds in the cereals and rice sectors	14
★ Commission Regulation (EEC) No 166/89 of 24 January 1989 amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals	16
Commission Regulation (EEC) No 167/89 of 24 January 1989 fixing the import levies on white sugar and raw sugar	23
Commission Regulation (EEC) No 168/89 of 24 January 1989 introducing a countervailing charge and suspending the preferential customs duty on imports of fresh sweet oranges originating in Turkey	25

II *Acts whose publication is not obligatory*

Commission

89/50/EEC :

- * Commission Decision of 21 December 1988 authorizing methods for grading pig carcasses in France 27

89/51/EEC :

- * Commission Decision of 21 December 1988 authorizing a method for grading pig carcasses in the Grand Duchy of Luxembourg 31

89/52/EEC :

- * Commission Decision of 21 December 1988 amending Decision 87/293/EEC authorizing methods for grading pig carcasses in Ireland 33

89/53/EEC :

- * Commission Decision of 21 December 1988 authorizing methods for grading pig carcasses in Italy 35

Corrigenda

Corrigendum to Commission Regulation (EEC) No 3956/88 of 14 December 1988 fixing definitively the aid for sunflower seed applicable before 30 September 1988 for the 1988/89 marketing year (OJ No L 350 of 20.12.1988) 38

- * Corrigendum to Commission Regulation (EEC) No 3961/88 of 19 December 1988 setting the target ceiling for imports of oil cake into Portugal in 1989 (OJ No L 350 of 20.12.1988) 38

- * Corrigendum to Council Regulation (EEC) No 4092/88 of 16 December 1988 opening, allocating and providing for the administration of Community tariff quotas for tomatoes, cucumbers and aubergines originating in the Canary Islands (1989) (OJ No L 363 of 30.12.1988) 38

- * Corrigendum to Council Regulation (EEC) No 4218/88 of 19 December 1988 opening and providing for the administration of Community tariff quotas for apricot pulp originating in Tunisia and Israel (1989) (OJ No L 371 of 31.12.1988) 39

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 161/89**of 24 January 1989****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2401/88 ⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 23 January 1989;

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 2401/88 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 25 January 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 24 January 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	19,20	125,24
0712 90 19	19,20	125,24
1001 10 10	51,30	167,51 ⁽¹⁾ ⁽²⁾
1001 10 90	51,30	167,51 ⁽¹⁾ ⁽²⁾
1001 90 91	13,64	116,27
1001 90 99	13,64	116,27
1002 00 00	57,33	110,38 ⁽⁶⁾
1003 00 10	47,89	117,56
1003 00 90	47,89	117,56
1004 00 10	38,94	71,94
1004 00 90	38,94	71,94
1005 10 90	19,20	125,24 ⁽²⁾ ⁽³⁾
1005 90 00	19,20	125,24 ⁽²⁾ ⁽³⁾
1007 00 90	42,54	135,81 ⁽⁴⁾
1008 10 00	47,89	22,16
1008 20 00	47,89	92,84 ⁽⁴⁾
1008 30 00	47,89	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	47,89	0,00
1101 00 00	33,11	176,80
1102 10 00	94,28	168,55
1103 11 10	92,90	273,02
1103 11 90	34,68	189,86

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

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

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

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 162/89

of 24 January 1989

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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2402/88⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 23 January 1989;

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 25 January 1989.

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

Done at Brussels, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 24 January 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

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

B. Malt

CN code	(ECU/tonne)				
	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 163/89

of 24 January 1989

concerning the fishing vessel register of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, and in particular Article 5 thereof,

Whereas Council Regulation (EEC) No 2930/86⁽²⁾ defines the characteristics for fishing vessels;

Whereas Commission Regulation (EEC) No 1381/87⁽³⁾ establishes detailed rules concerning the marking and documentation of fishing vessels;

Whereas it is necessary to determine the information required for the preparation of the fishing vessels register of the Community;

Whereas the number of vessels registered in the Member States is such that provision must be made for a data processing medium to facilitate the management of all the information;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Fishing Industry,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, 'fishing vessel' means any vessel intended for the catching for sale of fish and other living marine resources. These fishing vessels will be registered as such in the Member States' registers.

Article 2

For all fishing vessels registered in the Member States on 1 January 1989, Member States shall send the Commission, by 30 September 1989 at the latest, except in particular cases duly justified and with the Commission's prior authorization, the information set out in Annex I. On the basis of the information presented concerning the situation of the fishing fleet on 1 January 1989, Member States shall prepare and present to the

Commission, before 1 November 1989, as accurate an estimate as possible of the situation on 1 January 1987.

Article 3

For any new registration or removal from the national register of a fishing vessel and for any change in a characteristic of a vessel included in the fishing vessels register of the Community, Member States shall send the Commission each month the information set out in Annex II. This information shall be transmitted at the latest three months after the new registration, removal or change has been officially established by the Member State.

Article 4

Corrections to false or incorrect information contained in the fishing vessels register of the Community shall be sent to the Commission within one month following the finding in accordance with the procedure set out in Annex II.

Article 5

1. The information referred to in Article 2 shall be transmitted on a data processing medium as defined in Annex III.

2. New registrations, removals from the national register of fishing vessels, changes and corrections as referred to in Articles 3 and 4 shall be transmitted on a data processing medium as defined in Annex III.

3. The Commission after consulting the Standing Committee on the Fishing Industry may adapt Annex III where technical difficulties are encountered in implementing the management information system in relation to the register.

Article 6

The Commission shall ensure that individual items of information contained in the fishing vessels register of the Community remain secret and shall guarantee each Member State access, as quickly as the data processing system installed permits, to all the information contained in the register concerning fishing vessels registered in that Member State only.

Article 7

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

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 274, 25. 9. 1986, p. 1.

⁽³⁾ OJ No L 132, 21. 5. 1987, p. 9.

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

Done at Brussels, 24 January 1989.

For the Commission

Manuel MARÍN

Vice-President

ANNEX I**FISHING VESSELS REGISTER OF THE COMMUNITY**

(Information to be provided for each vessel)

A. Administrative information

1. Community register internal number ()
2. Country of registration
3. Flag
4. Registration number
5. Name of vessel
6. Port of registration
7. International radio call sign (IRCS)
8. External marking (Regulation (EEC) No 1381/87)

B. Technical characteristics

1. Type of vessel
2. Types of fishing gear (the three main types of gear that may be used)
3. Length
 - overall (Regulation (EEC) No 2930/86)
 - between perpendiculars (Regulation (EEC) No 2930/86)
 - other standard
4. Tonnage
 - as provided for in Regulation (EEC) No 2930/86
 - as provided for in the Oslo Convention
 - other standard
5. Engine power (Regulation (EEC) No 2930/86)
6. All other engine power installed not included in point B 5
7. Type of engine
8. Building materials
9. Maximum crew

C. Other information

1. Year of construction
2. Date of entry into service (Regulation (EEC) No 2930/86)
3. Date of first registration in country of registration
4. Programme category

(¹) The Member State assigns a single number to each fishing vessel registered on 1 January 1989 and to fishing vessels registered for the first time after that date in a Community Member State. This number cannot be altered, even in the event of export to another Member State, or assigned to another vessel, even if the vessel to which it was originally assigned is destroyed.

ANNEX II**REGISTRATION, REMOVAL FROM THE REGISTER AND CHANGE OF CHARACTERISTICS
OF A FISHING VESSEL****I. In the event of registration in the register of fishing vessels****(a) *New construction of a fishing vessel***

- Particulars of present state of new construction
- All the information set out in Annex I
- Country of construction

(b) *Fishing vessel previously used for activities other than fishing*

- Particulars of present state of change of activity
- All the information set out in Annex I
- Previous activity

(c) *Imported fishing vessel*

- Particulars of present state of importation
- All the information set out in Annex I
- Country of origin

II. In the event of removal from the national register**(a) *Exported fishing vessel***

- Particulars of Community register internal number
- Particulars of present state of exportation
- Date of exportation (date on which the vessel was actually exported)
- Country of exportation
- Date on which exportation was officially acknowledged

(b) *Fishing vessel withdrawn from fishing activities*

- Particulars of Community register internal number
- Particulars of present state of withdrawal
- Other activity
- Date of withdrawal (date on which fishing vessel ceased fishing)
- Date on which withdrawal from fishing was officially acknowledged

(c) *Fishing vessel destroyed*

- Particulars of community register internal number
- Particulars of present state of destruction
- Type of destruction
- Date of destruction or demolition (date on which event actually occurred)
- Date on which removal from the register was officially acknowledged

III. In the event of the alteration of data

- Particulars of present state of alteration
- All the information set out in Annex I, whether or not amended
- Date of alteration (date on which alteration was actually made)
- Date on which alteration was officially acknowledged

IV. In the event of correction of data

- Particulars of present state of correction
- All the information set out in Annex I, as corrected
- Date with effect from which the correction is to be taken into consideration (date of correction)

V. In the event of temporary importation or exportation**(a) *Temporary imported fishing vessels***

- Particulars of updating: temporary importation
- All the information set out in Annex I
- Country of origin
- Date when temporary importation ceased

(b) *Temporary exported fishing vessels*

- Particulars of Community register internal number
 - Particulars of updating: temporary exportation
 - Date of temporary exportation (when it occurred)
 - Country of temporary exportation
 - Date when the temporary exportation was officially recognized
 - Date when temporary exportation ceased
-

ANNEX III

DESCRIPTION OF A REGISTRATION (*)

Name of the zone	A	B	Remarks
— Updating indicator	3	—	(¹)
— Internal number	12	G	ALPHA-3 ISO code of the country of registration which assigned or is assigning for the first time the internal number followed by the single number in nine characters
— Country of registration	3	—	ALPHA-3 ISO code
— Flag	3	—	ALPHA-3 ISO code
— Registration number	14	G	
— Name of vessel	40	G	
— Port of registration	5	G	National code + coding-decoding register to be indicated
— International radio call sign	7	G	
— External marking	14	G	
— Type of vessel	6	G	National code + coding-decoding register to be indicated
— Type of fishing gear			
..... 1	6	G	idem
..... 2	6	G	idem
..... 3	6	G	idem
— Length :			
— overall	5	D	cm
— between perpendiculars	5	D	cm
— other standard	5	D	cm
— Tonnage :			
— Regulation (EEC) No 2930/86	7	D	hundredths of tonnes
— Oslo Convention	7	D	hundredths of tonnes
— other standards	7	D	hundredths of tonnes
— Engine power	5	D	kw
— All other engine power installed	5	D	kw
— Type of engine	1	—	(²)
— Building materials	1	—	(²)
— Maximum crew	2	D	
— Year of construction	4	—	JJJJ
— Date of entry into service	8	—	JJJJMMDD
— Date of first registration in Member State	8	—	JJJJMMDD
— Category of programme	3	G	National code + coding-decoding register to be indicated
— Country of construction	3	—	ALPHA-3 ISO code
— Country of origin	3	—	ALPHA-3 ISO code
— Country of exportation	3	—	ALPHA-3 ISO code
— Previous activity	3	—	(³)
— Date of occurrence	8	—	JJJJMMDD
— Date of official recognition of occurrence	8	—	JJJJMMDD
— Other activity	3	—	(³)
— Type of destruction	3	—	(³)
— Date of correction	8	—	JJJJMMDD
— Date of ceased temporary importation/exportation	8	—	JJJJMMDD
	248		

(1) Updating indicator

1. First transmission provided for in Article 2	XXX
2. New construction	CST
3. Change of activity	CHA
4. Importation	IMP
5. Exportation	EXP
6. Withdrawal	RET
7. Destruction	DES
8. Alteration of information	MOD
9. Correction of information	COR
10. Temporary importation	IMT
11. Temporary exportation	EXT

(2) Main engine type

1. Steam piston — 2. Diesel engine — 3. Electrical engine — 4. Petrol engine (inboard) — 6. Outboard engine —
8. Other — 9. Not known

(3) Hull material

1. Wood — 2. Steel/aluminium — 3. Plastic — 4. Concrete — 5. Fibre glass — 6. Other — 9. Not known

(4) Previous activity

1. Supply, transport	TRA
2. Pleasure	PLA
3. Research	RES
4. Fishing (sport)	ANG
5. Other	OTH

(5) Type of destruction

1. Shipwreck	SUN
2. Shipyard demolition	SCR
3. Fire damage	FIR
4. Other	OTH

Data transfer procedure

After consulting the Member States concerned the Commission will establish the data transfer procedure which is best adapted in the light of the data processing equipment available in the various Member States.

In the event of no decision being taken by the Commission, the data processing medium used will be a media storage system with a density of 1 600 BPI, standard label and ASCII character coding.

(7) A = Number of Alpha-numeric characters

B = Alignment:

- G = left
- D = right
- — = not required

The zone filler is a blank (space)

COMMISSION REGULATION (EEC) No 164/89**of 24 January 1989****amending Regulation (EEC) No 2185/87 on the repayment of export refunds for certain agricultural products exported in the form of certain goods not covered by Annex II to the Treaty and the charging of accession compensatory amounts**

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽³⁾, as last amended by Regulation (EEC) No 2306/88⁽⁴⁾, and in particular Article 19 (7) thereof,

Whereas Commission Regulation (EEC) No 2185/87⁽⁵⁾, as amended by Regulation (EEC) No 1595/88⁽⁶⁾, provides in certain cases for the repayment of a refund calculated on the basis of the quantities fixed in the Annex to that Regulation;

Whereas, as a result of the latest amendment to Annex I to Regulation (EEC) No 1785/81, certain products

included in the Annex to Regulation (EEC) No 2185/87 cannot qualify for a refund fixed for sugar; whereas those products should be excluded from that Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2185/87 is hereby replaced by the Annex hereto.

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, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.
⁽³⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽⁴⁾ OJ No L 201, 27. 7. 1988, p. 65.
⁽⁵⁾ OJ No L 203, 24. 7. 1987, p. 20.
⁽⁶⁾ OJ No L 142, 9. 6. 1988, p. 15.

ANNEX

ANNEX

Goods (CN code)	Quantities of basic products regarded as having been used to manufacture 100 kg of goods
1302 31 00	} 717 kg of white sugar
1302 32 10	
1302 32 90	
1302 39 00	
2941 10 00	6 703 kg of maize (for starch industry) plus 787,40 kg of white sugar
3001 90 91	717 kg of white sugar
3505 10 50	335 kg common wheat (for the starch industry)
3912 90 90	} 717 kg of white sugar
3913 90 90	

COMMISSION REGULATION (EEC) No 165/89

of 24 January 1989

amending Regulation (EEC) No 2169/86 laying down detailed rules for the control and payment of the 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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 2229/88 ⁽⁴⁾,Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽⁵⁾, and in particular Article 6 thereof,Whereas Commission Regulation (EEC) No 2169/86 ⁽⁶⁾, as last amended by Regulation (EEC) No 1863/88 ⁽⁷⁾, specifies particular provisions intended to prevent any possibility that esterified or etherified starch benefits unduly from more than one production refund; whereas the proof required for this purpose appears to be too difficult to establish, and it is therefore appropriate further to define the proof together with the control measures and sanctions;

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

Article 7 (4) of Regulation (EEC) No 2169/86 is hereby amended as follows:

1. Paragraph 4 is replaced by the following:

'4. Without prejudice to paragraph 2, the security referred to in paragraph 1, second subparagraph, shall only be released if the competent authority has received proof that the product under CN code 3505 10 50 is:

(a) used to manufacture products other than those listed in Annex I; or

(b) exported to third countries.

In the case specified under (a), this proof may be furnished by the presentation by the manufacturer to the competent authority of a declaration stating that:

— in the case where the product in question is to be further processed, he will use this product only to manufacture products other than those listed in Annex I, and,

— he will sell the product in question only to a party who will engage in the same requirements, and will obtain a copy of the said engagement and will keep it at the disposal of the competent authority, and,

— he is aware of the provisions of Article 7 (5).

In the case of Community exports directly to third countries, the security shall be released if the competent authority has received proof that the product in question has left the customs territory of the Community.

In the case of intra-Community trade or export to third countries via the territory of another Member State, the proof shall be furnished by the production of a control copy T5 to be issued in accordance with Commission Regulation (EEC) No 2823/87 ⁽⁸⁾. Box 104 of the control copy T5 shall be completed under item 'other' by inserting one of the following endorsements:

— Para transformación o expedición con arreglo a los apartados 4 y 5 del artículo 7 del Reglamento (CEE) n° 2169/86 o para exportación desde el territorio aduanero de la Comunidad

— Til forarbejdning eller levering i overensstemmelse med artikel 7, stk. 4, og artikel 7, stk. 5, i forordning (EØF) nr. 2169/86 eller til eksport fra Fællesskabets toldområde

— Zur Verarbeitung oder Lieferung gemäß Artikel 7 Absatz 4 bzw. Artikel 7 Absatz 5 der Verordnung (EWG) Nr. 2169/86 oder zur Ausfuhr aus dem Zollgebiet der Gemeinschaft bestimmt

— Να χρησιμοποιηθεί για τη μεταποίηση ή την παράδοση σύμφωνα με το άρθρο 7 παράγραφος 4 και το άρθρο 7 παράγραφος 5 του κανονισμού (ΕΟΚ) αριθ. 2169/86 ή να εξαχθεί από το τελωνειακό έδαφος της Κοινότητας

— To be used for processing or delivery in accordance with Article 7 (4) and (5) of Regulation (EEC) No 2169/86, or for export from the customs territory of the Community

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁶⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁷⁾ OJ No L 166, 1. 7. 1988, p. 23.

- À utiliser pour la transformation ou la livraison, conformément à l'article 7 paragraphe 4 et à l'article 7 paragraphe 5 du règlement (CEE) n° 2169/86, ou pour l'exportation à partir du territoire douanier de la Communauté
- Da utilizzare per la trasformazione o la consegna a norma dell'articolo 7, paragrafo 4 e 5 del regolamento (CEE) n. 2169/86 o per le esportazioni dal territorio doganale della Comunità
- Bestemd voor verwerking of levering overeenkomstig artikel 7, leden 4 en 5, van Verordening (EEG) nr. 2169/86, of voor uitvoer uit het douanegebied van de Gemeenschap
- A ser utilizado para transformação, em conformidade com os n.ºs 4 e 5 do artigo 7º do Regulamento (CEE) n.º 2169/86, ou para exportação do território aduaneiro da Comunidade.

Where the control copy T5 is not returned to the originating customs office or competent authority within a period of 150 days following its initial delivery owing to circumstances beyond the control of the party concerned, the latter may apply to the competent authority for other documents to be accepted as equivalent, stating the grounds for such application and furnishing supporting documents. Such supporting documents must include confir-

mation from the customs office or competent authority that the provisions specified in the second subparagraph have been complied with.

(*) OJ No L 270, 23. 9. 1987, p. 1.

2. The following paragraph 5 is added:

'5. The competent authority shall be obliged to check by appropriate means, including *a posteriori* spot checks, that the declaration mentioned in paragraph 4 has been fully complied with. Where the party concerned fails to comply with the conditions specified in this Article, without prejudice to national penalties, the competent authority in the Member State concerned shall require payment by the party concerned of an amount equal to 105 % of the highest production refund applicable to the product in question during the previous 12-month period.'

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 to securities constituted after that date, and on request by the interested party, to securities constituted before that date which have not yet been released or forfeited.

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

Done at Brussels, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 166/89

-of 24 January 1989

amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals

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

Having regard to Regulation (EEC) No 2727/75 of the Council on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 16 (6) thereof,

Whereas Annex B to Regulation (EEC) No 2727/75 lists goods which may qualify for an export refund for the cereals they contain;

Whereas that Annex does not include certain products obtained from cereal glucose; whereas those products are in competition with products obtained from sugar qualifying for the export refund provided for by the market organization in sugar;

Whereas provision should accordingly be made for the said products to qualify for the export refund also by extending Annex B to Regulation (EEC) No 2727/75;

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

Annex B to Regulation (EEC) No 2727/75 is hereby replaced by the Annex hereto.

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, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

ANNEX

ANNEX B

CN code	Description
ex 0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa :
ex 0403 10	- Yogurt
	- - Flavoured or containing added fruit or cocoa :
	- - - In powder, granules or other solid forms, of a milk fat content by weight :
0403 10 51	- - - - Not exceeding 1,5 %
0403 10 53	- - - - Exceeding 1,5 % but not exceeding 27 %
0403 10 59	- - - - Exceeding 27 %
	- - - Other, of a milk fat content, by weight :
0403 10 91	- - - - Not exceeding 3 %
0403 10 93	- - - - Exceeding 3 % but not exceeding 6 %
0403 10 99	- - - - Exceeding 6 %
ex 0403 90	- Other :
	- - Flavoured or containing added fruit or cocoa :
	- - - In powder, granules or other solid forms, of a milkfat content, by weight :
0403 90 71	- - - - Not exceeding 1,5 %
0403 90 73	- - - - Exceeding 1,5 %, but not exceeding 27 %
0403 90 79	- - - - Exceeding 27 %
	- - - Other, of a milkfat content, by weight :
0403 90 91	- - - - Not exceeding 3 %
0403 90 93	- - - - Exceeding 3 % but not exceeding 6 %
0403 90 99	- - - - Exceeding 6 %
ex 0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen :
0710 40 00	- Sweet corn
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption :
ex 0711 90	- Other vegetables, mixtures of vegetables :
	- - Vegetables :
0711 90 30	- - - Sweet corn
ex 1302	Vegetable saps and extracts ; pectic substances, pectinates and pectates ; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products :
	- Mucilages and thickeners, whether or not modified, derived from vegetable products :
1302 31 00	- - Agar-agar
1302 32	- - Mucilages and thickeners, whether or not modified, derived from locust beans, locust bean seeds or guar deeds
1302 39 00	- - Other

CN code	Description
ex 1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidized, dehydrated, sulphurized, blown, polymerized by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included:
1518 00 10	— Linoxyn
ex 1520	Glycerol (glycerine), whether or not pure; glycerol waters and glycerol lyes:
1520 90 00	— Other, including synthetic glycerol
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:
ex 1702 30	— Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:
	— — Other:
	— — — Containing in the dry state 99 % or more by weight of glucose:
1702 30 51	— — — — In the form of white crystalline powder, whether or not agglomerated
1702 30 59	— — — — Other
ex 1702 90	— Other, including invert sugar
1702 90 10	— — Chemically pure maltose
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances of subheading 1704 90 10
1806	Chocolate and other food preparations containing cocoa
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of headings Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included
ex 1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:
	— Uncooked pasta, not stuffed or otherwise prepared:
1902 11 00	— — Containing eggs
1902 19	— — Other
ex 1902 20	— Stuffed pasta whether or not cooked or otherwise prepared:
	— — Other:
1902 20 91	— — — Cooked
1902 20 99	— — — Other
1902 30	— Other pasta
ex 1902 40	— Couscous:
1902 40 90	— — Other
1903 00 00	Tapioca and substitutes thereof prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, precooked or otherwise prepared

CN code	Description
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa ; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid :
ex 2001 90	— Other :
2001 90 30	— — Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
2001 90 40	— — Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen :
ex 2004 10	— Potatoes
	— — Other :
2004 10 91	— — — In the form of flour, meal or flakes
ex 2004 90	— Other vegetables and mixtures of vegetables :
2004 90 10	— — Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen :
2005 20	— Potatoes :
2005 20 10	— — In the form of flour, meal or flakes
2005 80 00	— Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
ex 2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included :
	— Nuts, ground-nuts and other seeds, whether or not mixed together :
ex 2008 11	— — Ground-nuts
2008 11 10	— — — Peanut butter
2208 91 00	— — — Palm hearts
ex 2008 99	— — — Other :
	— — — Not containing spirit :
	— — — — Not containing added sugar :
2008 99 85	— — — — — Maize (corn) other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>)
2008 99 91	— — — — — Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch
ex 2101	Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté ; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates, thereof :
2101 10	— Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates of with a basis of coffee
2101 20	— Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté
ex 2101 30	— Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof :
	— — Roasted chicory and other roasted coffee substitutes :
2101 30 19	— — — Other (than roasted chicory)
	— — Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes :
2101 30 99	— — — Other (than roasted chicory)

CN code	Description
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:
ex 2102 10	— Active yeasts:
	— — Bakers' yeast:
2101 10 31	— — — Dried
2102 10 39	— — — Other
ex 2102 20	— Inactive yeasts; other single-cell micro-organisms, dead:
	— — Inactive yeasts:
2102 20 11	— — — In tablet, cube or similar form, or in immediate packings of a net content not exceeding 1 kg
2102 20 19	— — — Other
ex 2103	Sauces and preparations therefor; mixed condiments and mixed seasonings:
2103 10 00	— Soya sauce
2103 20 00	— Tomato ketchup and other tomato sauces
2103 90	— Other
ex 2104	Soups and broths and preparations therefor; homogenized composite food preparations:
2104 10 00	— Soups and broths and preparations therefor
2105 00	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included:
2106 10	— Protein concentrates and textured protein substances:
ex 2106 90	— Other:
2106 90 10	— — Cheese fondues
	— — Flavoured or coloured sugar syrups:
2106 90 91	— — — Containing no milkfats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milkfat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch
2106 90 99	— — — Other
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009
2203 00	Beer made from malt
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances
ex 2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages:
2208 20	— Spirits obtained by distilling grape wine or grape marc
ex 2208 30	— Whiskies
	— — Other than Bourbon in containers holding:
2208 30 91	— — — 2 litres or less
2208 30 99	— — — More than 2 litres
2208 50	— Gin and Geneva
ex 2208 90	— Other:
	— — Vodka of an alcoholic strength by volume of 45,4 % vol or less and plum, pear or cherry spirit (excluding liqueurs), in containers holding:
	— — — 2 litres or less:

CN code	Description
2208 90 31	— — — — Vodka
2208 90 33	— — — — Plum, pear or cherry spirit (excluding liqueurs)
2208 90 39	— — — More than 2 litres :
	— — Other spirituous beverages
2208 90 51	
2208 90 53	
2208 90 55	
2208 90 59	
2208 90 71	
2208 90 73	
2208 90 79	
ex 2520	Gypsum ; anhydrite ; plasters (consisting of calcined gypsum or calcium sulphate) whether or not coloured, with or without small quantities of accelerators or retarders :
2520 20	— Plasters
ex 2839	Silicates ; commercial alkali metal silicates :
2839 90	— Other
Chapter 29	Organic chemicals
Chapter 30	Pharmaceutical products
ex 3307	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included ; prepared room deodorizers, whether or not perfumed or having disinfectant properties :
	— Preparations for perfuming or deodorizing rooms, including odoriferous preparations used during religious rites :
3307 49 00	— — Other than 'Agarbatti' and other odoriferous preparations which operate by burning
3307 90 00	— Other
ex 3401	Soap ; organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap ; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent :
	— Soap and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent :
3401 19 00	— — Other
3402	Organic surface-active agents (other than soap) ; surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading No 3401 :
ex 3403	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70-% or more by weight of petroleum oils or of oils obtained from bituminous minerals :
	— Containing petroleum oils or oils obtained from bituminous minerals :
3403 11 00	— — Preparations for the treatment of textile materials, leather, furskins or other materials
3403 19	— — Other :
ex 3403 19 10	— — — Containing 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent

CN code	Description
ex 3405	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations (whether or not in the form of paper, wadding, felt, nonwovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No 3404
3407 00 00	Modelling pastes, including those put up for children's amusement; preparations known as 'dental wax' or as 'dental impression compounds', put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster (of calcined gypsum or calcium sulphate)
Chapter 35	Albuminoidal substances; modified starches; glues, enzymes, excluding heading No 3501
Chapter 38	Miscellaneous chemical products
Chapter 39	Plastics and articles thereof
4813	Cigarette paper, whether or not cut to size or in the form of booklets or tubes:
ex 4813 90	— Other:
4813 90 90	— — Others
ex 4818	Toilet paper, handkerchiefs, cleansing tissues, towels, tablecloths, serviettes, napkins for babies, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibres:
4818 10	— Toilet paper
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibres:
	— Gummed or adhesive paper, in strips or rolls:
4823 11	— — Self-adhesive
4823 19 00	— — Other
4823 20 00	— Filter paper and paperboard
	— Other paper and paperboard, of a kind used for writing, printing or other graphic purposes:
4823 51	— — Printed, embossed or perforated
4823 59	— — Other
ex 4823 90	— Other:
	— — Other:
	— — — Other:
	— — — — Cut to size or shape:
4823 90 51	— — — — — Condenser paper
	— — — — — Other:
4823 90 71	— — — — — Gummed or adhesive paper
4823 90 79	— — — — — Other'

COMMISSION REGULATION (EEC) No 167/89
of 24 January 1989
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 2306/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 152/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation 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 25 January 1989.

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

Done at Brussels, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 17, 21. 1. 1989, p. 47.

ANNEX

to the Commission Regulation of 24 January 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	37,58 ⁽¹⁾
1701 11 90	37,58 ⁽¹⁾
1701 12 10	37,58 ⁽¹⁾
1701 12 90	37,58 ⁽¹⁾
1701 91 00	43,93
1701 99 10	43,93
1701 99 90	43,93 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 168/89

of 24 January 1989

introducing a countervailing charge and suspending the preferential customs duty on imports of fresh sweet oranges originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 3253/88 of 21 October 1988 fixing the reference price for fresh sweet oranges for the 1988/89 marketing year⁽³⁾ fixed the reference price for products of class I for the period from 1 December 1988 until 31 May 1989 at ECU 22,66 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for fresh sweet oranges originating in Turkey the entry prices calculated in this way have for six consecutive market days been alternatively above and below the reference price; whereas two of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these fresh sweet oranges;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, a rate of customs duty of 8 % should be reintroduced for these fresh sweet oranges;

Whereas if the system is to operate normally the entry price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 289, 22. 10. 1988, p. 39.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

2. The import duty on these products is fixed at 8 %.

Article 1

1. A countervailing charge of ECU 3,22 per 100 kilograms net is applied on imports of fresh sweet oranges falling within CN code ex 0805 10 originating in Turkey.

Article 2

This Regulation shall enter into force on 26 January 1989.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 31 January 1989.

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

Done at Brussels, 24 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 December 1988

authorizing methods for grading pig carcasses in France

(Only the French text is authentic)

(89/50/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular Article 4 (6) thereof,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽³⁾, as amended by Regulation (EEC) No 3530/86⁽⁴⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses⁽⁵⁾;

Whereas the French Government has requested the Commission to authorize the use of five methods for grading pig carcasses on its territory and has submitted the

information required in Article 3 of Regulation (EEC) No 2967/85; whereas an examination of this request has revealed that the conditions for authorizing the said grading methods are fulfilled;

Whereas no modification of the apparatus or grading method may be authorized except by means of a new Commission Decision adopted in the light of experience gained; whereas, for this reason, the present authorization may be revoked;

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

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorized for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in France:

- the apparatus termed 'Fat-O-Meater' and having an 8 mm diameter probe ('FOM-8') and the assessment method related thereto, details of which are given in Part 1 of the Annex,
- the apparatus termed 'Fat-O-Meater' and having a 6 mm diameter probe ('FOM-6'), and the assessment method related thereto, details of which are given in Part 2 of the Annex,
- the apparatus termed 'SPC-Sydel' ('SPC') and the assessment method related thereto, details of which are given in Part 3 of the Annex,

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽⁴⁾ OJ No L 326, 21. 11. 1986, p. 8.

⁽⁵⁾ OJ No L 285, 25. 10. 1985, p. 39.

- the apparatus termed 'Destron PG-100' ('DEST') and the assessment method related thereto, details of which are given in Part 4 of the Annex,
- the method termed the 'manual method' and the assessment method related thereto, details of which are given in Part 5 of the Annex.

Article 2

Modification of the apparatus or of the assessment methods, measurement sites or formulae shall not be authorized.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 21 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Methods for grading pig carcasses in France

PART 1

Fat-O-Meater (FOM-8)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater' ('FOM-8').
2. The apparatus shall be equipped with a probe of 8 mm diameter containing an infra-red gallium arsenide photodiode (Texas Instruments) and an NPN Planar photodetector (Texas Instruments) and having an operating distance of between 5 and 105 mm.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

3. The lean meat content of the carcass shall be calculated according to the following formula :

$$\hat{y} = 57,399 - 0,330 x_1 - 0,441 x_2 + 0,193 x_3,$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcass ;
- x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass, between the third and fourth lumbar vertebrae ;
- x_2 = the thickness of back fat (including rind) in millimetres, measured at 6 cm off the midline of the carcass between the third and fourth last ribs ;
- x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 .

The formula shall be valid for carcasses weighing between 50 and 120 kg.

PART 2

Fat-O-Meater (FOM-6)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater' ('FOM-6').
2. The apparatus shall be equipped with a probe of 6 mm diameter containing a photodiode (Siemens SFH 950-LD 242) and a photodetector (Siemens SFH 960-BD 103) and having an operating distance of between 5 and 105 mm.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

3. The lean meat content of the carcass shall be calculated according to the following formula :

$$\hat{y} = 57,399 - 0,330 x_1 - 0,441 x_2 + 0,193 x_3,$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcass ;
- x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass, between the third and fourth lumbar vertebrae ;
- x_2 = the thickness of back fat (including rind) in millimetres, measured at 6 cm off the midline of the carcass between the third and fourth last ribs ;
- x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 .

The formula shall be valid for carcasses weighing between 50 and 120 kg.

PART 3

SPC-Sydel (SPC)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'SPC-Sydel' ('SPC').
2. The apparatus shall be equipped with a probe of 8 mm diameter containing an infra-red gallium arsenide photodiode (Texas Instruments) and an NPN Planar photodetector (Texas Instruments) and having an operating distance of between 5 and 105 mm.

The results of the measurements are converted into estimated lean meat content by means of a central unit.

3. The lean content of the carcase shall be calculated according to the following formula :

$$\hat{y} = 57,399 - 0,330 x_1 - 0,441 x_2 + 0,193 x_3,$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcase ;
 x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcase, between the third and fourth lumbar vertebrae ;
 x_2 = the thickness of back fat (including rind) in millimetres, measured at 6 cm off the midline of the carcase between the third and fourth last ribs ;
 x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 .

The formula shall be valid for carcases weighing between 50 and 120 kg.

PART 4

Destron PC-100 (DEST)

1. Grading of pig carcases shall be carried out by means of the apparatus termed 'Destron PG-100' ('DEST').
2. The apparatus shall be equipped with a probe of 7 mm diameter containing a photodiode (Texas Instruments SL 2018) and a photodetector (Texas Instruments LS 608D) and having an operating distance of between 0 and 120 mm.

The results of the measurements are converted into estimated lean meat content by means of the apparatus itself.

3. The lean meat content of the carcase shall be calculated according to the following formula :

$$\hat{y} = 57,399 - 0,330 x_1 - 0,441 x_2 + 0,193 x_3,$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcase ;
 x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcase, between the third and fourth lumbar vertebrae ;
 x_2 = the thickness of back fat (including rind) in millimetres, measured at 6 cm off the midline of the carcase between the third and fourth last ribs ;
 x_3 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_2 .

The formula shall be valid for carcases weighing between 50 and 120 kg.

PART 5

Manual method

1. In slaughterhouses with an annual throughput of between 800 and 2 000 tonnes, grading of pig carcases may be carried out using what is termed the 'manual method', which consists in taking two measurements off the midline of the split carcase using a ruler.

2. The lean meat content of the carcase shall be calculated according to the following formula :

$$\hat{y} = 44,681 - 0,559 A_1 + 0,277 M,$$

where :

- $\hat{y}$ = the estimated percentage of lean meat in the carcase ;
 A_1 = minimum back fat thickness (including rind), measured at the site of the *gluteus medius* muscle,
 M = the thickness of the lumbar muscle, measured horizontally between the anterior extremity of the *gluteus medius* muscle and the dorsal surface of the spinal canal.

COMMISSION DECISION

of 21 December 1988

authorizing a method for grading pig carcasses in the Grand Duchy of Luxembourg

(Only the French text is authentic)

(89/51/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular Article 4 (6) thereof,Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽³⁾, as amended by Regulation (EEC) No 3530/86⁽⁴⁾, and in particular Article 5 (2) thereof,Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically-proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses⁽⁵⁾;

Whereas the Government of the Grand Duchy of Luxembourg has requested the Commission to authorize the use of a method for grading pig carcasses on its territory and has submitted the information required in Article 3 of Regulation (EEC) No 2967/85; whereas an examination of this request has revealed that the conditions for authorizing the said grading method are fulfilled;

Whereas no modification of the apparatus or grading method may be authorized except by means of a new

Commission decision adopted in the light of experience gained; whereas, for this reason, the present authorization may be revoked;

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

HAS ADOPTED THIS DECISION:

Article 1

The use of the apparatus termed 'Hennessy Grading Probe' ('HGP 2') and the assessment method related thereto, details of which are given in the Annex, is hereby authorized in Luxembourg as the only method for grading pig carcasses pursuant to Regulation (EEC) No 3220/84.

Article 2

Modifications of the apparatus or of the assessment method shall not be authorized.

Article 3

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 21 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.⁽³⁾ OJ No L 301, 20. 11. 1984, p. 1.⁽⁴⁾ OJ No L 326, 21. 11. 1986, p. 8.⁽⁵⁾ OJ No L 285, 25. 10. 1985, p. 39.

ANNEX

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Hennessy Grading Probe' (HGP 2).
2. The apparatus shall be equipped with a probe of 5,95 mm diameter (and of 6,3 mm at the blade at the top of the probe) containing a photodiode (Siemens LED of the type LYU 260-EO) and a photodetector (type Siemens 58 MR) and having an operating distance of between 0 and 120 mm. The results of the measurements shall be converted into estimated lean meat content by means of the HGP 2 itself or a computer linked to it.
3. The lean meat content of the carcase shall be calculated according to the following formula:
$$\hat{y} = 57,375 - 0,63569 x_1 + 0,19966 x_2 - 0,23643 x_3,$$
where:
 $\hat{y}$ = the estimated percentage of lean meat in the carcase,
 x_1 = the thickness of back fat (including rind) in millimetres, measured at 7 cm off the midline of the carcase, between the third and fourth last rib,
 x_2 = the thickness of muscle in millimetres, measured at the same time and in the same place as x_1 ,
 x_3 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcase at the last rib.

The formula shall be valid for carcasses weighing between 50 and 110 kg.

COMMISSION DECISION

of 21 December 1988

amending Decision 87/293/EEC authorizing methods for grading pig carcasses in Ireland

(Only the English text is authentic)

(89/52/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular Article 4 (6) thereof,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽³⁾, as amended by Regulation (EEC) No 3530/86⁽⁴⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 of Regulation (EEC) No 3220/84 lays down that Member States may be authorized to provide for a presentation of pig carcasses different from the standard presentation defined in the same Article where commercial practice or technical requirements warrant this;

Whereas in Ireland the technical requirements relating to the use of the grading method and, consequently, commercial practice, lead sometimes to the removal of the kidneys, the flare fat and the diaphragm (including the thick skirt); in other cases the tongue sometimes remains at the carcass; whereas this should be taken into account in adjusting to the weight for standard presentation; whereas Commission Decision 87/293/EEC⁽⁵⁾ should be amended accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 87/293/EEC is hereby amended as follows:

1. The following Article 1a is inserted:

'Article 1a

Notwithstanding the standard presentation referred to in Article 2 of Regulation (EEC) No 3220/84, the flare fat, the kidneys and the diaphragm (including the thick skirt) may be removed from pig carcasses or such carcasses may be presented with the tongue before being weighed and graded; in such cases, the weight of the warm carcass shall be calculated by reference to the scale of percentage adjustments shown in Annex II.'

2. The present Annex becomes Annex I.
3. The Annex to this Decision is added as Annex II.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 21 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽⁴⁾ OJ No L 326, 21. 11. 1986, p. 8.

⁽⁵⁾ OJ No L 146, 6. 6. 1987, p. 66.

ANNEX

ANNEX II

Weight adjustment coefficients to compensate for variations in carcase dressing

Dressing variation	Adjustment coefficients (%)
— Removal of kidneys	+ 0,4
— Removal of flare	+ 1,4
— Removal of diaphragm (including the thick skirt)	+ 0,3
— Non-removal of tongue	— 0,5'

COMMISSION DECISION

of 21 December 1988

authorizing methods for grading pig carcasses in Italy

(Only the Italian text is authentic)

(89/53/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular Article 4 (6) thereof,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽³⁾, as amended by Regulation (EEC) No 3530/86⁽⁴⁾, and in particular Article 5 (2) thereof,

Whereas Article 2 (3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; whereas the authorization of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; whereas this tolerance has been defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses⁽⁵⁾;

Whereas the Italian Government has requested the Commission to authorize the use of three methods for grading pig carcasses on its territory and has submitted the information required in Article 3 of Regulation (EEC) No 2967/85; whereas an examination of this request has revealed that the conditions for authorizing the said grading methods are fulfilled;

Whereas two different pig populations are present in Italy of which the meat is found in different markets; whereas it is appropriate to provide for two different formulae of estimation, one of them concerning light types of pigs (carcase weight between 60 and 120 kg) and the other adapted to the commercial category of heavy types of pigs (carcase weight between 120 and 180 kg);

Whereas no modification of the apparatus or grading method may be authorized except by means of a new Commission decision adopted in the light of experience gained; whereas, for this reason, the present authorization may be revoked;

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

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorized for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in Italy:

- the apparatus termed 'Fat-O-Meater' ('FOM') and assessment methods related thereto, details of which are given in Part 1 of the Annex,
- the apparatus termed 'Destron PG 100' ('DEST') and assessment methods related thereto, details of which are given in Part 2 of the Annex,
- the apparatus termed 'Intrascop (Optical Probe)' and assessment methods related thereto, details of which are given in Part 3 of the Annex.

Article 2

Modifications of the apparatus or of the assessment methods shall not be authorized.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 21 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽⁴⁾ OJ No L 326, 21. 11. 1986, p. 8.

⁽⁵⁾ OJ No L 285, 25. 10. 1985, p. 39.

ANNEX

Methods for grading pig carcasses in Italy

PART 1

Fat-O-Meater (FOM)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater' (FOM).
2. The apparatus shall be equipped with a probe of 7 mm diameter containing a photodiode of the Siemens SFH 950 type and a photodetector (type SFH 960), having an operating distance of between 5 and 105 mm for light pigs and between 15 and 115 mm for heavy pigs. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae :

(a) carcasses weighing between 60 and 120 kg

$$\hat{y} = 67,11 - 0,492 x_1 - 0,539 x_2 + 0,0726 x_3 + 0,00838 x_4$$

(b) carcasses weighing between 120,1 and 180 kg

$$\hat{y} = 67,18 - 0,582 x_1 - 0,559 x_2 + 0,123 x_3 + 0,00829 x_4$$

where

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass at the level placed between the third and fourth lumbar vertebrae,

x_2 = the thickness of the back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass, between the third and fourth last ribs,

x_3 = the thickness of the *longissimus dorsi* muscle between the third and fourth last ribs, in millimetres, measured at the same time and in the same place as x_2 ,

$$x_4 = \left(\frac{x_1 + x_2}{2} \right)^2$$

PART 2

Destron PG 100 (DEST)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Destron PG 100' (DEST).
2. The apparatus shall be equipped with a probe of 7 mm diameter containing a photodiode (type Texas SL 2018) and a photodetector (type Texas LS 608 D), having an operating distance of between 0 and 120 mm. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcass shall be calculated according to one of the following two formulae :

(a) carcasses weighing between 60 and 120 kg

$$\hat{y} = 70,24 - 0,433 x_1 - 0,795 x_2 + 0,0413 x_3 + 0,0126 x_4$$

(b) carcasses weighing between 120,1 and 180 kg

$$\hat{y} = 67,12 - 0,440 x_1 - 0,512 x_2 + 0,0693 x_3 + 0,0672 x_4$$

where

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass at the level placed between the third and fourth lumbar vertebrae,

x_2 = the thickness of the back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcass, between the third and fourth last ribs,

x_3 = the thickness of the *longissimus dorsi* muscle between the third and fourth last ribs in millimetres, measured at the same time and in the same place as x_2 ,

$$x_4 = \left(\frac{x_1 + x_2}{2} \right)^2$$

PART 3

Intrascopes (Optical Probe)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Intrascopes (Optical Probe)'.
2. The apparatus shall be equipped with a hexagonal shaped probe of a maximum width of 12 mm (and of 19 mm at the blade at the top of the probe) containing a viewing window and a light source, a sliding barrel calibrated in millimetres and having an operating distance of between 8 and 50 mm.

3. The lean meat content of the carcase shall be calculated according to one of the following two formulae :

(a) carcases weighing between 60 and 120 kg

$$\hat{y} = 68,14 - 0,517 x_1 - 0,425 x_2 + 0,00831 x_3$$

(b) carcases weighing between 120,1 and 180 kg

$$\hat{y} = 72,82 - 0,573 x_1 - 0,464 x_2 + 0,00758 x_3$$

where

$\hat{y}$ = the estimated percentage of lean meat in the carcase,

x_1 = the thickness of back fat (including rind) in millimetres, measured at 8 cm off the midline of the carcase, between the third and fourth last ribs,

x_2 = the thickness of back fat (including rind) in millimetres, measured at the level of the *gluteus medius* muscle,

$$x_3 = \left(\frac{x_1 + x_2}{2} \right)^2.$$

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3956/88 of 14 December 1988 fixing definitively the aid for sunflower seed applicable before 30 September 1988 for the 1988/89 marketing year

(Official Journal of the European Communities No L 350 of 20 December 1988)

On page 24, in the Annex, in Table N:

for: 'Compensatory aid in Portugal',

read: 'Special aid in Portugal'.

Corrigendum to Commission Regulation (EEC) No 3961/88 of 19 December 1988 setting the target ceiling for imports of oil cake into Portugal in 1989

(Official Journal of the European Communities No L 350 of 20 December 1988)

On page 52, Article 1:

for: 'CN codes',

read: 'CN codes ex'.

Corrigendum to Council Regulation (EEC) No 4092/88 of 16 December 1988 opening, allocating and providing for the administration of Community tariff quotas for tomatoes, cucumbers and aubergines originating in the Canary Islands (1989)

(Official Journal of the European Communities No L 363 of 30 December 1988)

On page 3, in Article 1 (2):

for: '... a reduction of 6 % of that duty',

read: '... a reduction of 8 % of that duty'.

Corrigendum to Council Regulation (EEC) No 4218/88 of 19 December 1988 opening and providing for the administration of Community tariff quotas for apricot pulp originating in Tunisia and Israel (1989)

(Official Journal of the European Communities No L 371 of 31 December 1988)

On page 3, in Article 1, first subparagraph, in the first column of the table:

for: '09.1001',

read: '09.1301'.
