

Official Journal

of the European Communities

ISSN 0378-6978

L 39

Volume 32

11 February 1989

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 332/89

of 10 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 9 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 11 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, 10 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 10 February 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	20,50	127,39
0712 90 19	20,50	127,39
1001 10 10	53,13	169,01 ⁽¹⁾ ⁽²⁾
1001 10 90	53,13	169,01 ⁽¹⁾ ⁽²⁾
1001 90 91	30,85	116,75
1001 90 99	30,85	116,75
1002 00 00	58,63	111,29 ⁽³⁾
1003 00 10	49,19	118,50
1003 00 90	49,19	118,50
1004 00 10	40,25	74,31
1004 00 90	40,25	74,31
1005 10 90	20,50	127,39 ⁽²⁾ ⁽³⁾
1005 90 00	20,50	127,39 ⁽²⁾ ⁽³⁾
1007 00 90	43,84	135,93 ⁽⁴⁾
1008 10 00	49,19	22,69
1008 20 00	49,19	57,61 ⁽⁴⁾
1008 30 00	49,19	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	49,19	0,00
1101 00 00	57,38	177,64
1102 10 00	96,27	169,99
1103 11 10	95,80	275,41
1103 11 90	60,70	190,58

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 333/89

of 10 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 9 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 11 February 1989.

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

Done at Brussels, 10 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 10 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	1,71
1001 90 99	0	0	0	1,71
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	2,38

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	3,04	3,04
1107 10 19	0	0	0	2,27	2,27
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 334/89
of 10 February 1989
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 2229/88⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88⁽⁵⁾, as last amended by Regulation (EEC) No 280/89⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2699/88 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 February 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.

⁽⁶⁾ OJ No L 33, 4. 2. 1989, p. 5.

ANNEX

to the Commission Regulation of 10 February 1989 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²) (³)	Arrangement in Regulation (EEC) No 3877/86
1006 10 21	—	296,41	144,60	—
1006 10 92	—	296,41	144,60	—
1006 10 23	—	297,12	144,96	222,84
1006 10 94	—	297,12	144,96	222,84
1006 10 25	—	297,12	144,96	222,84
1006 10 96	—	297,12	144,96	222,84
1006 10 27	—	297,12	144,96	222,84
1006 10 98	—	297,12	144,96	222,84
1006 20 11	—	370,51	181,65	—
1006 20 92	—	370,51	181,65	—
1006 20 13	—	371,40	182,10	278,55
1006 20 94	—	371,40	182,10	278,55
1006 20 15	—	371,40	182,10	278,55
1006 20 96	—	371,40	182,10	278,55
1006 20 17	—	371,40	182,10	278,55
1006 20 98	—	371,40	182,10	278,55
1006 30 21	13,05	493,83	234,99	—
1006 30 42	13,05	493,83	234,99	—
1006 30 23	12,97	581,03	278,63	435,77
1006 30 44	12,97	581,03	278,63	435,77
1006 30 25	12,97	581,03	278,63	435,77
1006 30 46	12,97	581,03	278,63	435,77
1006 30 27	12,97	581,03	278,63	435,77
1006 30 48	12,97	581,03	278,63	435,77
1006 30 61	13,90	525,93	250,61	—
1006 30 92	13,90	525,93	250,61	—
1006 30 63	13,90	622,87	299,08	467,15
1006 30 94	13,90	622,87	299,08	467,15
1006 30 65	13,90	622,87	299,08	467,15
1006 30 96	13,90	622,87	299,08	467,15
1006 30 67	13,90	622,87	299,08	467,15
1006 30 98	13,90	622,87	299,08	467,15
1006 40 00	0	102,87	48,43	—

(¹) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

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

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

N.B. The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Commission Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986, p. 25).

COMMISSION REGULATION (EEC) No 335/89

of 10 February 1989

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88 ⁽³⁾, as last amended by Regulation (EEC) No 281/89 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 13 February 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.

⁽⁴⁾ OJ No L 33, 4. 2. 1989, p. 7.

ANNEX

to the Commission Regulation of 10 February 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 10 21	0	0	0	—
1006 10 92	0	0	0	—
1006 10 23	0	0	0	—
1006 10 94	0	0	0	—
1006 10 25	0	0	0	—
1006 10 96	0	0	0	—
1006 10 27	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 92	0	0	0	—
1006 20 13	0	0	0	—
1006 20 94	0	0	0	—
1006 20 15	0	0	0	—
1006 20 96	0	0	0	—
1006 20 17	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 42	0	0	0	—
1006 30 23	0	0	0	—
1006 30 44	0	0	0	—
1006 30 25	0	0	0	—
1006 30 46	0	0	0	—
1006 30 27	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 92	0	0	0	—
1006 30 63	0	0	0	—
1006 30 94	0	0	0	—
1006 30 65	0	0	0	—
1006 30 96	0	0	0	—
1006 30 67	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 336/89**of 10 February 1989****altering the specific agricultural conversion rates applicable in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86⁽⁵⁾, as last amended by Regulation (EEC) No 202/89⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3521/88⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Italian lira, recorded in accordance with Regulation (EEC) No 3153/85 during the period 1 to 7 February 1989 requires the specific agricultural conversion rates applicable for Italy to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 13 February 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁶⁾ OJ No L 25, 28. 1. 1989, p. 34.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 307, 12. 11. 1988, p. 28.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

1 ECU	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	192,685
	= Pta	144,806
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 693,30
	= Fl	2,63785
	= £	0,712200

COMMISSION REGULATION (EEC) No 337/89

of 10 February 1989

amending Regulation (EEC) No 1787/87 introducing the buying in of beef in respect of certain Member States and qualities and fixing the buying-in prices for beef

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾, and in particular Article 6a (4) thereof,

Whereas Commission Regulation (EEC) No 1787/87 ⁽³⁾, as last amended by Regulation (EEC) No 282/89 ⁽⁴⁾, introduced the buying in of beef in respect of certain Member States or regions thereof and quality groups, and fixed the buying-in prices in the beef sector;

Whereas, pursuant to the abovementioned Article 6a (4) and to Article 3 (2) of Commission Regulation (EEC) No 2226/78 ⁽⁵⁾, as last amended by Regulation (EEC) No

3492/88 ⁽⁶⁾, the table of Member States or regions of Member States and of quality groups eligible for intervention, as well as the buying-in prices, should be replaced, on the basis of the data and prices available to the Commission, by the table and the prices annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to amended Regulation (EEC) No 1787/87 are hereby replaced by the Annexes hereto.

Article 2

This Regulation shall enter into force on 20 February 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 168, 27. 6. 1987, p. 22.

⁽⁴⁾ OJ No L 33, 4. 2. 1989, p. 9.

⁽⁵⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁶⁾ OJ No L 306, 11. 11. 1988, p. 20.

ANNEX I

Member States or regions within a Member State and groups of qualities

Member State/Region	Groups of qualities (category and class)
Belgium	AO
Denmark	CR, CO
Germany	AR
Spain	—
France	—
Ireland	CU
Italy	—
Luxembourg	AR, AO, CO
Netherlands	—
Great Britain	—
Northern Ireland	CU, CR

ANNEX II

Buying-in price in ECU per 100 kg carcase weight

Quality (category and class)	Equivalent carcase price	Forequarter price	
		straight cut (1)	pistola cut (2)
AR2	291,497	233,198	218,623
AR3	287,321	229,857	215,491
AO2	283,782	227,026	212,837
AO3	279,469	223,575	209,602
CU2	307,114	245,691	230,336
CU3	302,896	242,317	227,172
CU4	294,459	235,567	220,844
CR3	296,434	237,147	222,326
CR4	287,817	230,254	215,863
CO3	273,942	219,154	205,457

(1) Conversion coefficient 0,80.

(2) Conversion coefficient 0,75.

COMMISSION REGULATION (EEC) No 338/89

of 10 February 1989

opening an invitation to tender for the sale for export of baled tobacco 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 (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EEC) No 2267/88⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73⁽³⁾, as last amended by Regulation (EEC) No 3263/85⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export, without refund;

Whereas payment for all these lots is made before the tobacco is removed; whereas it should be provided that, at the request of the successful tenderer, the security should be released progressively as the quantities of tobacco are exported;

Whereas the Management Committee for Tobacco has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Ten lots of baled raw tobacco from the 1985, 1986 and 1987 harvests, held by the Italian intervention agency, with a total weight of 12 389 423 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be 3 p.m., local time, on 13 April 1989.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be:

- (a) at the end of the fourth month following the date of publication of the result of the tendering procedure in the *Official Journal of the European Communities*, in respect of at least one-third of the lots;
- (b) at the end of the sixth month following the said date for the remaining tobacco.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, I-00136 Roma.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful.

Save as otherwise provided in the second subparagraph of Article 7 of Regulation (EEC) No 3389/73, the securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. On application by the person concerned, the security shall be released by instalments in proportion to the quantities of tobacco in respect of which the proof referred to in Article 7 (c) of the said Regulation has been furnished.

Article 6

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

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 199, 26. 7. 1988, p. 18.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 22.

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

Done at Brussels, 10 February 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Xanti Yakà	1985	32 863
		1986	464 673
	Perustitza	1985	36 464
		1986	297 233
	Erzegovina	1985	90 951
		1986	263 355
	Kentucky	1986	97 790
			1 283 329
2	Bright	1986	817 440
	Kentucky	1986	98 062
	F. Havana	1986	582 675
			1 498 177
3	Burley I	1986	820 249
	Badischer Burley	1986	11 220
	Kentucky	1986	98 062
	F. Havana	1986	582 875
			1 512 406
4	Mavra	1986	563 104
	F. Havana	1986	670 162
			1 233 266
5	F. Havana	1986	1 312 971
6	F. Havana	1986	455 599
7	Tsebelia	1986	798 628
8	Tsebelia	1986	1 228 683
9	Tsebelia	1987	1 618 576
10	Tsebelia	1987	1 447 788
Total			12 389 423

COMMISSION REGULATION (EEC) No 339/89

of 10 February 1989

on arrangements for imports into the Community of certain textile products
(category 5), originating in India

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries⁽¹⁾, as last amended by Regulation (EEC) No 2995/88⁽²⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 5) specified in the Annex hereto and originating in India have exceeded the level referred to in paragraph 2 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, on 23 November 1988 India was notified of a request for consultations; whereas pending a mutually satisfactory solution, importations into the Community of category 5 products have been submitted to provisional limits for the period 23 November 1988 to 22 February 1989 by Commission Regulation (EEC) No 3845/88⁽³⁾;

Whereas, as a result of consultations held on 24 to 27 January 1989, it was agreed to submit the textile products in question to Community quantitative limits for the period 23 November to 31 December 1988 and for the years 1989 to 1991;

Whereas paragraph 13 of the said Article 11 of Regulation (EEC) No 4136/86 ensures that the quantitative limits are observed by means of a double-checking system in accordance with Annex VI to the said Regulation;

Whereas the products in question exported from India to the Community between 23 November and 31 December 1988 must be set off against the Community quantitative limits for the period 23 November to 31 December 1983;

Whereas these quantitative limits should not prevent the importation of products covered by them but shipped

from India to the Community before the date of entry into force of Regulation (EEC) No 3845/88;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into the Community of the category of products originating in India and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

1. Products referred to in Article 1 shipped from India to the Community before the date of entry into force of Regulation (EEC) No 3845/88, and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

2. Imports of products shipped from India to the Community after the entry into force of Regulation (EEC) No 3845/88 shall continue to be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of products shipped from India to the Community on or after 23 November 1988 and released for free circulation shall be deducted from the quantitative limit laid down for the period 23 November to 31 December 1988. This provisional limit shall not, however, prevent the importation of products covered by them but shipped from India before the date of entry into force of Regulation (EEC) No 3845/88.

Article 3

Regulation (EEC) No 3845/88 is hereby repealed.

Article 4

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

It shall apply until 31 December 1991.

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 1.

⁽²⁾ OJ No L 270, 30. 9. 1988, p. 64.

⁽³⁾ OJ No L 340, 10. 12. 1988, p. 16.

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

Done at Brussels, 10 February 1989.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Category	CN code	Description	Third country	Units	Member States	Quantitative limits from 23 November to 31 December 1988		
5	6101 10 90 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 10 10 6110 10 31 6110 10 39 6110 10 91 6110 10 99 6110 20 91 6110 20 99 6110 30 91 6110 30 99	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	India	1 000 pieces	D F I BNL UK IRL DK GR ES PT EEC	534 500 260 524 820 6 76 10 60 10 2 800		
			India	1 000 pieces	D F I BNL UK IRL DK GR ES PT EEC	Quantitative limits from 1 January to 31 December		
						1989	1990	1991
					D F I BNL UK IRL DK GR ES PT EEC	3 410 3 250 1 680 2 930 6 310 50 370 60 380 60 18 500		

COMMISSION REGULATION (EEC) No 340/89**of 10 February 1989****derogating with regard to the period for payment in Greece, from Regulation (EEC) No 3007/84 laying down detailed rules for the application of the premium for producers of sheepmeat**

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾, and in particular Article 5 (10) thereof,

Whereas Article 4 (2) of Commission Regulation (EEC) No 3007/84 ⁽³⁾, as last amended by Regulation (EEC) No 1514/86 ⁽⁴⁾, stipulates that the premium, or the balance thereof if a payment on account has been made, is to be paid before 31 December following the end of the marketing year for which it is granted;

Whereas, as a result of administrative difficulties in Greece, payment of the premiums in respect of applications submitted for the 1987 marketing year has not been possible within the period laid down by the abovementioned provision; whereas that period should therefore be extended by way of a derogation;

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

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 (2) of Regulation (EEC) No 3007/84 Greece is hereby authorized for applications made for the 1987 marketing year, to pay the premium, or the balance of the premium if a payment on account was made, before 15 February 1989.

Article 2

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

It shall apply with effect from 1 January 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 283, 27. 10. 1984, p. 28.

⁽⁴⁾ OJ No L 132, 21. 5. 1986, p. 16.

COMMISSION REGULATION (EEC) No 341/89
of 10 February 1989
amending Regulation (EEC) No 3711/88 fixing the target ceiling for imports of
olive oil into Portugal in the 1988/89 marketing year

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 251 thereof,

Whereas Article 249 of the Act of Accession provides that the supplementary trade mechanism (STM) is to apply to olive oil; whereas Article 251 of that Act provides that a forward estimate is to be drawn up, as a general rule at the start of each marketing year, of production and consumption of olive oil in Portugal; whereas the target ceiling fixed is based on the estimate thus drawn up;

Whereas Commission Regulation (EEC) No 3711/88 of 28 November 1988⁽¹⁾ set the target ceiling for imports of olive oil into Portugal for the 1988/89 marketing year; whereas it also set a quantity limit on the volume of oil for which STM licences could be issued;

Whereas in order to facilitate supply to Portugal in a year of shortfall this quantity limit shall be withdrawn;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 3711/88 is amended to read:

'The target ceiling for imports into Portugal of olive oil covered by CN codes 1509 and 1510 00 from the other Member States is hereby fixed at 6 000 tonnes for the period 1 November 1988 to 31 October 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, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 325, 29. 11. 1988, p. 40.

COMMISSION REGULATION (EEC) No 342/89**of 10 February 1989****amending Regulation (EEC) No 1282/72 on the sale of butter at a reduced price
to the army and similar forces**

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

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products⁽¹⁾, as last amended by
Regulation (EEC) No 1109/88⁽²⁾, and in particular Article
6 (7) thereof,

Whereas Commission Regulation (EEC) No 1282/72⁽³⁾,
as last amended by Regulation (EEC) No 274/88⁽⁴⁾, lays
down provisions on the sale of butter from public stocks
to the army and similar forces; whereas, in view of the
substantial reduction in quantities of butter in public
stocks, of the need to permit the sale of butter from
stocks for other uses and of the possibility that
Commission Regulation (EEC) No 2192/81⁽⁵⁾, as last
amended by Regulation (EEC) No 274/88, provides that
the army and similar forces of the Member States may
receive aid for the purchase of market butter, the

application of Article 1 of Regulation (EEC) No 1282/72
should accordingly be suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1282/72 is hereby
suspended.

Article 2

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

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 142, 28. 6. 1972, p. 14.

⁽⁴⁾ OJ No L 26, 30. 1. 1988, p. 61.

⁽⁵⁾ OJ No L 213, 1. 8. 1981, p. 24.

COMMISSION REGULATION (EEC) No 343/89**of 10 February 1989****amending Regulation (EEC) No 2315/76 on the sale of butter from public stocks**

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1109/88⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 2315/76⁽³⁾, as last amended by Regulation (EEC) No 442/88⁽⁴⁾ was suspended by Commission Regulation (EEC) No 2096/88⁽⁵⁾, as amended by Regulation (EEC) No 2387/88⁽⁶⁾, with the exception of Articles 3a and 4a thereof concerning respectively the supply of food aid and the sale of butter to non-profit-making institutions and organizations; whereas, in view of the substantial reduction in quantities of butter in public stocks, of the need to permit the sale of butter in stock for other uses and of the possibility that Commission Regulation (EEC) No 2191/81⁽⁷⁾, as last amended by Regulation (EEC) No 442/88, provides that non-profitmaking institutions and

organizations may purchase supplies of market butter, the abovementioned Article 4a should be suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4a of Regulation (EEC) No 2315/76 is hereby suspended.

Article 2

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

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 261, 25. 9. 1976, p. 12.

⁽⁴⁾ OJ No L 45, 18. 2. 1988, p. 25.

⁽⁵⁾ OJ No L 184, 15. 7. 1988, p. 18.

⁽⁶⁾ OJ No L 205, 30. 7. 1988, p. 70.

⁽⁷⁾ OJ No L 213, 1. 8. 1981, p. 20.

COMMISSION REGULATION (EEC) No 344/89

of 10 February 1989

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 23 to 29 January 1989

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, as amended by Regulation (EEC) No 3988/87 ⁽⁴⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 23 to 29 January 1989 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 23 to 29 January 1989 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 23 January 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

ANNEX

to the Commission Regulation of 10 February 1989 fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 23 to 29 January 1989

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 21	26,26474
0201 20 29	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30 00	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽¹⁾	29,94180
1602 50 10 ⁽²⁾	21,01179

⁽¹⁾ Containing 80 % or more by weight of beef meat.

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 345/89
of 10 February 1989
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 315/89 ⁽⁴⁾;

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

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 February 1989.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 37, 9. 2. 1989, p. 6.

ANNEX

to the Commission Regulation of 10 February 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,24 ⁽¹⁾
1701 11 90	35,24 ⁽¹⁾
1701 12 10	35,24 ⁽¹⁾
1701 12 90	35,24 ⁽¹⁾
1701 91 00	42,81
1701 99 10	42,81
1701 99 90	42,81 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 346/89

of 10 February 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 218/89⁽⁷⁾, as amended by Regulation (EEC) No 247/89⁽⁸⁾;

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

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

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

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

Whereas these exchange rates being those recorded on 9 February 1989;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 218/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 11 February 1989.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 25, 28. 1. 1989, p. 76.

⁽⁸⁾ OJ No L 30, 1. 2. 1989, p. 25.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 10 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 February 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1102 20 10	41,01	234,80	228,76
1102 20 90	22,84	132,65	129,63
1103 13 11	41,01	225,80	219,76
1103 13 19	41,01	234,80	228,76
1103 13 90	22,84	132,65	129,63
1103 21 00	61,52	220,92	214,88
1103 29 40	41,01	234,80	228,76
1104 19 10	61,52	220,92	214,88
1104 19 50	41,01	234,80	228,76
1104 23 10	34,11	206,36	203,34
1104 23 30	34,11	206,36	203,34
1104 23 90	22,84	132,65	129,63
1104 29 10*10 (*)	44,01	161,80	158,78
1104 29 30*10 (*)	52,33	194,03	191,01
1104 29 91	34,46	124,79	121,77
1104 30 10	29,16	95,58	89,54
1104 30 90	20,61	101,36	95,32
1106 20 91	51,83	217,11	192,93 (*)
1106 20 99	51,83	225,16	200,98 (*)
1107 10 11	65,74	223,38	212,50
1107 10 19	51,87	169,66	158,78
1108 11 00	88,35	267,79	247,24
1108 12 00	51,83	217,11	196,56
1108 13 00	51,83	217,11	196,56
1108 14 00	51,83	217,11	98,28
1108 19 90	51,83	217,11	98,28 (*)
1109 00 00	304,62	630,86	449,52
1702 30 51	137,52	353,11	256,39
1702 30 59	97,77	263,05	196,56
1702 30 91	137,52	353,11	256,39
1702 30 99	97,77	263,05	196,56
1702 40 90	97,77	263,05	196,56
1702 90 50	97,77	263,05	196,56
1702 90 75	139,47	365,32	268,60
1702 90 79	96,22	253,29	186,80
2106 90 55	97,77	263,05	196,56
2302 10 10	20,08	57,08	51,08
2302 10 90	36,16	115,46	109,46
2302 20 10	20,08	57,08	51,08
2302 20 90	36,16	115,46	109,46
2302 30 10	20,08	57,08	51,08
2302 30 90	36,16	115,46	109,46
2302 40 10	20,08	57,08	51,08
2302 40 90	36,16	115,46	109,46
2303 10 11	220,20	425,52	244,18

(³) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within CN codes 0714 90 11 and 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(⁴) TARIC code: wheat.

COMMISSION REGULATION (EEC) No 347/89**of 10 February 1989****altering 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 2221/88⁽²⁾, and in particular the fifth subparagraph of Article 16(2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EEC) No 330/89⁽³⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 330/89 to the information known to the Commission that the

export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

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, as fixed in the Annex to Regulation (EEC) No 330/89 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 11 February 1989.

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

Done at Brussels, 10 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 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 38, 10. 2. 1989, p. 26.

ANNEX

to the Commission Regulation of 10 February 1989 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	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
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).

Information on the date of entry into force of the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola ⁽¹⁾

The Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola was signed in Luanda on 1 February 1989.

The Agreement accordingly entered into force on 1 February 1989 pursuant to Article 15 thereof.

⁽¹⁾ OJ No L 341, 3. 12. 1987, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 9 February 1989

terminating the review of anti-dumping measures concerning imports of low carbon ferro-chromium originating in South Africa, Turkey and Zimbabwe and confirming the expiry of those measures

(89/110/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Articles 9 and 15 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

(1) Previous procedure

In June 1983 the Commission accepted⁽²⁾ undertakings given in connection with the anti-dumping proceeding concerning imports of low carbon ferro-chromium originating in South Africa, Sweden, Turkey and Zimbabwe. In 1986 the Commission was informed that the Swedish exporter concerned in the proceeding was no longer involved in production of this material. In January 1988 the Commission gave notice⁽³⁾ of the impending expiry of these undertakings pursuant to Article 15 of Council Regulation (EEC) No

2176/84⁽⁴⁾, which has subsequently been replaced by Regulation (EEC) No 2423/88.

The undertaking given by the Swedish exporter duly expired on 22 June 1988⁽⁵⁾.

(2) Review requests and initiation

The Commission received in July 1987 a request for review lodged by the Comité de Liaison des Industries de Ferro-Alliages de la CEE, which represents the whole of Community output of the product concerned.

The request alleged significant dumping and price undercutting by certain exporters, so that the existing undertakings were proving increasingly inadequate.

Subsequent to the publication by the Commission in January 1988 of the notice of impending expiry of the measures at present in force, the Commission received a further request for review from the abovementioned complainant.

This request alleged that there had been further gains of EC market share by exporters, obtained by substantial price undercutting, and that the ending of anti-dumping measures would lead to increased injury. The evidence presented of dumping and injury was considered sufficient to justify the initiation of a review, announced by a notice published in the *Official Journal of the European Communities*⁽⁶⁾, and the Commission commenced an investigation, obtaining from the parties involved all information necessary for the

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 161, 21. 6. 1983, p. 15.

⁽³⁾ OJ No C 1, 5. 1. 1988, p. 3.

⁽⁴⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽⁵⁾ OJ No C 307, 2. 12. 1988, p. 2.

⁽⁶⁾ OJ No C 57, 1. 3. 1988, p. 3.

assessment of dumping and injury. Pursuant to Article 15 of the above Regulation, the undertakings given by the South African, Turkish and Zimbabwean exporters remained in force pending the outcome of this investigation.

(3) **Product**

The product concerned is low carbon ferro-chromium with a maximum carbon content of 0,5 % and a maximum silicon content of 1,5 %. It falls within CN codes 7202 49 10 and 7202 49 50.

(4) **Results of the dumping investigation**

The investigation carried out by the Commission's services showed that no dumping on the part of exporters could be established for the reference period, which covered the calendar year 1987.

(5) **Withdrawal of review requests**

The complainant advised the Commission by letter dated 29 September 1988 that it was withdrawing the requests for review mentioned under 2.

(6) **Termination**

In these circumstances the Commission considers that this review proceeding should be terminated and that the undertakings remaining in force

pending the outcome of the review should lapse forthwith.

HAS DECIDED AS FOLLOWS:

Article 1

The review of anti-dumping measures concerning imports of low carbon ferro-chromium originating in South Africa, Turkey and Zimbabwe is hereby terminated.

Article 2

The undertakings given by the South African, Turkish and Zimbabwean exporters, which remained in force pending the outcome of the review, shall lapse with effect from the day following the publication of this Decision in the *Official Journal of the European Communities*.

Done at Brussels, 9 February 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 9 February 1989

terminating the anti-dumping proceeding concerning imports of wheeled loaders originating in Japan

(89/111/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Community⁽¹⁾, and in particular Article 9 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

- (1) In December 1987 the Commission received a complaint lodged by the European Trade Association for Manufacturers of Construction Equipment (CECE) on behalf of producers representing the majority of Community production of these products. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of wheeled loaders, falling within CN codes ex 8429 51, ex 8428 90 and ex 8701 90, originating in Japan, and commenced an investigation.
- (2) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting country and the complainants, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) The Commission, for the purpose of obtaining all the information it deemed to be necessary, sent questionnaires to the 15 companies on whose behalf the complaint was made, in order to allow each company to demonstrate the injury caused to it by imports of wheeled loaders from Japan. The Commission carried out a detailed analysis of those

six companies who returned completed questionnaires and whose combined production represented 40 % of Community production in volume terms and approximately 50 % in value terms.

- (4) Most of the producers/exporters and importers known to be concerned made known their views in writing. Some of them requested and were granted hearings; the complainant also requested and was granted a hearing.
- (5) The Commission verified the information received to the extent it deemed necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following companies :

(a) Community producers :

- Hanomag AG, Hannover, Germany,
- O. & K. Orenstein & Koppel, Dortmund, Germany,
- J. I. Case Europe Ltd, Walton-on-Thames, UK,
- J. C. Bamford Excavators Ltd, Rochester, UK,
- Fiatgeotech SpA, Turin, Italy.

(b) Importers/distributors :

- Komatsu Europe SA, Vilvoorde, Belgium,
- Komatsu Baumaschinen Deutschland GmbH, Gross-Gerau, Germany,
- Furukawa España SA, Valencia, Spain,
- Van der Spek Vianen BV, Vianen, Netherlands,
- Brown Group Int plc, Pool-in-Wharfedale, UK,
- Fewsters Ltd, Newcastle upon Tyne, UK,
- Marubeni Komatsu Ltd, Redditch, UK.

B. Injury

(a) Volume, market share and price of imports

- (6) With regard to the injury allegedly being caused by the dumped imports, the evidence available to the Commission shows that imports of wheeled loaders to the Community from Japan increased from 527 units in 1983 to 1110 units in 1987. This

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 146, 3. 6. 1988, p. 4.

development in imports represents an increase in market share from 5,5 % in 1983 to 8,8 % in 1987. The Commission did find regional instances of price undercutting which could be attributed to certain of the imports in question but, taking into account the quantities concerned, the price undercutting could not be considered material on a Community basis.

(b) Impact on Community industry

- (7) The information received from the complainant companies who cooperated in the investigation showed that their production increased from 2 394 units in 1983 to 5 190 units in 1987. Capacity utilisation had continued to increase during this period, with no significant increase of stock levels. Sales within the Community had also increased from 1 441 units in 1983 to 3 484 units in 1987, representing an increase of market share from 14,9 % in 1983 to 27,6 % in 1987. The profitability of the Community producers improved from 1983 to 1987, although generally remaining at a low level with losses being recorded by some producers. The level of capital expenditure has continued to increase during the period, and there has also been an increasing trend in the level of employment. The years from 1983 to 1987, in which injury was examined, have corresponded to a period of particularly high expansion for the wheeled loader industry in general.
- (8) Taking into account the relevant economic factors referred to above, it is considered, therefore, that the imports in question have not caused material injury to those complainant companies who cooperated in the investigation.

C. Dumping

- (9) In view of the above findings with respect to injury the Commission considered it unnecessary — notwithstanding the importance of the alleged dumping margins — to further investigate the question of dumping with regard to the imports concerned.

D. Withdrawal of the complaint and termination of the proceeding

- (10) After having been informed by the Commission of the above findings, the complainant decided to withdraw the complaint because of changes in the marketing methods of Japanese exporters since the initiation of the proceeding.

In these circumstances, protective measures are unnecessary and the proceeding should be terminated.

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of wheeled loaders originating in Japan is hereby terminated.

Done at Brussels, 9 February 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 7 February 1989

revoking Decision 89/13/EEC concerning the maintenance of the status of certain regions of the territory of the Republic of France as regards classical swine fever

(Only the French text is authentic)

(89/112/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 8 (3) thereof,

Whereas by Decision 88/567/EEC⁽³⁾ the Commission has approved the plan for the accelerated eradication of classical swine fever presented by the French Republic, and that this plan is prepared for completing the eradication of classical swine fever;

Whereas, following a favourable development in the disease situation, the Commission adopted Decision 87/361/EEC⁽⁴⁾, as last amended by Decision 88/631/EEC⁽⁵⁾, recognizing certain parts of the territory of the French Republic as officially swine fever free;

Whereas outbreaks of classical swine fever have reappeared during the months of November and December 1988 in parts of the territory of the Republic of France recognized as officially swine fever free regions within the context of eradication;

Whereas the outbreaks recorded are epizootiologically interrelated and have occurred in six specified administrative regions within a geographically limited area;

Whereas the French authorities have taken all measures necessary to control the disease and any movement of pigs and pig meat products from those parts of the territory exposed to risk of contamination;

Whereas by Decision 89/13/EEC⁽⁶⁾, the Commission maintained the status of certain regions of the territory of

France as officially free from classical swine fever until 7 February 1989 pending clarification and adoption of the requisite measures;

Whereas in the light of the satisfactory development of the disease situation, it is possible to revoke Decision 89/13/EEC in order to confirm the official swine fever free status of certain regions of the territory of the Republic of France as defined by Decision 87/361/EEC.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/13/EEC is hereby revoked.

Article 2

This Decision is addressed to the Republic of France.

Done at Brussels, 7 February 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 310, 16. 11. 1988, p. 35.

⁽⁴⁾ OJ No L 194, 15. 7. 1987, p. 31.

⁽⁵⁾ OJ No L 350, 20. 12. 1988, p. 57.

⁽⁶⁾ OJ No L 7, 10. 1. 1989, p. 34.

CORRIGENDA

**Corrigendum to Council Regulation (EEC) No 194/89 of 24 January 1989 amending
Regulation (EEC) No 1678/85 fixing the conversion rates to be applied in agriculture**

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

On page 2, Annex I, fifth column, second line :

for: '25. 2. 1989',

read: '27. 2. 1989'.
