

# Official Journal

## of the European Communities

ISSN 0378-6978

L 49

Volume 32

21 February 1989

English edition

## Legislation

### Contents

#### I *Acts whose publication is obligatory*

|                                                                                                                                                                                                                                                |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EEC) No 416/89 of 20 February 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal .....                                                                                                 | 1  |
| Commission Regulation (EEC) No 417/89 of 20 February 1989 fixing the premiums to be added to the import levies on cereals, flour and malt .....                                                                                                | 3  |
| Commission Regulation (EEC) No 418/89 of 17 February 1989 on the supply of various consignments of cereals as food aid .....                                                                                                                   | 5  |
| * Commission Regulation (EEC) No 419/89 of 20 February 1989 amending Regulation (EEC) No 606/86 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten ..... | 10 |
| * Commission Regulation (EEC) No 420/89 of 20 February 1989 fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency .....                                               | 11 |
| Commission Regulation (EEC) No 421/89 of 20 February 1989 abolishing the countervailing charge on fresh lemons originating in Cyprus .....                                                                                                     | 13 |
| Commission Regulation (EEC) No 422/89 of 20 February 1989 altering the export refunds on white sugar and raw sugar exported in the natural state .....                                                                                         | 14 |
| Commission Regulation (EEC) No 423/89 of 20 February 1989 altering the export refunds on syrups and certain other sugar sector products exported in the natural state .....                                                                    | 16 |
| * Commission Regulation (EEC) No 424/89 of 20 February 1989 concerning the classification of certain goods in the combined nomenclature .....                                                                                                  | 18 |
| Commission Regulation (EEC) No 425/89 of 20 February 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector                                                                              | 20 |

|                                                                                                                                                                                                                            |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EEC) No 426/89 of 20 February 1989 fixing the import levies on white sugar and raw sugar .....                                                                                                      | 22 |
| Commission Regulation (EEC) No 427/89 of 20 February 1989 altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty ..... | 24 |

## II *Acts whose publication is not obligatory*

### Council

89/130/EEC, Euratom :

- \* Council Directive of 13 February 1989 on the harmonization of the compilation of gross national product at market prices ..... 26

### Commission

89/131/EEC :

- \* Commission Decision of 1 February 1989 amending Decision 88/557/EEC authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directive 66/404/EEC ..... 29

89/132/EEC :

- \* Commission Decision of 1 February 1989 authorizing the Federal Republic of Germany to permit temporarily the marketing of forestry seed not satisfying the requirements of Council Directive 71/161/EEC ..... 30

89/133/EEC :

- \* Commission Decision of 7 February 1989 amending the boundaries of the less-favoured areas in Portugal within the meaning of Council Directive 75/268/EEC ..... 31

89/134/EEC :

- \* Commission Decision of 7 February 1989 approving the programme relating to the cotton sector in Spain in accordance with Council Regulation (EEC) No 389/82 ..... 33

89/135/EEC :

- \* Commission Decision of 7 February 1989 on the approval of four programmes drawn up by the Portuguese Government and the amendment of two programmes previously approved pursuant to Council Regulation (EEC) No 3828/85 on a specific programme for the development of Portuguese agriculture ..... 35

89/136/EEC :

- \* Commission Decision of 8 February 1989 amending Decision 85/446/EEC concerning the on-the-spot inspections to be carried out in respect of the intra-Community trade in fresh meat ..... 36

89/137/EEC :

- \* Commission Decision of 9 February 1989 amending Decision 89/15/EEC on the importations of live animals and fresh meat from certain third countries 37

89/138/EEC :

- \* Commission Decision of 10 February 1989 amending Decision 89/7/EEC determining, for certain varieties of vegetable species, the period of validity of their official acceptance ..... 39

## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 416/89****of 20 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 166/89<sup>(2)</sup>, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

— for 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 17 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 21 February 1989.

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

<sup>(2)</sup> OJ No L 20, 25. 1. 1989, p. 16.

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

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> 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, 20 February 1989.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

# ANNEX

to the Commission Regulation of 20 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    | 126,66                               |
| 0712 90 19 | 20,50    | 126,66                               |
| 1001 10 10 | 53,13    | 171,13 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 53,13    | 171,13 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 30,85    | 119,26                               |
| 1001 90 99 | 30,85    | 119,26                               |
| 1002 00 00 | 58,63    | 112,23 <sup>(3)</sup>                |
| 1003 00 10 | 49,19    | 119,38                               |
| 1003 00 90 | 49,19    | 119,38                               |
| 1004 00 10 | 40,25    | 75,46                                |
| 1004 00 90 | 40,25    | 75,46                                |
| 1005 10 90 | 20,50    | 126,66 <sup>(3)</sup> <sup>(4)</sup> |
| 1005 90 00 | 20,50    | 126,66 <sup>(3)</sup> <sup>(4)</sup> |
| 1007 00 90 | 43,84    | 137,31 <sup>(5)</sup>                |
| 1008 10 00 | 49,19    | 25,14                                |
| 1008 20 00 | 49,19    | 59,77 <sup>(6)</sup>                 |
| 1008 30 00 | 49,19    | 0,00 <sup>(7)</sup>                  |
| 1008 90 10 | (7)      | (7)                                  |
| 1008 90 90 | 49,19    | 0,00                                 |
| 1101 00 00 | 57,38    | 180,82                               |
| 1102 10 00 | 96,27    | 172,09                               |
| 1103 11 10 | 95,80    | 278,70                               |
| 1103 11 90 | 60,70    | 194,02                               |

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

<sup>(2)</sup> In accordance with Regulation (EEC) No 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'.

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 417/89

of 20 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 166/89<sup>(2)</sup>, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

— for 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 17 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 21 February 1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 20, 25. 1. 1989, p. 16.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.<sup>(5)</sup> OJ No L 205, 30. 7. 1988, p. 99.

## ANNEX

to the Commission Regulation of 20 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<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>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               | 8,88            |
| 1001 10 90 | 0            | 0               | 0               | 8,88            |
| 1001 90 91 | 0            | 0               | 0               | 0,86            |
| 1001 90 99 | 0            | 0               | 0               | 0,86            |
| 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               | 1,22            |

## B. Malt

| CN code    | (ECU/tonne)  |                 |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|-----------------|
|            | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 |
| 1107 10 11 | 0            | 0               | 0               | 1,53            | 1,53            |
| 1107 10 19 | 0            | 0               | 0               | 1,14            | 1,14            |
| 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 418/89****of 17 February 1989****on the supply of various consignments of cereals as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management <sup>(1)</sup>, as last amended by Regulation (EEC) No 1870/88 <sup>(2)</sup>, 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 <sup>(3)</sup> lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 2 945 tonnes of cereals;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

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

Done at Brussels, 17 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 168, 1. 7. 1988, p. 7.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX I

1. Operation Nos (1): 1318 to 1321/88
2. Programme: 1988
3. Recipient: Euronaid, Rhijngesterstraatweg 40, PO Box 77, NL-2340 AB Oegstgeest
4. Representative of the recipient (2): see OJ No C 103, 16. 4. 1987
5. Place or country of destination: Haiti, Dominican Republic
6. Product to be mobilized: rolled oats
7. Characteristics and quality of the goods (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.9)
8. Total quantity: 1 650 tonnes (2 845 tonnes of cereals)
9. Number of lots: three
  - A: 650 tonnes (in two parts: I: 500 tonnes; II: 150 tonnes)
  - B: 500 tonnes
  - C: 500 tonnes
10. Packaging and marking (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.3) (in 40-foot containers 'FCL/LCL shipper's countload and stowage') (5)  
marking on the bags in letters at least 3 cm high:
  - A:
    - I (500 tonnes):  
'ACTION N° 1318/88 / FLOCONS D'AVOINE / HAÏTI / CARITAS NEERLANDICA / 80239 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'
    - II (150 tonnes):  
'ACCIÓN N° 1319/88 / COPOS DE AVENA / REPÚBLICA DOMINICANA / CARITAS NEERLANDICA / 80332 / SANTO DOMINGO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'
  - B (500 tonnes):  
'ACTION N° 1320/88 / FLOCONS D'AVOINE / HAÏTI / CARITAS NEERLANDICA / 80237 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'
  - C (500 tonnes):  
'ACTION N° 1321/88 / FLOCONS D'AVOINE / HAÏTI / CARITAS NEERLANDICA / 80238 / PORT-AU-PRINCE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / POUR DISTRIBUTION GRATUITE'
11. Method of mobilization: the Community market
12. Stage of supply: free at port of shipment
13. Port of shipment: —
14. Port of landing specified by the recipient: —
15. Port of landing: —
16. Address of the warehouse and, if appropriate, port of landing: —
17. Period for making the goods available at the port of shipment:
  - A: 20. 3 to 15. 4. 1989;
  - B: 1 to 31. 5. 1989;
  - C: 1 to 31. 7. 1989
18. Deadline for the supply: —
19. Procedure for determining the costs of supply: tendering
20. Date of expiry of the period allowed for submission of tenders: 12 noon on 7. 3. 1989

**21. In the case of a second invitation to tender :**

- (a) deadline for the submission of tenders : 21. 3. 1989 at 12 noon
- (b) period for making the goods available at the port of shipment :
  - A : 1 to 30. 4. 1989 ;
  - B : 1 to 31. 5. 1989 ;
  - C : 1 to 31. 7. 1989
- (c) deadline for the supply : —

**22. Amount of the tendering security : ECU 5 per tonne****23. Amount of the delivery security : 10 % of the amount of the tender in ecus****24. Address for submission of tenders (\*) :**

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 Brussels, telex : AGREC 22037 B

**25. Refund payable on request by the successful tenderer (\*) : refund applicable on 15. 2. 1989 fixed by Commission Regulation (EEC) No 217/89 (OJ No L 25, 28. 1. 1989, p. 74)**

---

*ANNEX II*

1. **Operation No** (1): 20/88
2. **Programme**: 1988
3. **Réipient**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Dominican Republic
6. **Product to be mobilized**: maize
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.4)
8. **Total quantity**: 100 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1.(c))  
(in 20-foot containers 'FCL/LCL Shipper's count-load and stowage') (5) marking on the bags, in letters at least 5 cm high:  
'ACCIÓN Nº 20/88 / MAÍZ / REPÚBLICA DOMINICANA / OXFAM B / 80827 / SANTO DOMINGO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 20. 3. to 15. 4. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 7. 3. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 21. 3. 1989 at 12 noon
  - (b) period for making the goods available at the port of shipment: 1 to 30. 4. 1989
  - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (6):  
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 Brussels,  
Telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (7): refund applicable on 15. 2. 1989, fixed by Commission Regulation (EEC) No 217/89, (OJ No L 25, 28. 1. 1989, p. 74)

*Notes :*

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer :  
see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.  
The radioactivity certificate must indicate the caesium-134 and -137 levels.  
The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :  
— phytosanitary certificate,  
— certificate of origin.  
The supplier should send a duplicate of the original invoice to : M. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (4) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :  
— either by porter at the office referred to in point 24 of this Annex,  
— or by telecopier on one of the following numbers in Brussels :  
235 01 32,  
236 10 97,  
235 01 30,  
236 20 05.
- (6) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1.8.1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (7) Supply free-at-port-of-shipment, as provided for in Article 13 of Regulation (EEC) No 2200/87, implies that the following costs at the port of shipment shall be borne by the successful tenderer :  
Should containers be used on an FCL/FCL or FCL/LCL basis, all costs to the use of such containers, with the exception of rental costs, up to the terminal stage, including THC (terminal handling charges).  
Where, on the basis of the second subparagraph of point 2 of the abovementioned Article 13, the successful tenderer is responsible for loading the containers on board the vessel designated by the recipient, the refund of the costs within the meaning of the said provisions does not include the THC.  
Should containers be used on an LCL/FCL or LCL/LCL basis, no costs ; the successful tenderer shall deliver the goods to the terminal at a stage where the stuffing of the containers can be immediately done at the recipient's expense.

## COMMISSION REGULATION (EEC) No 419/89

of 20 February 1989

amending Regulation (EEC) No 606/86 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten

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 Articles 83 (1) and 84 (3) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for applying the supplementary mechanism applicable to trade<sup>(1)</sup>, as last amended by Regulation (EEC) No 3296/88<sup>(2)</sup>, and in particular Article 7 (1) thereof,

Whereas the supplementary trade mechanism applies to the milk and milk products sector pursuant to Commission Regulation (EEC) No 606/86<sup>(3)</sup>, as last amended by Regulation (EEC) No 3851/88<sup>(4)</sup>; whereas the third indent of the first subparagraph of Article 3 (1) thereof indicates that the monthly quantity covered by STM licence applications for cheeses including blue-veined cheese may not be less than one tonne; whereas experience gained in the application of this provision has shown that one tonne for Roquefort cheese is too much; whereas that quantity should accordingly be reduced to 0,3 tonnes;

Whereas Commission Regulation (EEC) No 3851/88 reduces in particular the number of categories of cheese referred to in Article 2 (2) of Regulation (EEC) No 606/86; whereas the last subparagraph of Article 3 (1) of that Regulation should accordingly be adapted; whereas,

owing to a substantive error, the date of application of this Regulation must be fixed at the same date as the date of application of Regulation (EEC) No 3851/88;

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*

Regulation (EEC) No 606/86 is hereby amended as follows:

1. The following sentence is added to the third indent of the first subparagraph of Article 3 (1):  
'However, for category 2, as regards Roquefort cheese, the minimum monthly quantity shall be 0,3 tonnes.';
2. In the last subparagraph of Article 3 (1), 'categories 1, 3, 7 and 10' is replaced by 'categories 1, 2, 6 and 9'.

*Article 2*

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

However, Article 1 (2) shall apply with effect from 13 December 1988.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 55, 1. 3. 1986, p. 106.

<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.

<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 28.

<sup>(4)</sup> OJ No L 343, 13. 12. 1988, p. 8.

## COMMISSION REGULATION (EEC) No 420/89

of 20 February 1989

fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EEC) No 4250/88 <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(4)</sup>, and in particular Article 2 (4) thereof,

Having regard to Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in certain third countries <sup>(5)</sup>, as last amended by Regulation (EEC) No 2135/84 <sup>(6)</sup>, and in particular Article 1a (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 1a of Regulation (EEC) No 1393/76, special rates are used to convert the free-at-frontier reference prices for imported liqueur wines into national currency; whereas the special rates applicable at present were fixed by Commission Regulation (EEC) No 2452/88 <sup>(7)</sup>;

Whereas for the currencies of the Member States maintained at any given moment within a maximum spread of 2,25 %, the special rate is the conversion rate resulting from the central rate; whereas, for the other currencies, the special rate for the period 1 March to 31 August 1989 is equal to the conversion rate in relation to all the currencies of the Member States maintained at any given moment with a maximum spread of 2,25 % resulting from the average rate taken into consideration for the purposes of calculating the monetary amounts valid on 1 February 1989;

Whereas under the terms of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture <sup>(8)</sup> as last amended by Regulation (EEC) No 1889/87 <sup>(9)</sup>, and in particular of Article 6 (1) thereof, the central rates and the market rates are to be multiplied by a corrective factor,

HAS ADOPTED THIS REGULATION:

*Article 1*

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 shall be:

- (a) for the Belgian franc and the Luxembourg franc:  
Bfrs/Lfrs 1 = 0,0207096 ECU;
- (b) for the Danish krone:  
Dkr 1 = 0,111981 ECU;
- (c) for the German mark:  
DM 1 = 0,427144 ECU;
- (d) for the French franc:  
FF 1 = 0,127359 ECU;
- (e) for the Irish pound:  
£Ir1 1 = 1,14430 ECU;
- (f) for the Dutch guilder:  
Fl 1 = 0,379097 ECU;
- (g) for the pound sterling:  
£ 1 = 1,41000 ECU;
- (h) for the Italian Lira:  
Lit 100 = 0,0584168 ECU;
- (i) for the Greek drachma:  
Dr 100 = 0,519136 ECU;
- (j) for the Spanish peseta:  
Pta 100 = 0,694845 ECU.

*Article 2*

Regulation (EEC) No 2452/88 is hereby repealed.

*Article 3*

This Regulation shall enter into force on 1 March 1989.

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.  
<sup>(2)</sup> OJ No L 373, 31. 12. 1988, p. 55.  
<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.  
<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.  
<sup>(5)</sup> OJ No L 157, 18. 6. 1976, p. 20.  
<sup>(6)</sup> OJ No L 196, 26. 7. 1984, p. 21.  
<sup>(7)</sup> OJ No L 212, 5. 8. 1988, p. 28.

<sup>(8)</sup> OJ No L 164, 24. 6. 1985, p. 6.  
<sup>(9)</sup> OJ No L 182, 3. 7. 1987, p. 1.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

---

**COMMISSION REGULATION (EEC) No 421/89****of 20 February 1989****abolishing the 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2238/88<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 383/89<sup>(3)</sup>, introduced a countervailing charge on fresh lemons originating in Cyprus;

Whereas the present trend of prices for products originating in Cyprus on the representative markets referred to in Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by Regulation (EEC) No 3811/85<sup>(5)</sup>, recorded or calculated in accordance with the provisions of Article 5 of that

Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Cyprus can be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 383/89 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 21 February 1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 198, 26. 7. 1988, p. 1.

<sup>(3)</sup> OJ No L 44, 16. 2. 1989, p. 31.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

**COMMISSION REGULATION (EEC) No 422/89****of 20 February 1989****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 377/89 <sup>(3)</sup>, as amended by Regulation (EEC) No 415/89 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 377/89 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 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 377/89 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 February 1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.  
<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.  
<sup>(3)</sup> OJ No L 44, 16. 2. 1989, p. 13.  
<sup>(4)</sup> OJ No L 46, 18. 2. 1989, p. 28.

## ANNEX

to the Commission Regulation of 20 February 1989 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

| Product code   | Amount of refund     |                                                                                       |
|----------------|----------------------|---------------------------------------------------------------------------------------|
|                | per 100 kg           | per percentage point of sucrose content and per 100 kg net of the product in question |
| 1701 11 90 100 | 32,34 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 910 | 30,04 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 12 90 100 | 32,34 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 910 | 30,04 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 91 00 000 |                      | 0,3516                                                                                |
| 1701 99 10 100 | 35,16                |                                                                                       |
| 1701 99 10 910 | 33,58                |                                                                                       |
| 1701 99 10 950 | 33,58                |                                                                                       |
| 1701 99 90 100 |                      | 0,3516                                                                                |

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

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

**COMMISSION REGULATION (EEC) No 423/89****of 20 February 1989****altering the export refunds on syrups and certain other sugar sector products  
exported in the natural state**

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

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

Having regard to Council Regulation (EEC) No 1785/81  
of 18 June 1981 on the common organization of the  
markets in the sugar sector <sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 2306/88 <sup>(2)</sup>, and in particular Article 19 (4)  
thereof,

Whereas the refunds on syrups and certain other sugar  
products were fixed by Regulation (EEC) No 238/89 <sup>(3)</sup>;

Whereas it follows from applying the rules, criteria and  
other provisions contained in Regulation (EEC) No  
238/89 to the information at present available to the

Commission that the export refunds at present in force  
should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The refunds to be granted on the products listed in  
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No  
1785/81, exported in the natural state, as fixed in the  
Annex to Regulation (EEC) No 238/89 are hereby altered  
to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 February  
1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 30, 1. 2. 1989, p. 7.

## ANNEX

to the Commission Regulation of 20 February 1989 altering the export refunds on syrups  
and certain other sugar products exported in the natural state

(ECU)

| Product code   | Basic amount per percentage point<br>of sucrose content and<br>per 100 kg net of the product<br>in question (1) | Amount of refund per 100 kg<br>of dry matter (2) |
|----------------|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| 1702 40 10 100 |                                                                                                                 | 35,16                                            |
| 1702 60 10 000 |                                                                                                                 | 35,16                                            |
| 1702 60 90 000 | 0,3516                                                                                                          |                                                  |
| 1702 90 30 000 |                                                                                                                 | 35,16                                            |
| 1702 90 60 000 | 0,3516                                                                                                          |                                                  |
| 1702 90 71 000 | 0,3516                                                                                                          |                                                  |
| 1702 90 90 900 | 0,3516                                                                                                          |                                                  |
| 2106 90 30 000 |                                                                                                                 | 35,16                                            |
| 2106 90 59 000 | 0,3516                                                                                                          |                                                  |

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

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

**COMMISSION REGULATION (EEC) No 424/89****of 20 February 1989****concerning the classification of certain goods in the combined nomenclature**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup>, as last amended by Regulation (EEC) No 20/89<sup>(2)</sup>, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to Council Regulation (EEC) No 2658/87 with regard to the tariff classification of knitted tracksuits, which are garments covered by CN codes 6112 and 6211, and to specify certain of their characteristics in relation to other garments covered by the said nomenclature;

Whereas CN codes 6103, 6104, 6203 and 6204 cover, amongst other things, ensembles as defined by Note 3 (b) to Chapters 61 and 62;

Whereas tracksuits are worn exclusively or mainly in the pursuit of sports activities, such a criterion, on the contrary, is not essential to the classification of ensembles;

Whereas the term 'ensemble' does not include tracksuits, it is necessary to determine a correct distinction, within the combined nomenclature, between those two types of garments;

Whereas tracksuits comprise two garments, a garment intended to cover the upper part of the body and trousers; ensembles may also be composed in the same way;

Whereas that garment, of tracksuits as well as of ensembles, intended to cover the upper part of the body may often have a full or partial opening at the front;

Whereas on the one hand the common characteristics of the tracksuits and ensembles cited above render it difficult in practice to correctly distinguish between those two types of garments; on the other hand tracksuits are intended for a very specific function in relation to that of ensembles;

Whereas when those components of tracksuits which are intended to cover the upper part of the body have an opening at the front, that opening is generally fastened by means of a zip-fastener; however the said garments may also have other fastening systems; those fastening systems may not be of such a kind that the tracksuits lose their essential character; therefore, when the garments intended to cover the upper part of the body have a complete opening at the front, the fastening systems are restricted to a zip-fastener, press-studs or velcro; however, when the opening is only partial, in certain circumstances it may also be fastened by any type of buttons;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee;

HAS ADOPTED THIS REGULATION:

*Article 1*

For the purposes of the classification of tracksuits in CN codes 6112 or 6211, where the garment intended to cover the upper part of the body has a complete opening at the front this must be fastened by means of a zip-fastener, press-studs or velcro.

Where, however, the opening at the front is only partial, it may also be fastened by any type of buttons, provided that the opening is no longer than one third of the length of the garment measured from the neckline.

*Article 2*

This Regulation shall enter into force on the 15 March 1989.

<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(2)</sup> OJ No L 4, 6. 1. 1989, p. 19.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

---

**COMMISSION REGULATION (EEC) No 425/89****of 20 February 1989****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 237/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 400/89 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 237/89 to the informa-

tion known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 237/89 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 February 1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 30, 1. 2. 1989, p. 5.

<sup>(4)</sup> OJ No L 45, 17. 2. 1989, p. 25.

## ANNEX

to the Commission Regulation of 20 February 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

| CN code    | Basic amount per percentage point of sucrose content and per 100 kg net of the product in question | Amount of levy per 100 kg of dry matter |
|------------|----------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1702 20 10 | 0,4070                                                                                             | —                                       |
| 1702 20 90 | 0,4070                                                                                             | —                                       |
| 1702 30 10 | —                                                                                                  | 54,23                                   |
| 1702 40 10 | —                                                                                                  | 54,23                                   |
| 1702 60 10 | —                                                                                                  | 54,23                                   |
| 1702 60 90 | 0,4070                                                                                             | —                                       |
| 1702 90 30 | —                                                                                                  | 54,23                                   |
| 1702 90 60 | 0,4070                                                                                             | —                                       |
| 1702 90 71 | 0,4070                                                                                             | —                                       |
| 1702 90 90 | 0,4070                                                                                             | —                                       |
| 2106 90 30 | —                                                                                                  | 54,23                                   |
| 2106 90 59 | 0,4070                                                                                             | —                                       |

**COMMISSION REGULATION (EEC) No 426/89**  
**of 20 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88<sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88<sup>(3)</sup>, as last amended by Regulation (EEC) No 414/89<sup>(4)</sup>;

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 21 February 1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 203, 28. 7. 1988, p. 22.

<sup>(4)</sup> OJ No L 46, 18. 2. 1989, p. 26.

**ANNEX**

**to the Commission Regulation of 20 February 1989 fixing the import levies on white sugar and raw sugar**

*(ECU/100 kg)*

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 33,17 <sup>(1)</sup> |
| 1701 11 90 | 33,17 <sup>(1)</sup> |
| 1701 12 10 | 33,17 <sup>(1)</sup> |
| 1701 12 90 | 33,17 <sup>(1)</sup> |
| 1701 91 00 | 40,70                |
| 1701 99 10 | 40,70                |
| 1701 99 90 | 40,70 <sup>(2)</sup> |

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

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

**COMMISSION REGULATION (EEC) No 427/89**  
**of 20 February 1989**

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 2306/88 <sup>(2)</sup>, and in particular Article 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 February 1989 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 253/89 <sup>(3)</sup>;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 253/89 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of refund fixed by Regulation (EEC) No 253/89 are hereby altered as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 21 February 1989.

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

Done at Brussels, 20 February 1989.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(3)</sup> OJ No L 30, 31. 1. 1989, p. 44.

## ANNEX

to the Commission Regulation of 20 February 1989 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

|                                      |                                                                                                                                                                   |                                    |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <i>Rate of refund in ECU/100 kg:</i> | White sugar:                                                                                                                                                      | 35,16                              |
|                                      | Raw sugar:                                                                                                                                                        | 30,72                              |
|                                      | Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) <sup>(1)</sup> : | $35,16 \times \frac{S^{(1)}}{100}$ |
|                                      | Molasses:                                                                                                                                                         | —                                  |
|                                      | Isoglucose <sup>(2)</sup> :                                                                                                                                       | 35,16 <sup>(2)</sup>               |

<sup>(1)</sup> For aqueous solutions of sugar the refund is calculated according to the quantity of sugar (white or raw) used.

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

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

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

<sup>(2)</sup> Amount of refund per 100 kilograms of dry matter.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE

of 13 February 1989

on the harmonization of the compilation of gross national product at market prices

(89/130/EEC, Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Decision No 88/376/EEC/Euratom of 24 June 1988 on the system of the Communities' own resources<sup>(1)</sup>, and in particular Article 8 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(2)</sup>,

Whereas the creation of an additional own resource for the Communities, based on the gross national product at market prices (hereinafter referred to as GNPmp) of the Member States, makes it necessary to reinforce the comparability and reliability of this aggregate;

Whereas the completion of the internal market will increase the need for internationally comparable data on aggregate GNPmp and its components; whereas these data are also an important analytical tool for the coordination of economic policies;

Whereas GNPmp data must be comparable in concept and in practice and representation of the Member States' economies;

Whereas GNPmp can be comparable in concept only if the relevant definitions and accounting rules of the European System of Integrated Economic Accounts (ESA) are complied with;

Whereas comparability of GNPmp in practice depends on the assessment procedures used and the basic data available; whereas improved GNPmp coverage presupposes the development of statistical bases and assessment procedures;

Whereas a procedure should be set up to verify and assess the comparability and representativity of GNPmp; whereas, to this end, a Committee should be set up within which Member States and the Commission shall cooperate closely,

HAS ADOPTED THIS DIRECTIVE:

## TITLE 1

## Definition of gross national product at market prices

## Article 1

GNPmp shall be defined in a manner consistent with the European System of Integrated Economic Accounts (ESA) in force.

GNPmp shall be calculated by adding to gross domestic product at market prices (GDPmp, ESA code: N 1) the compensation of employees (R 10) and the property and entrepreneurial income (R 40) received from the rest of the world less the corresponding flows paid to the rest of the world.

## Article 2

GDPmp represents the final result of productive activity by resident production units. GDPmp may be presented by reference to the ESA from three points of view.

<sup>(1)</sup> OJ No L 185, 15. 7. 1988, p. 24.

<sup>(2)</sup> OJ No C 187, 18. 7. 1988, p. 142.

1. *The output side*

GDPmp (N 1) is the difference between output of goods and services (P 10) and intermediate consumption (P 20) plus VAT on products (R 21) and net taxes linked to imports (excluding value added tax (VAT)) (R 29).

2. *The expenditure side*

GDPmp (N 1) is the sum of final consumption (P 30) on the economic territory by households and private non-profit institutions and general government, gross fixed capital formation (P 41), change in stocks (P 42), and the difference between exports (P 50) and imports (P 60).

3. *The income side*

GDPmp (N 1) is the sum of compensation of employees (R 10), gross operating surplus of the economy (N 2), and taxes linked to production and imports (R 20) less subsidies (R 30).

## TITLE II

## Provisions on the method of calculating GNPmp and the forwarding of GNPmp data

## Article 3

1. Member States shall establish GNPmp in accordance with Article 1 in the context of national accounting procedures.

2. Before 1 October each year, Member States shall provide the Commission (Statistical Office of the European Communities, SOEC), in the context of national accounting procedures, with figures for aggregate GNPmp and its components according to the ESA definitions referred to in Articles 1 and 2. Member States shall also supply the information necessary to show how the aggregate was reached. The figures provided shall cover the preceding year and any changes made to the figures for previous financial years.

## Article 4

Member States shall provide the Commission (SOEC), in accordance with the arrangements laid down by the latter after consulting the committee referred to in Article 6, progressively and at the latest within 18 months of notification of this Directive, with an inventory of the procedures and basic statistics used to calculate GNPmp and its components.

## Article 5

When they communicate the data provided for in Article 3, Member States shall inform the Commission (SOEC) of any changes in the procedures and basic statistics used.

## TITLE III

## Provisions concerning checks on the calculation of GNPmp

## Article 6

1. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time-limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty establishing the European Economic Community in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event:

- the Commission shall defer application of the measures which it has decided for a period to be laid down in each act adopted by the Council, but which may in no case exceed three months from the date of communication,
- the Council, acting by a qualified majority, may take a different decision within the time-limit referred to in the previous indent.

## Article 7

The Committee referred to in Article 6 shall examine questions raised by its Chairman, either on his own initiative or at the request of the representative of a Member State, relating to the implementation of this Directive, in particular with regard to:

- (a) compliance each year with the definitions referred to in Article 1 and 2;
- (b) the examination each year of the data forwarded under the terms of Article 3 and the information forwarded under the terms of Articles 4 and 5 concerning the statistical sources and the procedures for calculating GNPmp and its components.

It shall also deal with questions relating to the revision of data on GNPmp and the problem of the exhaustiveness of GNPmp.

It shall, if necessary, suggest to the Commission measures to make data on GNPmp more comparable and representative.

## TITLE IV

**Financial provisions***Article 8*

For the first few years of implementation of this Directive, Member States shall receive a financial contribution from the Community in respect of the work to improve the comparability and representativity of the GNPmp data. The amount considered necessary for such a contribution shall be ECU 6 million.

## TITLE V

**Final provisions***Article 9*

The Member States shall bring into force the measures necessary to comply with this Directive within 12 months of its notification at the latest<sup>(1)</sup>.

*Article 10*

Before the end of 1991, the Commission shall, when Decision 88/376/EEC/Euratom is reviewed, submit a report on application of this Directive.

*Article 11*

This Directive is addressed to the Member States.

Done at Brussels, 13 February 1989.

*For the Council*

*The President*

C. SOLCHAGA CATALAN

---

<sup>(1)</sup> This Directive was notified to Member States on 16 February 1989.

# COMMISSION

## COMMISSION DECISION

of 1 February 1989

amending Decision 88/557/EEC authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directive 66/404/EEC

(89/131/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material<sup>(1)</sup>, as last amended by Directive 88/332/EEC<sup>(2)</sup>, and in particular Article 15 thereof,

Having regard to the request submitted by the United Kingdom,

Whereas production of reproductive material of the species *Larix decidua* Mill. is at present insufficient in the United Kingdom, with the result that their requirements for reproductive material conforming to the provisions of Directive 66/404/EEC cannot be met;

Whereas third countries are not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the provisions of the abovementioned Directive;

Whereas the United Kingdom should therefore be authorized to permit for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements in respect of provenance, of provenances considered as appropriate by this Member State;

Whereas this marketing should be permitted in the same conditions of control and delays as the marketings permitted by Commission Decision 88/557/EEC<sup>(3)</sup>;

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

In the annex to Decision 88/557/EEC, for the species *Larix decidua* Mill. and in relation to the United Kingdom, '300 kg' is replaced by '320 kg' in the column 'kg' and the reference 'PL' is introduced in the column 'provenance'.

### Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

<sup>(1)</sup> OJ No 125, 11. 7. 1966, p. 2326/66.

<sup>(2)</sup> OJ No L 151, 17. 6. 1988, p. 82.

<sup>(3)</sup> OJ No L 307, 12. 11. 1988, p. 43.

## COMMISSION DECISION

of 1 February 1989

authorizing the Federal Republic of Germany to permit temporarily the marketing of forestry seed not satisfying the requirements of Council Directive 71/161/EEC

(Only the German text is authentic)

(89/132/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 71/161/EEC of 30 March 1971 on external quality standards for forest reproductive material marketed within the Community<sup>(1)</sup>, as last amended by Regulation (EEC) No 3768/85<sup>(2)</sup>, and in particular Article 15 thereof,

Having regard to the request submitted by the Federal Republic of Germany,

Whereas in Germany the production of seed of *Quercus pedunculata* and *Quercus sessiliflora* satisfying the requirements laid down in Directive 71/161/EEC was insufficient in 1988 and is not adequate to supply Germany's needs;

Whereas it has not been possible to cover those needs satisfactorily at this stage by the use of seed from other Member States, or even from non-member countries, satisfying all the requirements laid down in the said Directive;

Whereas Germany should therefore be authorized to permit, for a period expiring on 30 April 1989, the marketing of seed of the abovementioned species subject to less stringent requirements;

Whereas Council Directive 66/404/EEC on the marketing of forest reproductive material<sup>(3)</sup>, as last amended by Directive 88/332/EEC<sup>(4)</sup>, provides that reproductive material may be marketed only if it is accompanied by a document bearing certain details of the reproductive material in question;

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 Federal Republic of Germany is hereby authorized to permit, until 30 April 1989, the marketing on its territory of a maximum of 4 000 kilograms of seed of *Quercus pedunculata* Ehrh. and 4 000 kilograms of seed of *Quercus sessiliflora* Sal. which does not satisfy the requirements relating to specific purity in Annex I to Directive 71/161/EEC, provided that the following requirement is satisfied: the document required under Article 9 shall state: 'Seed not satisfying the standards in respect of specific purity'.

## Article 2

The Federal Republic of Germany shall notify the Commission before 31 May 1989 of the quantities of seed marketed in their territories pursuant to this Decision. The Commission shall inform the other Member States thereof.

## Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 1 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

<sup>(1)</sup> OJ No L 87, 17. 4. 1971, p. 14.

<sup>(2)</sup> OJ No L 362, 31. 12. 1985, p. 8.

<sup>(3)</sup> OJ No 125, 11. 7. 1966, p. 2326/66.

<sup>(4)</sup> OJ No L 151, 17. 6. 1988, p. 82.

## COMMISSION DECISION

of 7 February 1989

amending the boundaries of the less-favoured areas in Portugal within the meaning of Council Directive 75/268/EEC

(Only the Portuguese text is authentic)

(89/133/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in less-favoured areas <sup>(1)</sup>, as last amended by Regulation (EEC) No 797/85 <sup>(2)</sup>, and in particular Article 2 (3) thereof,Whereas Directive 86/467/EEC of 14 July 1986 concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Portugal) <sup>(3)</sup> defines the areas of Portugal which are part of the Community list of less-favoured farming areas within the meaning of Article 3 (3), (4) and (5) of Directive 75/268/EEC;Whereas on 5 July 1988 the Government of the Portuguese Republic notified an amendment to the administrative boundaries of five 'freguesias' <sup>(4)</sup>;

Whereas, in response to a request for information, the Portuguese authorities notified the Commission on 4 October 1988 that the new boundaries do not change the area classified pursuant to Directive 75/268/EEC but that only a subdivision of five previously classified freguesias into a total of 10 freguesias is involved;

Whereas the Committee for the European Agricultural Guidance and Guarantee Fund (EAGGF) has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

*Article 1*

With effect from 11 June 1988, the list of less-favoured areas in Portugal contained in the Annexes to Directive 86/467/EEC is hereby amended in accordance with the Annex to this Decision.

*Article 2*

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 7 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 128, 19. 5. 1975, p. 1.<sup>(2)</sup> OJ No L 93, 30. 3. 1985, p. 1.<sup>(3)</sup> OJ No L 273, 24. 9. 1986, p. 173.<sup>(4)</sup> Basic administrative unit in Portugal.

**ANNEX****I. Less-favoured areas within the meaning of Article 3 (3) of Directive 75/268/EEC**

| Distrito | Concelho | Freguesia                            |
|----------|----------|--------------------------------------|
| Porto    | Penafiel | Sebolido<br>Rio Mau                  |
| Beja     | Odemira  | Santa Clara-a-Velha<br>Pereiras-Gare |

**II. Less-favoured areas within the meaning of Article 3 (4) of Directive 75/268/EEC**

| Distrito | Concelho  | Freguesia                           |
|----------|-----------|-------------------------------------|
| Beja     | Almodôvar | Gomes Aires<br>Aldeia dos Fernandes |
| Setúbal  | Montijo   | Canha<br>Pegões                     |

**III. Less-favoured areas within the meaning of Article 3 (5) of Directive 75/268/EEC**

| Distrito | Concelho | Freguesia                 |
|----------|----------|---------------------------|
| Santarém | Tomar    | Casais<br>Além da Ribeira |

## COMMISSION DECISION

of 7 February 1989

approving the programme relating to the cotton sector in Spain in accordance  
with Council Regulation (EEC) No 389/82

(Only the Spanish text is authentic)

(89/134/EEC)

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

Having regard to Council Regulation (EEC) No 389/82 of  
15 February 1982 on producer groups and associations  
thereof in the cotton sector<sup>(1)</sup>, as amended by Regulation  
(EEC) No 3465/87<sup>(2)</sup>, and in particular Article 8 (1)  
thereof,

Whereas the Government of Spain forwarded the  
programme relating to the cotton sector on 16 May 1988  
and submitted supplementary information on 15  
November 1988;

Whereas the programme relates to the development and  
rationalization of cotton production and marketing and  
contains all the details specified in Article 6 (2) of  
Regulation (EEC) No 389/82 which demonstrate that the  
objectives of the common measure provided for in Title II  
of the said Regulation can be achieved;

Whereas the provisions of the programme as regards  
assistance by the Guidance Section of the European  
Agricultural Guidance and Guarantee Fund remain  
compatible with the estimated cost specified in Article 10  
(3) of Regulation (EEC) No 389/82;

Whereas, in the light of the progress which will be made  
in the beneficiary Member States in the carrying out of  
the measures provided for in Title II of Regulation (EEC)  
No 389/82, the Commission reserves the right to review  
the financial provisions of the programme presented by  
Spain, while abiding by the estimated cost specified in  
Article 10 (3) of the aforementioned Regulation;

Whereas it is necessary that the details should be laid  
down, in agreement with Spain, concerning the  
information to be supplied at regular intervals on the  
application of Regulation (EEC) No 389/82, and whereas  
such agreement has been reached;

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

HAS ADOPTED THIS DECISION:

*Article 1*

The programme relating to the cotton sector forwarded by  
the Government of Spain of 16 May 1988, and supple-

mented on 15 November 1988, in accordance with  
Regulation (EEC) No 389/82, is hereby approved.

*Article 2*

The annual report referred to in Article 14 of Regulation  
(EEC) No 389/82 shall contain the following  
information:

## 1. Producer groups:

1.1. recognized producer groups broken down by  
province size:

- number of recognitions,
- place of establishment,
- number of holdings grouped,
- for each producer group, the difference in size,  
expressed in hectares, between the largest and  
the smallest of the holdings grouped,
- for each producer group, the percentage of the  
holdings' surface area in owner occupation,  
leased and in other types of occupation,
- launching aid,
- volume of production,
- number of harvesting machines available before  
recognition subsidized under Regulation (EEC)  
No 389/82 (number per group, amount of  
investment),
- special transport equipment,
- other special equipment facilitating mechanized  
harvesting: sprayers, etc. (number and amount  
of investment);

## 1.2. withdrawal of recognition.

2. The same information as in point 1 for the associ-  
ations of producer groups.3. Ginning plants broken down by capacity and  
province:3.1. Ginning capacity actually used during the previous  
two marketing years (by size and province),3.2. Number of modernized undertakings — geogra-  
phical area, type of modernization, expansion of  
capacity, number of member producer groups (and  
associations), amount of investments, aid granted,

<sup>(1)</sup> OJ No L 51, 23. 2. 1982, p. 1.

<sup>(2)</sup> OJ No L 329, 20. 11. 1987, p. 6.

- 3.3. Number of new undertakings — geographical area, capacity, number of member producer groups (and associations), amount of investments, aid granted,
- 3.4. Other subsidized investments at the ginning stage.
4. Number of pre-drying and cleaning facilities for raw cotton — capacity, location, number of member producer groups (and associations), amount of investments, aid granted.
5. Number of modernized storage facilities — capacity, location, number of member producer groups (and associations), amount of investments, aid granted.

6. Economic effects of the application of Regulation (EEC) No 389/82.

*Article 3*

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 7 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

**COMMISSION DECISION**

of 7 February 1989

**on the approval of four programmes drawn up by the Portuguese Government and the amendment of two programmes previously approved pursuant to Council Regulation (EEC) No 3828/85 on a specific programme for the development of Portuguese agriculture**

(Only the Portuguese text is authentic)

(89/135/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3828/85 of 20 December 1985 on a specific programme for the development of Portuguese agriculture <sup>(1)</sup>, as last amended by Regulation (EEC) No 2182/88 <sup>(2)</sup>, and in particular Article 4 (2) thereof,

Whereas the Portuguese Government transmitted on 17 May 1988 three specific programmes concerning, respectively, new collective irrigation schemes, the renewal of existing irrigation systems and the drainage and conservation of the soil, within the meaning of Article 17 of Regulation (EEC) No 3828/85; whereas the aim of these programmes is to improve the water supply situation;

Whereas the Portuguese Government transmitted on 13 July 1988 a specific programme concerning studies for the analysis of Portuguese agriculture, within the meaning of Article 2 of Regulation (EEC) No 3828/85, with the aim of improving the effectiveness of support measures for the development of agriculture in Portugal with due regard for the guidelines of the common agricultural policy;

Whereas the Portuguese Government transmitted on 25 July 1988 an addendum to the specific programme for the renewal and improvement of the traditional irrigation schemes on the island of Madeira in order to widen the scope of the programme to include private farm owners;

Whereas the Portuguese Government transmitted on 21 October 1988 an addendum to the specific forestry action programme, within the meaning of Article 22 of Regulation (EEC) No 3828/85, with the aim of including in that programme the autonomous region of Madeira and of adjusting the ceilings on unit expenditure to be

taken into consideration for the grant of a contribution from the European Agricultural Guidance and Guarantee Fund;

Whereas the European Agricultural Guidance and Guarantee Fund Committee has been consulted on the financial aspects;

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

HAS ADOPTED THIS DECISION:

*Article 1*

The specific programmes and the addenda to specific programmes transmitted by the Portuguese Government on 17 May, 13 July, 25 July and 21 October 1988 pursuant to Article 4 of Regulation (EEC) No 3828/85 are hereby approved.

*Article 2*

The aids granted by the Portuguese Government for the implementation of these programmes shall be eligible with effect from 21 October 1988.

*Article 3*

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 7 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 372, 31. 12. 1985, p. 5.

<sup>(2)</sup> OJ No L 191, 22. 7. 1988, p. 13.

## COMMISSION DECISION

of 8 February 1989

amending Decision 85/446/EEC concerning the on-the-spot inspections to be carried out in respect of the intra-Community trade in fresh meat

(89/136/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat<sup>(1)</sup>, as last amended by Directive 88/288/EEC<sup>(2)</sup> and in particular Article 9 thereof,Whereas the general provisions laying down the conditions for implementing the on-the-spot checks to be carried out in respect of the intra-Community trade in fresh meat have been established by Commission Decision 85/446/EEC<sup>(3)</sup>, as last amended by Decision 88/151/EEC<sup>(4)</sup>;

Whereas the provisions concerning routine on-the-spot checks provided for in Chapter II of that Decision was only applied until 31 December 1988; whereas those provisions have proved to be necessary for the right implementation of Directive 64/433/EEC and they should therefore be prolonged;

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*

In Article 11 of Decision 85/446/EE '31 December 1988' is hereby replaced by '31 December 1989'.

*Article 2*

This Decision shall apply with effect from 1 January 1989.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 8 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No 121, 29. 7. 1964, p. 2012/64.<sup>(2)</sup> OJ No L 124, 18. 5. 1988, p. 28.<sup>(3)</sup> OJ No L 260, 2. 10. 1985, p. 19.<sup>(4)</sup> OJ No L 71, 17. 3. 1988, p. 46.

## COMMISSION DECISION

of 9 February 1989

amending Decision 89/15/EEC on the importations of live animals and fresh meat from certain third countries

(89/137/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard 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<sup>(1)</sup>, as last amended by Directive 88/289/EEC<sup>(2)</sup>, and in particular Article 3 thereof,

Having regard to Council Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues<sup>(3)</sup>, and in particular Article 7 thereof, in conjunction with Council Directive 88/146/EEC of 7 March 1988 prohibiting the use in livestock farming of certain substances having a hormonal action<sup>(4)</sup>, and in particular Article 6 thereof,

Whereas, in application of Decision 89/15/EEC<sup>(5)</sup>, as amended by Decision 89/18/EEC<sup>(6)</sup>, Member States continue to authorize imports of fresh meat and live animals from certain third countries appearing in the Annex of this Decision under the conditions laid down in that Annex;

Whereas authorities of Paraguay have forwarded sufficient information on their laws on the use of substances having an oestrogenic, androgenic, gestagenic and thyrostatic action as well as specific information on the plan specifying the guarantees offered by their country in respect of monitoring of residues of substances in Group AI and II in Annex I to Decision 86/469/EEC and whereas those guarantees may be considered as equivalent

to those resulting from the application of Council Directives 85/358/EEC<sup>(7)</sup> and 86/469/EEC;

Whereas the authorities of this country have, moreover, guaranteed that no animals and no meat coming from animals to which substances having a thyrostatic, oestrogenic, androgenic or gestagenic action have been administered by any means will be exported to the Community;

Whereas, for these types of substances, fresh meat and live animals from Paraguay should therefore continue to be imported;

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 Annex to Decision 89/15/EEC is hereby replaced by the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 9 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 124, 18. 5. 1988, p. 31.

<sup>(3)</sup> OJ No L 275, 26. 9. 1986, p. 36.

<sup>(4)</sup> OJ No L 70, 16. 3. 1988, p. 16.

<sup>(5)</sup> OJ No L 8, 11. 1. 1989, p. 11.

<sup>(6)</sup> OJ No L 8, 11. 1. 1989, p. 17.

<sup>(7)</sup> OJ No L 191, 23. 7. 1985, p. 46.

## ANNEX

| Third country            | Date until which the Member States<br>continue to authorize importations<br>(date of unloading in Community territory) | Specifications |
|--------------------------|------------------------------------------------------------------------------------------------------------------------|----------------|
| Argentina                | 31. 5. 1989                                                                                                            | (1)            |
| Australia                |                                                                                                                        |                |
| Austria                  | 31. 5. 1989                                                                                                            |                |
| Botswana                 | 31. 5. 1989                                                                                                            |                |
| Brazil                   | 31. 5. 1989                                                                                                            |                |
| Bulgaria                 | 31. 5. 1989                                                                                                            |                |
| Canada                   | 31. 5. 1989                                                                                                            |                |
| Chili                    | 31. 5. 1989                                                                                                            |                |
| Czechoslovakia           |                                                                                                                        |                |
| Finland                  |                                                                                                                        |                |
| Greenland                | 31. 5. 1989                                                                                                            |                |
| Hungary                  |                                                                                                                        |                |
| Iceland                  | 31. 5. 1989                                                                                                            |                |
| Malta                    | 31. 5. 1989                                                                                                            |                |
| New Zealand              |                                                                                                                        |                |
| Norway                   |                                                                                                                        |                |
| Paraguay                 |                                                                                                                        |                |
| Poland                   |                                                                                                                        |                |
| Romania                  |                                                                                                                        |                |
| South Africa/Namibia     |                                                                                                                        |                |
| Swaziland                | 31. 5. 1989                                                                                                            |                |
| Sweden                   |                                                                                                                        | (2)            |
| Switzerland              |                                                                                                                        |                |
| United States of America | 31. 5. 1989                                                                                                            |                |
| Uruguay                  |                                                                                                                        |                |
| Yugoslavia               |                                                                                                                        |                |
| Zimbabwe                 |                                                                                                                        | (2)            |
| GDR                      | 31. 5. 1989                                                                                                            |                |

(1) Importations of bovine animals and meats therefrom destined for human consumption are suspended from 1 January 1989 except for bovine animals intended for reproduction.

(2) Importations of bovine animals and meats therefrom destined for human consumption are suspended from 1 January 1989.

## COMMISSION DECISION

of 10 February 1989

amending Decision 89/7/EEC determining, for certain varieties of vegetable species, the period of validity of their official acceptance

(89/138/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed<sup>(1)</sup>, as last amended by Directive 88/380/EEC<sup>(2)</sup>, and in particular Article 13 (3), second and fourth sub-paragraphs thereof,

Having regard to the request made by the Kingdom of Spain,

Whereas Article 13 (1) of Directive 70/458/EEC provides that official acceptance granted to varieties of vegetable species in a Member State before 1 July 1972 shall be valid until 30 June 1982 at the latest;

Whereas Directive 88/380/EEC provides that:

- in the case of varieties for which acceptance has been granted before 1 July 1972, or, with regard to Denmark, Ireland and the United Kingdom, before 1 January 1973, this period may be extended until 30 June 1990 for individual varieties, where official measures organized on a Community basis have been taken before 1 July 1982 in order to ensure that the conditions for the renewal of their acceptance or for the acceptance of varieties derived from them are met,
- with regard to Greece, Spain and Portugal, the expiry of the acceptance period for certain varieties for which acceptance has been granted in those Member States before 1 January 1986 may, at the request of those Member States, also be fixed for 30 June 1990;

Whereas, by Decision 89/7/EEC<sup>(3)</sup>, the Commission listed certain varieties which satisfy the abovementioned conditions and determined that their official acceptance is valid until 30 June 1990 at the latest;

Whereas it appears that the carrot variety 'Royal Chantenay', which is officially accepted in three Member States, including Spain, also satisfies the said conditions and should accordingly be added to the list of varieties whose official acceptance is valid, pursuant to Decision 89/7/EEC, until that date;

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*In the Annex to Decision 89/7/EEC, in the entry relating to the species *Daucus carota* L. (carrot), 'Royal Chantenay' is added after 'Parijse Markt'.*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 10 February 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 225, 12. 10. 1970, p. 7.<sup>(2)</sup> OJ No L 187, 16. 7. 1988, p. 31.<sup>(3)</sup> OJ No L 7, 10. 1. 1989, p. 25.