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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 319/89

of 9 February 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 166/89 ⁽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 8 February 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 10 February 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, 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, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 9 February 1989 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	20,50	126,60
0712 90 19	20,50	126,60
1001 10 10	53,13	167,88 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	167,88 ⁽¹⁾ ⁽²⁾
1001 90 91	14,94	114,65
1001 90 99	14,94	114,65
1002 00 00	58,63	109,93 ⁽³⁾
1003 00 10	49,19	117,22
1003 00 90	49,19	117,22
1004 00 10	40,25	73,32
1004 00 90	40,25	73,32
1005 10 90	20,50	126,60 ⁽²⁾ ⁽³⁾
1005 90 00	20,50	126,60 ⁽²⁾ ⁽³⁾
1007 00 90	43,84	135,93 ⁽⁴⁾
1008 10 00	49,19	21,38
1008 20 00	49,19	56,45 ⁽⁴⁾
1008 30 00	49,19	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	49,19	0,00
1101 00 00	35,10	174,70
1102 10 00	96,27	168,87
1103 11 10	95,80	273,66
1103 11 90	36,65	187,41

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

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levies are not applied to 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 (tritica).

COMMISSION REGULATION (EEC) No 320/89

of 9 February 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 166/89⁽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 8 February 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 10 February 1989.

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

Done at Brussels, 9 February 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 20, 25. 1. 1989, 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 9 February 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 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0,16	0,16	0
0712 90 19	0	0,16	0,16	0
1001 10 10	0	0	0	7,16
1001 10 90	0	0	0	7,16
1001 90 91	0	0	0	1,97
1001 90 99	0	0	0	1,97
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	0,16	0,16	0
1005 90 00	0	0,16	0,16	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	2,76

B. Malt

CN code	(ECU/tonne)				
	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	3,51	3,51
1107 10 19	0	0	0	2,62	2,62
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 321/89

of 9 February 1989

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

Whereas by Regulation (EEC) No 3131/78 ⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules

for fixing the import levy on olive oil by tender ⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 6 and 7 February 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 10 February 1989.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽³⁾

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

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

⁽²⁾ For imports of oil falling within this subheading :

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

⁽³⁾ For imports of oil falling within this subheading :

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,00

COMMISSION DECISION No 322/89/ECSC

of 1 February 1989

establishing Community rules for aid to the steel industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first and second paragraphs of Article 95 thereof,

Having consulted the Consultative Committee and with the unanimous assent of the Council,

Whereas :

I

After a period of comprehensive aid-granting during 1981 to 1985⁽¹⁾ assisting the restructuring of the Community steel industry, Commission Decision No 3484/85/ECSC⁽²⁾ established rules under which aid could be granted to the industry only for a few purposes and to a very limited extent during the period 1 January 1986 until 31 December 1988.

The cessation of the quota system by mid 1988 and the continuing presence of excess production capacities for most product categories makes it of particular importance to pursue a strict aid policy, comprising both specific and non-specific aid, and the close monitoring of state assistance of any form to the steel industry, in order to assure that competition conditions are being determined by normal market forces.

Nevertheless, the reasons for permitting limited aid for the sector, provided for by Decision No 3484/85/ECSC, principally still remain.

The Community thus finds itself faced with a situation not specifically provided for in the ECSC Treaty and yet requiring action. In these circumstances, recourse must be had to the first paragraph of Article 95 of the EEC Treaty, so as to enable the Community to pursue the objectives set out in the initial Articles thereof.

It is emphasized that any subsidies in any form whatsoever and whether specific or non-specific, which Member States might grant to their steel industries, other

than aid expressly provided for and duly authorized under this Decision, is prohibited under Article 4 (c) of the Treaty.

II

It would be unjustified, and would be treating the industry differently from other industries, to deny the Community steel industry aid for research and development or for bringing plants into line with new environmental standards. Aid for these purposes which is in the public interest and satisfies the conditions laid down in this Decision should be available to the steel industry, just as similar aid is permitted to other industries under Article 92 and 93 of the EEC Treaty.

The over-capacity that still persists in a number of product categories also justifies the authorization of aid to accelerate the closure of inefficient plants which, if kept in service, even only temporarily, could depress the market to the detriment of all firms in the sector, and to encourage the least competitive firms to cease production entirely.

Having in a recent span of years been offered the opportunity with the assistance of a suitable framework of aid rules to put their technical and financial structure in a competitive state, there is no justification for allowing any further operating or investment aid to the Community's steel undertakings. This is even more the case since the evolution of the financial position of steel undertakings has generally been very satisfactory.

As the special provisions on aid to the steel industries in the Act of Accession of Spain and Portugal expire by end 1988 and end 1990 respectively, this Decision is immediately applicable to Spain while it is without prejudice to the provisions contained in the Act of Accession of Portugal until 1 January 1991 when it also becomes fully applicable to that Member State.

To avoid discrimination due to the variety of forms which State aid may take, transfers of State resources to public or private steel firms, in the form of acquisitions of shareholdings or provisions of capital or similar financing, must be subject to the same procedures as aid so that the Commission can determine whether such operations involve an aid element. This will be the case where the financial transfer is not a genuine provision of risk capital

⁽¹⁾ Commission Decision No 2320/81/ECSC (OJ No L 228, 13. 8. 1981, p. 14), as amended by Decision No 1018/85/ECSC (OJ No L 110, 23. 4. 1985, p. 5).

⁽²⁾ OJ No L 340, 18. 12. 1985, p. 1.

according to usual investment practice in a market economy. The compatibility of any such aid elements with the Treaty must be assessed by the Commission in the light of the criteria laid down in this Decision. For this purpose, all such financial transfers must be notified to the Commission and may not be implemented if before the end of the standstill period laid down in Article 6 (5) the Commission determines that they contain aid elements and initiates the procedure provided for in Article 6 (4).

To ensure the orderly functioning of the common market for an appropriate period, during which the steel industry finds again normal market conditions, this Decision should apply until 31 December 1991,

HAS ADOPTED THIS DECISION:

Article 1

1. Aid to the steel industry, whether specific or non-specific, financed by Member States or their regional or local authorities or through State resources in any form whatsoever may be deemed Community aid and therefore compatible with the orderly functioning of the common market only if it satisfies the provisions of Articles 2 to 5.

2. The term 'aid' also covers the aid elements contained in transfers of State resources by Member States, regional or local authorities or other bodies to steel undertakings in the form of acquisitions of shareholdings or provisions of capital or similar financing (such as bonds convertible into shares, or loans the interest on which is at least partly dependent on the undertaking's financial performance) which cannot be regarded as a genuine provision of risk capital according to usual investment practice in a market economy.

3. Aid coming within the terms of this Decision may be granted only after the procedures laid down in Article 6 have been followed and shall not be payable after 31 December 1991.

Article 2

Aid for research and development

1. Aid granted under general aid schemes to defray expenditure by steel undertakings on research and development projects may be deemed compatible with the orderly functioning of the common market provided that the research and/or development project has one of the following objectives:

- reduction in production costs, in particular through energy conservation or improvements in productivity,
- improvements in the quality of products,
- improvements in the performance of iron and steel products or extensions of the range of applications of steel,

— improvements in the environment and in working conditions (higher health and safety standards).

2. The total amount of aid granted for this purpose may not exceed 35 % net grant equivalent of the eligible costs in the case of basic industrial research and 25 % in the case of applied research and development.

3. Basic industrial research is defined as original theoretical or experimental work whose objective is to achieve a new or better understanding of the laws of science and technology as they apply to an industrial sector or the activities of a particular undertaking.

4. The eligible costs shall be only those directly related to research and development, excluding those related to industrial applications or commercial exploitation of the results.

Article 3

Aid for environmental protection

1. Aid granted to steel undertakings under general aid schemes for bringing into line with new statutory environmental standards plants which entered into service at least two years before the introduction of the standards may be deemed compatible with the orderly functioning of the common market.

2. The total amount of aid granted for this purpose may not exceed 15 % net grant equivalent of the investment costs directly related to the environmental measures concerned. Where the investment is associated with an increase in the capacity of the plant, the eligible costs shall be proportionate to the initial capacity of the plant.

Article 4

Aid for closures

1. Aid towards the costs of payments to workers made redundant or accepting early retirement may be deemed compatible with the orderly functioning of the common market provided that:

- the payments do not exceed those customary under the rules in force in the Member States on 1 October 1985 and actually arise from the partial or total closure of steel plants that have been in regular production up to the time of notification of the aid and whose closure has not already been taken into account for the purposes of applying Commission Decision No 257/80/ECSC⁽¹⁾, No 2320/81/ECSC or No 3484/85/ECSC or granting a favourable opinion under Article 54 of the ECSC Treaty,

⁽¹⁾ OJ No L 29, 6. 2. 1980, p. 5.

- the aid does not exceed 50 % of that portion of such payments which is not defrayed directly by the Member State or by the Community pursuant to Article 56 (1) (c) or (2) (b) of the ECSC Treaty but is payable by the undertaking concerned.

2. Aid to steel undertakings which permanently cease production of ECSC iron and steel products may be deemed compatible with the orderly functioning of the common market, provided that the undertakings:

- became a legal entity before 1 October 1985,
- have been regularly producing hot-rolled products up to the date of notification of the aid,
- have not reorganized their production or plant structure since 1 October 1985, and
- are not directly or indirectly controlled, within the meaning of Decision No 24/54 of the High Authority⁽¹⁾, by, and do not themselves directly or indirectly control, an undertaking that is itself a steel undertaking or controls other steel undertakings,

and that the closure of their plants has not already been taken into account for the purposes of applying Decision No 257/80/ECSC, No 2320/81/ECSC or No 3484/85/ECSC or granting a favourable opinion under Article 54 of the ECSC Treaty.

The amount of aid may not exceed the higher of the following two values, as determined by an independent consultant's report:

- the discounted value of the contribution to fixed costs obtainable from the plants over a three-year period, less any advantages the aided firm derives from their closure, or
- the residual book value of the plants (ignoring that portion of any revaluations since 1 January 1980 which exceeded the national inflation rate).

Article 5

Aid granted to steel undertakings for investment under general regional aid schemes may be deemed compatible with the orderly functioning of the common market, provided that:

- the aided investment does not lead to an increase in production capacity, and
- the aided undertaking is located on the territory of a Member State which was not authorized to grant any aid under Decision No 257/80/ECSC or No 2320/81/ECSC, and which during the period of

validity of these Decisions had already become a member of the Community.

Article 6

1. The Commission shall be informed, in sufficient time to enable it to submit its comments, of any plans to grant or alter aid of the types referred to in Articles 2 to 5. It shall likewise be informed of plans to grant aid to the steel industry under schemes on which it has already taken a decision under the EEC Treaty. The notifications of aid plans required by the Article must be lodged with the Commission by 30 June 1991 at the latest.

2. The Commission shall be informed, in sufficient time for it to submit its comments, and by 30 June 1991 at the latest, of any plans for transfers of State resources, by Member States, regional or local authorities or other bodies to steel undertakings in the form of acquisitions of shareholdings or provisions of capital or similar financing.

The Commission shall determine whether the financial transfers involve aid elements within the meaning of Article 1 (2) and, if so, shall examine whether they are compatible with the common market under the provisions of Articles 2 to 5.

3. The Commission shall seek the views of the Member States on plans for closure aid and other major aid proposals notified to it before adopting a position on them. It shall inform the Member States of the position it has adopted on all aid proposals, specifying the form and volume of the aid.

4. Where, after inviting interested parties to submit their comments, the Commission finds that aid in a given case is incompatible with the provisions of this Decision, it shall inform the Member State concerned of its decision. The Commission shall take such a decision not later than three months after receiving the information needed to assess the proposed aid. Article 88 of the ECSC Treaty shall apply in the event of a Member State's failing to comply with that decision. The planned measures falling within paragraph 1 or 2 may be put into effect only with the approval of and subject to any conditions laid down by the Commission.

5. If the Commission fails to initiate the procedure provided for in paragraph 4 or otherwise to make its position known within two months of receiving notification of a proposal, the planned measures may be put into effect provided that the Member State first informs the Commission of its intention to do so.

6. All individual awards of the types of aid referred to in Article 4 shall be notified to the Commission in accordance with the procedure provided for in paragraph

⁽¹⁾ OJ of the ECSC No 9, 11. 5. 1954, p. 345.

1. The Commission also reserves the right to require that some or all individual awards of aid of the types referred to in Articles 2 and 3 be notified in accordance with paragraph 1.

Article 7

Member States shall supply the Commission twice a year with reports on the aid disbursed over the previous six months, the uses to which the aid was put and the results obtained over the same period. The reports shall include particulars of all financial operations carried out by the Member States or local or regional authorities in relation to publicly-owned steel undertakings. They must be supplied within two months following the end of each six-month period and be set out in a form determined by the Commission.

Article 8

The Commission shall draw up regular reports on the implementation of this Decision for the Council and, for information, for the Parliament and the Consultative Committee.

Article 9

This Decision shall not apply until 1 January 1991 to Portugal in which Member State aid will be governed until then by the Act of Accession.

Article 10

This Decision shall apply from 1 January 1989 until 31 December 1991.

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

Done at Brussels, 1 February 1989.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION REGULATION (EEC) No 323/89**of 8 February 1989****on the supply of various lots of skimmed-milk powder as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1870/88⁽²⁾, and in particular Article 6 (1) (c) thereof,

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

Whereas, following the taking of a decision on the allocation of food aid, the Commission has allocated to Peru 1 600 tonnes of skimmed-milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on the day 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, 8 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No⁽¹⁾**: 1190/88 — Commission Decision of 26. 7. 1988
2. **Programme**: 1988
3. **Recipient**: Peru
4. **Representative of the recipient⁽²⁾**: Oficina Nacional de Apoyo Alimentario (ONAA), Natalio Sánchez n° 220, Piso 14, Jesús María, Lima, Perú; tel. 24 24 64
5. **Place or country of destination**: Peru
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽²⁾⁽³⁾**: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 1 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg and OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3)
Supplementary markings on the packaging:
'ACCIÓN N° 1190/88 / LECHE EN POLVO DESCREMADA ENRIQUECIDA CON VITAMINAS A Y D / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A PERÚ / DISTRIBUCIÓN GRATUITA'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market — the manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing Callao (Lima) — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Callao, Peru
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 24. 3 to 7. 4. 1989
18. **Deadline for the supply**: 12. 5. 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁴⁾**: 6. 3. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 13. 3. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1. 4. 1989 to 15. 4. 1989
 - (c) deadline for the supply: 19. 5. 1989
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁵⁾**: refund applicable on 13: 1. 1989 fixed by Commission Regulation (EEC) No 59/89 (OJ No L 10, 12. 1. 1989, p. 10)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
 - (²) At the request of the beneficiary, the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (³) Commission delegate to be contacted by the successful tenderer: M. Boselli, Delegation CEE, Calle Orinoco, Las Mercedes, Ap. 67076, Las Americas 1061A, Caracas, Venezuela; tel. 91 51 33, telex 27298 COMEU VC.
 - (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
 - (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
 - (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
-

COMMISSION REGULATION (EEC) No 324/89
of 8 February 1989
on the sale of olive oil held by the Italian intervention agency

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⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 12 thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78⁽³⁾ provides that olive oil held by the intervention agencies is to be put up for sale by tender except when special conditions require other procedures to be used ;

Whereas, the Italian intervention agency has a stock of lampante olive oil from intervention during the 1983/84 marketing year ;

Whereas, in view of the special characteristics of the oil, and of the fact that it has deteriorated as a result of prolonged storage, the provisions of Article 4 (2) of Council Regulation (EEC) No 3247/81⁽⁴⁾ should be applied ; whereas for the same reasons it should be sold as a single lot ; whereas such a sale may therefore interest only a limited number of operators ; whereas in these circumstances the procedure of sale by tender will not be adopted ; whereas the Italian intervention agency should therefore sell this product on the best possible terms available on the market ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The Italian intervention agency, Azienda di Stato per gli interventi nel mercato agricolo, hereinafter called AIMA, shall sell for the best price it can obtain, one lot of 280 tonnes of lampante virgin olive oil it holds as a result of intervention on the market of olive oil during the 1983/84 olive oil marketing, stored at the Lamezia Terme (Lenti) warehouse of the Catanzaro intervention centre.

2. The notice of sale shall be displayed by AIMA at its head office at Via Palestro, 81, Rome, Italy for at least 10 days before the date set for the sale.

3. Sale of the product referred to in paragraph 1 shall be effected before 30 April 1989. Delivery of the product sold must take place before 30 June 1989.

AIMA shall inform the Commission as soon as possible of the outcome of the sale.

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, 8 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 327, 14. 11. 1981, p. 1.

COMMISSION REGULATION (EEC) No 325/89

of 8 February 1989

on the sale of olive oil residues held by the Italian intervention agency

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⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 12 thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78⁽³⁾ provides that olive oil held by the intervention agencies shall be put up for sale by tender except when particular conditions necessitate recourse to other procedures;

Whereas, during the marketing years from 1985/86 to 1987/88, approximately 70 000 tonnes of olive oil of all qualities held by the Italian intervention agency were sold by tender; whereas following these sales the intervention agency still holds in stock a quantity of vat bottom residues; whereas these residues contain a considerable percentage of oil; whereas correct management of the intervention agency's purchases of olive oil requires that these residues should therefore be sold;

Whereas, for commercial reasons based chiefly on the fact that there is no well-defined market or price system for the product in question, it is not advisable to use the sale by tender procedure previously adopted for the olive oil;

whereas the intervention agency should therefore sell the product for the best price it can obtain;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Italian intervention agency, Azienda di Stato per gli interventi nel mercato agricolo, hereinafter called AIMA, shall sell for the best price it can obtain, all vat bottom residues which it is holding as a result of its purchases on the olive oil market until the 1987/88 marketing year.

2. The notice of sale shall be displayed by AIMA at its head office at Via Palestro, 81, Rome, Italy for at least 10 days before the date set for the sale.

3. Sale of the product referred to in paragraph 1 shall be effected before 30 April 1989. Delivery of the product sold must take place before 31 July 1989.

AIMA shall inform the Commission as soon as possible of the outcome of the sale.

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, 8 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

COMMISSION REGULATION (EEC) No 326/89

of 9 February 1989

amending Regulation (EEC) No 3537/88 opening a standing invitation to tender for the resale on the Community market of 112 000 tonnes of sorghum held by the Spanish intervention agency

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 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾,

Having regard to Council Regulation (EEC) No 1799/87 of 25 June 1987 on special arrangements for imports of maize and sorghum into Spain from 1987 to 1990⁽³⁾, and in particular Article 4 (2) thereof,

Whereas, pursuant to Article 4 of Regulation (EEC) No 1799/87, the Spanish intervention agency has purchased 300 000 tonnes of grain sorghum on the world market;

Whereas 112 000 tonnes of grain sorghum were sold on the internal market pursuant to Commission Regulation (EEC) No 3537/88⁽⁴⁾; whereas, in view of the risk of deterioration in the quality of the cereal as a result of long storage, the sale period should be extended and the conditions should be made more flexible; whereas, to that end, provision should be made for a reduction in the minimum price which, while preventing disturbance of the market, is such as to make the disposal of the remainder held by the Spanish intervention agency easier;

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

Regulation (EEC) No 3537/88 is hereby amended as follows:

1. The second paragraph of Article 1 is replaced by the following:

'The sale provided for in the first paragraph shall take place in accordance with the terms of this Regulation and of Titles I, excepting Article 5 thereof, and III of Regulation (EEC) No 1836/82.

The tender selected must at least correspond to the buying-in price referred to in Article 7 of Regulation (EEC) No 2727/75, applying on the last day for the submission of tenders. However, where the tender relates to a lot of grain sorghum whose physical characteristics do not tally with those required for intervention, the minimum price to be complied with shall be that referred to above, minus 5 %.'

2. In Article 4 (2) '26 January 1989' is replaced by '25 May 1989'.

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, 9 February 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 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 170, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 309, 15. 11. 1988, p. 30.

COMMISSION REGULATION (EEC) No 327/89

of 9 February 1989

introducing a countervailing charge on fresh lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 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 1386/88 of 20 May 1988 fixing for the 1988/89 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I at ECU 47,15 per 100 kilograms net for the period from November 1988 to April 1989;

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

Whereas, in accordance with Article 3 (1) of Commission 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 lemons originating in Cyprus the entry prices calculated in this way have for six consecutive market days been alternatively above and below the reference price; whereas three 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 lemons;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 4,07 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Cyprus.

Article 2

This Regulation shall enter into force on 11 February 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 16 February 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 328/89

of 9 February 1989

introducing a countervailing charge on fresh lemons originating in Spain
(except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1386/88 of 20 May 1988 fixing for the 1988/89 marketing year the reference prices for fresh lemons ⁽³⁾ fixed the reference price for products of class I for the period from November 1988 to April 1989 at ECU 47,15 per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74 ⁽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 lemons originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal ⁽⁸⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 1,61 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 11 February 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 329/89

of 9 February 1989

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 Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 27 (4) thereof,Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 275/89 ⁽⁴⁾,Having regard to Regulation (EEC) No 1569/72 of the Council of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88 ⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 250/89 ⁽⁷⁾, as amended by Regulation (EEC) No 294/89 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 250/89 to the information known to the Commission that the amount of the

subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza and rape will be confirmed or replaced as from 10 February 1989 to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 10 February 1989.

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

Done at Brussels, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.⁽⁴⁾ OJ No L 32, 3. 2. 1989, p. 8.⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.⁽⁷⁾ OJ No L 30, 1. 2. 1989, p. 33.⁽⁸⁾ OJ No L 33, 4. 2. 1989, p. 34.⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	0,580	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,328	20,409	20,568	20,807	20,649	18,343
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,38	48,58	48,96	49,52	49,15	43,83
— Netherlands (Fl)	53,99	54,20	54,62	55,26	54,84	48,85
— BLEU (Bfrs/Lfrs)	981,58	985,49	993,16	1 004,71	997,08	885,73
— France (FF)	149,00	149,56	150,73	152,53	151,29	134,34
— Denmark (Dkr)	178,03	178,72	180,12	182,23	180,81	160,61
— Ireland (£ Irl)	16,572	16,634	16,764	16,964	16,826	14,942
— United Kingdom (£)	13,063	13,111	13,214	13,371	13,259	11,706
— Italy (Lit)	32 098	32 218	32 422	32 710	32 441	28 550
— Greece (Dr)	2 464,67	2 469,51	2 474,11	2 491,85	2 461,15	2 114,11
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	89,44	180,43
— in another Member State (Pta)	3 192,53	3 206,88	3 227,78	3 254,80	3 231,69	2 922,21
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 398,19	4 412,63	4 438,24	4 471,39	4 440,97	3 978,94

⁽¹⁾ Subject in the case of advance fixing for the 1989/90 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,080	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	22,828	22,909	23,068	23,307	23,149	20,843
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,28	54,48	54,86	55,42	55,05	49,74
— Netherlands (Fl)	60,60	60,82	61,24	61,88	61,46	55,46
— BLEU (Bfrs/Lfrs)	1 102,29	1 106,20	1 113,88	1 125,42	1 117,79	1 006,44
— France (FF)	167,96	168,52	169,69	171,49	170,25	153,30
— Denmark (Dkr)	200,13	200,83	202,22	204,33	202,92	182,71
— Ireland (£ Irl)	18,682	18,744	18,874	19,074	18,936	17,051
— United Kingdom (£)	14,751	14,799	14,901	15,059	14,947	13,394
— Italy (Lit)	36 186	36 306	36 510	36 797	36 528	32 638
— Greece (Dr)	2 854,72	2 859,56	2 864,16	2 881,90	2 851,20	2 504,16
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	474,98	565,96
— in another Member State (Pta)	3 578,06	3 592,41	3 613,31	3 640,33	3 617,22	3 307,74
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	470,02	470,02	470,02	470,02	470,02
— in another Member State (Esc)	4 868,21	4 882,65	4 908,25	4 941,40	4 910,99	4 448,96

⁽¹⁾ Subject in the case of advance fixing for the 1989/90 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	5,170
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	24,379	24,924	25,468	25,925	25,925
2. Final aids:					
(a) Seed harvested and processed in (!):					
— Federal Republic of Germany (DM)	57,97	59,25	60,53	61,61	61,61
— Netherlands (Fl)	64,72	66,16	67,60	68,81	68,81
— BLEU (Bfrs/Lfrs)	1 177,19	1 203,50	1 229,77	1 251,84	1 251,84
— France (FF)	179,46	183,64	187,82	191,32	191,32
— Denmark (Dkr)	213,75	218,59	223,42	227,47	227,47
— Ireland (£ Irl)	19,960	20,426	20,891	21,280	21,280
— United Kingdom (£)	15,764	16,139	16,512	16,823	16,823
— Italy (Lit)	38 663	39 565	40 418	41 071	41 071
— Greece (Dr)	3 060,12	3 152,30	3 228,83	3 286,57	3 286,57
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	797,28
— in another Member State (Pta)	3 856,67	3 939,01	4 016,35	4 075,57	4 075,57
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 857,37	6 963,24	7 065,10	7 142,13	7 142,13
— in another Member State (Esc)	6 683,10	6 786,28	6 885,56	6 960,63	6 960,63
3. Compensatory aids:					
— in Spain (Pta)	3 804,61	3 888,88	3 968,15	4 031,23	4 031,23
4. Special aid:					
— in Portugal (Esc)	6 683,10	6 786,28	6 885,56	6 960,63	6 960,63

(!) 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 1,0260760.

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 1 ECU)

	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7
DM	2,086860	2,083810	2,080480	2,077320	2,077320	2,068160
Fl	2,356410	2,353720	2,350720	2,347630	2,347630	2,338220
Bfrs/Lfrs	43,729900	43,709100	43,698000	43,691299	43,691299	43,647000
FF	7,102320	7,107090	7,112880	7,118110	7,118110	7,132450
Dkr	8,106170	8,105260	8,105550	8,105850	8,105850	8,108220
£Irl	0,780779	0,779892	0,779436	0,779480	0,779480	0,779639
£	0,638270	0,639368	0,640467	0,641536	0,641536	0,645069
Lit	1 522,29	1 527,18	1 532,17	1 536,89	1 536,89	1 550,24
Dr	173,24400	174,05900	174,97200	175,95700	175,95700	180,02500
Esc	171,05200	171,49200	172,08500	172,62600	172,62600	174,64000
Pta	130,74600	131,12800	131,60600	132,04800	132,04800	133,39400

COMMISSION REGULATION (EEC) No 330/89

of 9 February 1989

fixing the export refunds 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 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 166/89⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

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 in the Community may be covered by an export refund;

Whereas Article 2 of Regulation (EEC) No 2746/75 of the Council of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, 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 world market 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 cereal markets 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 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated,

account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC of the Commission⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 February 1989.

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

Done at Brussels, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 9 February 1989 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	04	21,00 (?)
	02	20,00 (?)
1001 90 91 000	01	0
1001 90 99 000	05	49,00
	07	22,00
	06	54,00
	02	20,00
1002 00 00 000	06	54,00
	02	20,00
1003 00 10 000	01	0
1003 00 90 000	05	57,00
	07	22,00
	02	20,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	67,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	83,00
1101 00 00 120	01	83,00
1101 00 00 130	01	75,00
1101 00 00 150	01	65,00
1101 00 00 170	01	55,00
1101 00 00 180	01	45,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	83,00
1102 10 00 200	01	83,00
1102 10 00 300	01	83,00
1102 10 00 500	01	83,00
1102 10 00 900	—	—
1103 11 10 100	01	189,00
	04	230,00
1103 11 10 200	01	179,00
1103 11 10 500	01	160,00
1103 11 10 900	01	151,00
1103 11 90 100	01	83,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Algeria,
- 05 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 06 Zone II b),
- 07 Poland.

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Commission Regulation (EEC) No 1569/77 (OJ No L 174, 14. 7. 1977, p. 15), with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum, of which 5 % of soft wheat or other cereals.

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 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

COMMISSION REGULATION (EEC) No 331/89

of 9 February 1989

fixing 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 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 166/89⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75 of the Commission⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and,

furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 February 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 9 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 9 February 1989 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)								
Product code	Destination (1)	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	0	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	+ 3,00	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00
	02	0	0	0	0	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	03	0	+ 3,00	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00
	02	0	0	0	0	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	—	—
1101 00 00 120	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	04	0	0	0	0	0	- 100,00	- 100,00
	02	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	0	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries,

02 Other third countries,

03 Algeria, Tunisia, Egypt and the Canary Islands,

04 Algeria.

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 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 January 1989

amending for the fourth time Decision 82/351/EEC recognizing certain parts of the territory of the Federal Republic of Germany as being officially swine-fever free

(Only the German text is authentic)

(89/97/EEC)

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

Having regard to Council Directive 80/1095/EEC of 11 November 1980 laying down conditions designed to render and keep the territory of the Community free from classical swine fever⁽¹⁾, as last amended by Directive 87/487/EEC⁽²⁾, and in particular Article 7 (2) thereof,

Having regard to Commission Decision 88/614/EEC of 27 October 1988 approving the plan for the accelerated eradication of classical swine fever presented by the Federal Republic of Germany⁽³⁾,

Whereas the Federal Republic of Germany is implementing the plan for the eradication of classical swine fever on a regional basis;

Whereas Commission Decision 82/351/EEC⁽⁴⁾, as last amended by Decision 88/185/EEC⁽⁵⁾, has recognized certain parts of the territory of the Federal Republic of Germany as being officially swine-fever free;

Whereas no swine fever has been detected and vaccination against swine fever has been stopped for more than 15 months within a certain area to be recognized as officially swine-fever free;

Whereas the status of the designated officially swine-fever free region will be maintained by the application of the

measures foreseen in Article 7 (2) of Directive 80/1095/EEC;

Whereas, as a result, a new part of the territory of the Federal Republic of Germany fulfills the conditions as laid down in Article 7 of Directive 80/1095/EEC, and, consequently may also be recognized as officially free of classical swine fever;

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

HAS ADOPTED THIS DECISION:

Article 1

The following region is added to the list laid down in Article 1 of Decision 82/351/EEC:

— Oberbayern.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 17 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 325, 1. 12. 1980, p. 1.

⁽²⁾ OJ No L 280, 3. 10. 1987, p. 24.

⁽³⁾ OJ No L 335, 7. 12. 1988, p. 34.

⁽⁴⁾ OJ No L 157, 8. 6. 1982, p. 26.

⁽⁵⁾ OJ No L 83, 29. 3. 1988, p. 42.

COMMISSION DECISION

of 17 January 1989

on applications for import licences for Basmati rice submitted during the first five working days of the month of January 1989 under the arrangements provided for in Council Regulation (EEC) No 3877/86

(89/98/EEC)

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

Having regard to Council Regulation (EEC) No 3877/86 of 16 December 1986 on imports of rice of the long-grain aromatic Basmati variety falling within subheading ex 10.06 B I and II of the Common Customs Tariff⁽¹⁾,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within subheading ex 10.06 B I or II of the Common Customs Tariff⁽²⁾, as amended by Regulation (EEC) No 1546/87⁽³⁾, and—in particular Article 5(1) thereof,

Whereas under Article 5(1) of Regulation (EEC) No 833/87 the Commission must, not later than the 13th day after the expiry of the time limit for submitting applications for licences, notify the Member States:

- that licences may be issued in respect of all the quantities applied for; or
- that the standard percentage reduction should be applied to those quantities, or
- that the conditions for applying the reduced levy have not been met;

Whereas, in the light of the quantities for which applications have been submitted, the quantities available and the Basmati rice price during the first five working

days of the month of January 1989, licences may be issued subject to the application of a percentage reduction,

HAS ADOPTED THIS DECISION:

Article 1

Import licences for Basmati rice falling within CN code 1006 may be issued, subject to the application, to the quantities applied for, of a standard reduction of 92,489 %, in cases where the applications for import licences were submitted, under the arrangements provided for in Regulation (EEC) No 3877/86, during the first five working days of the month of January 1989 and were the subject of the communication to the Commission provided for in Article 7 of Regulation (EEC) No 833/87.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽²⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽³⁾ OJ No L 144, 4. 6. 1987, p. 10.

COMMISSION DECISION

of 18 January 1989

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland and Zimbabwe

(89/99/EEC)

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 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 1821/87 ⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 3182/88 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 January 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 February 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries ⁽⁵⁾, as last amended by Directive 88/289/EEC ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 January 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

- 215 tonnes originating in Botswana,
- 140 tonnes originating in Zimbabwe;

Germany:

- 190 tonnes originating in Botswana,
- 140 tonnes originating in Zimbabwe;

the Netherlands:

- 150 tonnes originating in Botswana,
- 210 tonnes originating in Zimbabwe.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of February 1989 in respect of the following quantities of boned beef and veal:

Botswana:	18 361 tonnes
Kenya:	142 tonnes
Madagascar:	7 579 tonnes
Swaziland:	3 363 tonnes
Zimbabwe:	7 610 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 18 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 124, 18. 5. 1988, p. 31.

COMMISSION DIRECTIVE
of 20 January 1989
amending Annex II to Council Directive 66/401/EEC on the marketing of fodder
plant seed
(89/100/EEC)

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

Having regard to Council Directive 66/401/EEC of 14
June 1966 on the marketing of fodder plant seed ⁽¹⁾, as
last amended by Directive 88/380/EEC ⁽²⁾, and in
particular Article 21a thereof,

Whereas, by reason of the conditions of its cultivation and
its morphological characteristics, seed of meadow foxtail
(*Alopecurus pratensis*) contains a relatively high
proportion of seed of poa species;

Whereas, for seed of meadow foxtail, it is accordingly
difficult to obtain, in relation to seed of poa species, the
1 % maximum content by weight of seeds of a single
other plant species laid down in Annex II to Directive
66/401/EEC;

Whereas for seed of tall oatgrass (*Arrhenatherum elatius*)
and golden oatgrass (*Trisetum flavescens*), which display
similar morphological characteristics, this 1 % maximum
does not apply to seed of poa species;

Whereas, in the light of the development of technical
knowledge, it is therefore appropriate to amend Annex II
to Directive 66/401/EEC in order to make the same
provision for seed of meadow foxtail;

Whereas the measures provided for in this Directive are
in accordance with the opinion of the Standing
Committee on Seeds and Propagating Material for
Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex II to Directive 66/401/EEC, part I, section 2 (A)
(‘Table’), column 6 (‘Analytical purity — Maximum
content of seeds of other plant species (% by weight) —
A single species’), after ‘1,0’ given for *Alopecurus*
pratensis, ‘(f)’ is added.

Article 2

Member States shall take the measures necessary to
comply with this Directive not later than 1 January 1990.
They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 20 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ OJ No L 187, 16. 7. 1988, p. 31.

COMMISSION DECISION

of 20 January 1989

releasing Belgium, Denmark, Germany, Spain, Ireland, Luxembourg and the United Kingdom from the obligation to apply to certain species Council Directives 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC on the marketing of fodder plant seed, cereal seed, seed of oil and fibre plants and vegetable seed respectively

(Only the Danish, French, English, Dutch, Spanish and German texts are authentic)

(89/101/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽¹⁾, as last amended by Commission Directive 89/100/EEC⁽²⁾, and in particular Article 23a thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽³⁾, as last amended by Directive 89/2/EEC⁽⁴⁾, and in particular Article 23a thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁵⁾, as last amended by Directive 88/380/EEC⁽⁶⁾, and in particular Article 22 thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed⁽⁷⁾, as last amended by Directive 88/380/EEC, and in particular Article 42 thereof,

Having regard to the requests submitted by Belgium, Denmark, Germany, Spain, Ireland, Luxembourg and the United Kingdom,

Whereas seed of rescue grass, Alaska brome-grass, Bermuda grass, Harding grass, Golden oatgrass, sulla, fenugreek, California bluebell, rice, sorghum, Sudan grass, hybrids resulting from the crossing of sorghum and Sudan grass, safflower, gourd and cardoon is not normally reproduced or marketed in certain Member States;

Whereas, as long as those conditions obtain, the relevant Member States should be released from the obligation to apply the provisions of the above Directives to the species in question;

Whereas certain Member States also wish to be released from the obligation to apply Directive 70/458/EEC to industrial chicory;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The Member States indicated in column 1 of Part I of the Annex are hereby released from the obligation to apply Directive 66/401/EEC, with the exception of Article 14 (1), to the species indicated in column 2.
2. The Member States indicated in column 1 of Part II of the Annex are hereby released from the obligation to apply Directive 66/402/EEC, with the exception of Article 14 (1), to the species indicated in column 2.
3. The Member States indicated in column 1 of Part III of the Annex are hereby released from the obligation to apply Directive 69/208/EEC, with the exception of Article 13 (1), to the species indicated in column 2.
4. The Member States indicated in column 1 of Part IV of the Annex are hereby released from the obligation to apply Directive 70/458/EEC, with the exception of Articles 16 (1) and 30 (1), to the species indicated in column 2.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Kingdom of Spain, Ireland, the Grand Duchy of Luxembourg and the United Kingdom.

Done at Brussels, 20 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2298/66.

⁽²⁾ See page 36 of this Official Journal.

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽⁴⁾ OJ No L 5, 7. 1. 1989, p. 31.

⁽⁵⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁶⁾ OJ No L 187, 16. 7. 1988, p. 31.

⁽⁷⁾ OJ No L 225, 12. 10. 1970, p. 7.

ANNEX

1	2
Member State	Species

Part I — Directive 66/401/EEC

1. Germany, Spain, Ireland	<i>Bromus catharticus</i> Vahl — Rescue grass
2. Germany, Spain, Ireland	<i>Bromus sitchensis</i> Trin. — Alaska brome-grass
3. Belgium, Denmark, Germany, Luxembourg, United Kingdom	<i>Cynodon dactylon</i> (L.) Pers. — Bermuda grass
4. Belgium, Denmark, Germany, Luxembourg, United Kingdom	<i>Phalaris aquatica</i> (L.) — Harding grass, Phalaris
5. Belgium	<i>Trisetum flavescens</i> (L.) P. Beauv. — Golden oatgrass
6. Belgium	<i>Hedysarium coronarium</i> L. — Sulla
7. Belgium	<i>Trigonella foenum — graecum</i> L. — Fenugreek
8. Spain, Ireland, United Kingdom	<i>Phacelia tanacetifolia</i> Benth. — California bluebell

Part II — Directive 66/402/EEC

9. Belgium	<i>Oryza sativa</i> L. — rice
10. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Sorghum bicolor</i> (L.) Moench — Sorghum
11. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Sorghum sudanense</i> (Piper) Stapf. — Sudan grass
12. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Sorghum bicolor</i> (L.) Moench × <i>Sorghum sudanense</i> (Piper) Stapf. — Hybrids resulting from the crossing of sorghum and Sudan grass

Part III — Directive 69/208/EEC

13. Belgium, Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Carthamus tinctorius</i> L. — Safflower
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Part IV — Directive 70/458/EEC

14. Germany, Ireland, Luxembourg, United Kingdom	<i>Cichorium intybus</i> L. (partim) — Industrial chicory
15. Germany, Ireland, Luxembourg	<i>Cucurbita maxima</i> Duchesne — Gourd
16. Denmark, Germany, Ireland, Luxembourg, United Kingdom	<i>Cynara cardunculus</i> L. — Cardoon

COMMISSION DECISION

of 24 January 1989

approving aid from Spain to the coal industry during 1989

(Only the Spanish text is authentic)

(89/102/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

I

By letters of 22 September and 13 October 1988, the Spanish Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of the financial measures it intends to take during 1989 in order to give direct or indirect support to the coal industry. The following aid is submitted for the approval of the Commission pursuant to the abovementioned Decision :

(Pta, million)

— aid to cover operating losses	48 358,9
— aid to sales of coal and coke to the Community iron and steel industry	2 585,0
— aid to promote innovation	615,0
— aid to the mining environment	125,0.

Aid totalling Pta 48 358 900 000 to cover operating losses has been granted to the Hunosa, Figaredo, Hullasa and La Camocha undertakings in respect of total production of 4 284 000 tonnes to cover the difference for each tonne produced between projected average costs and projected average revenue. This aid will not exceed expected operating losses and hence complies with Article 3 (1) of the Decision.

The aid to cover operating losses is intended to facilitate the process of rationalization in the coal industry by staggering pit closures under a regional industrial conversion policy. It thereby helps solve the social and

regional problems related to developments in the coal industry in accordance with the third indent of Article 2 (1) of the Decision.

Pursuant to Article 12 of the Decision, coal undertakings are authorized to grant rebates on their list prices or production costs for deliveries of coking coal, coke and coal for injection into blast furnaces in the Community iron and steel industry under long-term contract. These rebates must not cause the delivered prices of Community coke and coal to work out lower than those which would be charged for coal from non-member countries and coke manufactured from coal from non-member countries.

The aid totalling Pta 2 585 000 000 for supplying coking coal, coke and coal for injection into blast furnaces in the Community iron and steel industry covers the difference between world market prices and production costs for an output of 397 000 tonnes. This aid is hence compatible with Article 4 of the Decision.

The aid for supplying coking coal, coke and coal for injection in blast furnaces in the Community iron and steel industry is intended to facilitate the process of rationalization in the coal industry by staggering pit closures under a regional industrial conversion policy. It thus helps solve the social and regional problems related to developments in the coal industry, in accordance with the third indent of Article 2 (1).

The Spanish Government plans to grant aid to promote innovation in the coal industry in 1989. This aid amounting to Pta 615 million, will be divided among the following coal fields : Central Asturiana, Bierzo-Villablino, Narcea, León-Este, Palencia, Aragón, Catalonia and the Balearic Islands.

This aid is intended to ensure that research results find practical applications in production as quickly as possible.

The aid has to be notified to the Commission pursuant to Article 9 (2) and Annex 2 (b) of the Decision as 'other' measures. Such measures have to be assessed in accordance with Article 10 (2) of the Decision.

(¹) OJ No L 177, 1. 7. 1986, p. 1.

The Commission has made the examination provided for in Article 67 of the ECSC Treaty and has reached the conclusion that the aid to promote innovation does not confer on the Spanish coal industry any particular competitive advantage which is incompatible with the common market.

This measure will help improve the competitiveness of the coal industry, in accordance with the first indent of Article 2 (1) of the Decision.

The Spanish Government plans to grant aid of Pta 125 000 000 to improve the environment in the coal industry in 1989. This aid concerns restoration of spoil heaps and water purification. The aid to the mining environment is intended to enhance the quality of the environment in the areas concerned.

This aid has to be notified to the Commission pursuant to Article 9 (2) and Annex 2 (b) of the Decision as 'other' measures. Such measures have to be assessed in accordance with Article 10 (2) of the Decision.

The Commission has made the examination provided for in Article 67 of the ECSC Treaty and has reached the conclusion that the aid to the mining environment does not confer on the Spanish coal industry any particular competitive advantage which is incompatible with the common market.

This measure will contribute to the implementation of the environment policy objectives laid down by the Commission of the European Communities.

II

Pursuant to Article 11 (2) of Decision No 2064/86/ECSC, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed of the amounts

of payments and the manner in which they are apportioned,

HAS ADOPTED THIS DECISION:

Article 1

Spain is hereby authorized to grant aid totalling Pta 51 683 900 000 to the Spanish coal industry with effect from 1 January 1989 for the 1989 calendar year.

The total amount shall be made up of the following items:

1. an amount not exceeding Pta 48 358 900 000 in aid to cover operating losses;
2. an amount not exceeding Pta 2 585 000 000 in aid for the sale of coal and coke to the Community iron and steel industry;
3. an amount not exceeding Pta 615 000 000 in aid to promote innovation;
4. an amount not exceeding Pta 125 000 000 in aid to the mining environment.

Article 2

The Spanish Government shall inform the Commission at the latest by 30 June 1990 of the actual amounts of aid paid in 1989.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 24 January 1989.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION DECISION

of 27 January 1989

authorizing the French Republic to permit temporarily the marketing of sunflower seed not satisfying the requirements of Council Directive 69/208/EEC

(89/103/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽¹⁾, as last amended by Directive 88/380/EEC⁽²⁾, and in particular Article 16 thereof,

Having regard to the request submitted by the French Republic,

Whereas in France the production of sunflower seed satisfying the requirements of Directive 69/208/EEC of varieties resistant to the disease *Phomopsis* which are included in the common catalogue of varieties of agricultural plant species or the French national catalogue of varieties has been insufficient in 1988 and therefore is not adequate to meet that country's needs;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the said Directive;

Whereas the French Republic should therefore be authorized to permit, for a period expiring on 31 May 1989, the marketing of seed of the abovementioned species of the category 'certified seed' of varieties included neither in the common catalogue of varieties of agricultural plant species nor in that Member State's national catalogue of varieties;

Whereas, moreover, other Member States, which are able to supply France with such seed not satisfying the requirements of the Directive should be authorized to permit the marketing of such seed provided that it is intended for France;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is hereby authorized to permit, for a period expiring on 31 May 1989, the marketing in its territory of a maximum of 460 tonnes of sunflower seed (*Helianthus annuus L.*) of the category 'certified seed' of varieties resistant to the disease *Phomopsis* which are included neither in the common catalogue of varieties of agricultural plant species, nor in that Member State's national catalogue of varieties. The official label shall state 'Intended exclusively for France'.

Article 2

The other Member States are hereby authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territory of a maximum of 460 tonnes of sunflower seed provided that it is intended exclusively for France. The official label shall state: 'Intended exclusively for France'.

Article 3

Member States shall notify the Commission before 31 July 1989 of the quantities of seed marketed in their territory pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽²⁾ OJ No L 187, 16. 7. 1988, p. 31.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 4244/88 of 21 December 1988 opening and providing for the administration of Community tariff quotas for new potatoes, fresh tomatoes and peas and immature beans, prepared or preserved, originating in Morocco (1989)

(Official Journal of the European Communities No L 373 of 31 December 1988)

Page 30, Article 1 (1), order No 09.1119, column headed 'Description', last line:

for: 'not',

read: 'not:

From 1 January to 31 December 1989'.

Corrigendum to Council Regulation (EEC) No 4245/88 of 21 December 1988 opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Israel (1989)

(Official Journal of the European Communities No L 373 of 31 December 1988)

Page 33, Article 1 (1), order No 09.1313, column headed 'CN code':

for: 'ex 0705 11 90',

read: 'ex 0705 11 10
ex 0705 11 90'.

Corrigendum to Commission Regulation (EEC) No 147/89 of 20 January 1989 laying down to what extent applications for issue of export licences submitted during January 1989 for beef and veal products which may benefit from special import treatment in a third country may be accepted

(Official Journal of the European Communities No L 17 of 21 January 1989)

Page 32, Article 2:

for: '2 400 tonnes',

read: '2 500 tonnes'.

Corrigendum to Commission Regulation (EEC) No 221/89 of 27 January 1989 introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey

(Official Journal of the European Communities No L 25 of 28 January 1989)

On page 85, Article 1, paragraph 1 :

for: '...CN code 0808 10 91 ...',

read: '...CN code 0808 10 93 ...'.

Corrigendum to Commission Regulation (EEC) No 294/89 of 3 February 1989 fixing the amount of the subsidy on oil seeds

(Official Journal of the European Communities No L 33 of 4 February 1989)

On page 36, in Annex II, in section 'Gross aids — other Member States', under column '5th period' :

for: '22,327',

read: '20,327'.
