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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 629/89

of 13 March 1989

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 10 March 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 14 March 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 13 March 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	21,98	126,04
0712 90 19	21,98	126,04
1001 10 10	55,14	180,03 ⁽¹⁾ ⁽²⁾
1001 10 90	55,14	180,03 ⁽¹⁾ ⁽²⁾
1001 90 91	32,44	115,13
1001 90 99	32,44	115,13
1002 00 00	60,11	112,87 ⁽³⁾
1003 00 10	50,67	115,33
1003 00 90	50,67	115,33
1004 00 10	41,73	77,58
1004 00 90	41,73	77,58
1005 10 90	21,98	126,04 ⁽²⁾ ⁽³⁾
1005 90 00	21,98	126,04 ⁽²⁾ ⁽³⁾
1007 00 90	45,32	137,88 ⁽⁴⁾
1008 10 00	50,67	24,46
1008 20 00	50,67	51,35 ⁽⁴⁾
1008 30 00	50,67	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	50,67	0,00
1101 00 00	59,77	175,19
1102 10 00	98,51	172,38
1103 11 10	98,98	291,78
1103 11 90	63,11	187,76

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 630/89

of 13 March 1989

fixing the premiums to be added to the import levies on cereals, flour and malt

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

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 15 (6) thereof,

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

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

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

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

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

Whereas these exchange rates being those recorded on 10 March 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 14 March 1989.

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 13 March 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0,75	0,75	0,75
0712 90 19	0	0,75	0,75	0,75
1001 10 10	0	3,20	3,20	3,26
1001 10 90	0	3,20	3,20	3,26
1001 90 91	0	3,63	3,63	8,23
1001 90 99	0	3,63	3,63	8,23
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	0,75	0,75	0,75
1005 90 00	0	0,75	0,75	0,75
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	5,08	5,08	11,52

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	6,46	6,46	14,65	14,65
1107 10 19	0	4,83	4,83	10,95	10,95
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 631/89

of 13 March 1989

amending Regulation (EEC) No 145/89 and increasing to 200 000 tonnes the amount of common wheat held by the United Kingdom intervention agency for which a standing invitation to tender for resale has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 7 (6) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2418/87⁽⁴⁾,

Whereas Commission Regulation (EEC) No 145/89⁽⁵⁾ opened a standing invitation to tender for the resale of 100 000 tonnes of common wheat held by the United Kingdom intervention agency;

Whereas in the present situation on the market the quantity of common wheat held by the United Kingdom intervention agency put up for sale on the internal market of the Community should be increased to 200 000 tonnes and the last partial invitation to tender should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 145/89 is hereby amended as follows:

1. In Article 1 'of 100 000 tonnes' is replaced by 'of 200 000 tonnes'.
2. Article 2 (2) is replaced by the following:
'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 April 1989.'

Article 2

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

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁵⁾ OJ No L 17, 21. 1. 1989, p. 30.

COMMISSION REGULATION (EEC) No 632/89

of 10 March 1989

amending for the eleventh time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts

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 ⁽¹⁾, as last amended by Regulation (EEC) No 2964/88 ⁽²⁾, and in particular Article 72 (5) thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 (1) thereof, as extended by Regulation (EEC) No 4007/87 ⁽³⁾,

Whereas Council Regulation (EEC) No 355/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 3485/87 ⁽⁵⁾, lays down general rules for the description and presentation of wines and grape musts;

Whereas Commission Regulation (EEC) No 997/81 ⁽⁶⁾, as last amended by Regulation (EEC) No 1622/88 ⁽⁷⁾, lays down detailed rules for the description and presentation of wines and grape musts;

Whereas, in order to take account of usage in Spain, provision should be made for the term 'superior' to be used as an additional traditional term for the description of certain Spanish quality wines psr and for certain terms to be used for the description of the name of the vineyard;

Whereas, with a view to a uniform presentation on the label of the actual alcoholic strength and the nominal volume of the product, the rules for indicating these two compulsory particulars should be coordinated;

Whereas certain particulars relating to the name or business name of the bottler, the consignor or a natural or legal person or group of such persons should be added to the label where such particulars contain terms relating to a vineyard;

Whereas it should be stipulated how the name of the Member State in which a wine was bottled is to be indicated compulsorily on the label;

Whereas, in the consumer's interest, it should be stipulated how the total alcoholic strength, in particular for partly fermented grape must, is to be indicated;

Whereas, in view of a request from Bulgaria, it should be provided that wine originating in that country and obtained exclusively from two varieties may bear the name of those two varieties when marketed in the Community;

Whereas, in view of the efforts of certain producer Member States to distinguish better between certain quality wines psr, some terms should be added to the lists of particulars concerning the method of preparation, the type of product or a particular colour of a table wine or quality wine psr;

Whereas the organization of competitions is an effective way of encouraging wine producers and dealers to endeavour to achieve distinction in competition by the quality of the wine which they market; whereas the awards granted to the best wines in such competitions provide valuable information for the consumer; whereas, with a view to ensuring that such competitions take place objectively, certain Community rules which must be complied with by competition organizers should be laid down;

Whereas bottles of the 'Bocksbeutel' or 'Cantil' type and bottles of a similar type have been in use for a very long time in certain Community regions and in certain third countries; whereas those types of bottles may recall certain characteristics or a particular origin of the wine in question; whereas, owing to the traditional character of such bottle shapes, they should be used exclusively for wines where such use is a fair practice established for a certain number of years and is considered traditional without however jeopardizing the free circulation of wine marketed in such types of bottle; whereas the list of wines which may be put up in such bottles should be published; whereas, in order to facilitate the switch-over from the arrangements existing in Portugal to those in the Community, Portuguese wines dispatched to other Member States must be exempted from the application of the rules on the use of bottles of the types in question; whereas experience gained has shown that a technical description of the 'Flûte d'Alsace' should be given and the list of quality wines psr which may be put up in such bottles should remain unaltered;

Whereas South Africa, Australia, the United States of America, New Zealand, Czechoslovakia, Egypt and Cyprus have requested an adaptation of Annexes I, II and IV to Regulation (EEC) No 997/81; whereas such requests should be acceded to; whereas, in view of the

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 269, 29. 9. 1988, p. 5.

⁽³⁾ OJ No L 378, 31. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 99.

⁽⁵⁾ OJ No L 330, 21. 11. 1987, p. 1.

⁽⁶⁾ OJ No L 106, 16. 4. 1981, p. 1.

⁽⁷⁾ OJ No L 145, 11. 6. 1988, p. 23.

Community's undertaking to reserve the names of geographical units for the description of wines originating in such units, certain geographical particulars in Annex II to that Regulation must be deleted;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 991/81 is hereby amended as follows:

1. The term 'superior' is added to Article 2 (3) (e).
2. The second subparagraph of Article 3 (1) is replaced by the following:

'The information on the label as to the nominal volume of the product shall be shown in figures at least 5 mm high if the nominal volume is greater than 100 cl, at least 3 mm high if it is equal to or less than 100 cl but greater than 20 cl, and at least 2 mm high if it is equal to or less than 20 cl.'

3. In Article 5 (a)

(a) the terms 'Winzer' and 'Weinbau' are added to the first indent of the first subparagraph of paragraph 3;

(b) in paragraph 5a the first sentence is replaced by the following:

'The Member State where the bottler, consignor or importer has his registered place of business shall be indicated on the label in lettering of the same type and size as that used for the registered place of business.'

4. The sixth indent of Article 5 (1) is replaced by the following:

— "caserío", "finca", "monasterio", "pago", "predio".

5. In Article 8:

(a) in the fourth subparagraph of paragraph 1, the second sentence is replaced by the following:

'It shall be shown on the labelling in lettering at least 5 mm high if the nominal volume is greater than 100 cl, at least 3 mm high if it is equal to or less than 100 cl but greater than 20 cl, and at least 2 mm high if it is equal to or less than 20 cl.';

(b) the following paragraph is inserted after paragraph 2:

'3. Where the total alcoholic strength is specified, and in particular in the case of partially fermented grape must, it must not differ by more than 0,5 % vol from the strength determined by analysis.'

The figure representing the total alcoholic strength shall be followed by the symbol "% vol" and preceded by the terms "total alcoholic strength" or "total alcohol". That figure shall be shown on the label in lettering of the same minimum height as that laid down for the actual alcoholic strength.'

6. In Article 12 (2) (a) 'Bulgaria' is added after 'Austria'.

7. In Article 13:

(a) the term 'der Neue' is added to paragraphs 2 (a) and 3 (a) concerning Germany;

(b) in paragraph 3 (c) concerning Italian wines:

— the term 'vendemmia tardiva' is added to the first subparagraph,

— the words 'and Trentino' are inserted after the word 'Bolzano' in the second subparagraph; in addition, the following sentence is added to that subparagraph:

'The word "vendemmia tardiva" may be used only in the Italian language.';

(c) the term 'vin nouveau' is added to paragraph 3 (f) concerning Luxembourg wines.

8. Article 14 is replaced by the following:

Article 14

1. The awards referred to in Articles 2 (3) (e), 12 (2) (p) and 28 (2) (n) of Regulation (EEC) No 355/79 shall refer to a single homogeneous batch of wine originating, at the time of bottling, from one and the same container.

Such wine must be available in quantities of at least 1 000 litres held for the purposes of release to the market, in containers of a nominal volume not exceeding 2 litres

— which are labelled in accordance with the Community provisions so as to show the name of the geographical unit in which they originate and the year in which the grapes used were harvested,

— which are fitted with a non-reusable sealing or closing device.

However, should certain categories of wine be produced in particularly small quantities, Member States may accept batches of wine of less than 1 000 litres but not less than 100 litres.

2. On Community territory awards may be granted to table wines as referred to in Article 2 (3) of Regulation (EEC) No 355/79, quality wines psr or imported wines as referred to in Article 28 (1) of the said Regulation only if they have been examined, together with other wines belonging to the same category produced under comparable conditions, within the framework of a competition the rules of which have been approved by a competent authority designated by the Member State where such competition is held.

Only the following may hold competitions and grant awards to the wines selected as the best :

- the authority referred to in the first subparagraph,
- a public, professional or private body whose rules for the holding of competitions ensure impartiality and which has been recognized by the authority referred to in the first subparagraph.

3. Competitions covering more than one Member State may be held, with the agreement of all the Member States concerned :

- by the Commission,
- by an authority or a public, professional or private body which the Member States have entrusted with the holding of the competition,
- by the International Vine and Wine Office.

Such competitions shall be held in accordance with rules respectively recognized or laid down by the Commission, the Member States concerned or the International Vine and Wine Office.

4. The rules for the holding of competitions as referred to in paragraphs 2 and 3 must in particular :

- ensure that the competition is open to all interested parties,
- lay down an objective procedure which rules out any discrimination between wines of the category and geographical origin to which the competition relates,
- provide for a jury consisting of qualified persons who shall examine the wines by blind tasting and classify them according to their intrinsic quality using a point-scoring system devised for this purpose,
- provide for the grant of a limited number of awards,
- provide for checks to be made by an appropriate authority on all operations relating to the competition.

5. An award granted by an official body or by a body officially recognized in a third country may not be mentioned on a label of a table wine as referred to in Article 2 (3) of Regulation (EEC) No 355/79, a quality wine psr or an imported wine as referred to in Article 28 (1) of the said Regulation :

- unless proof of the award can be provided either by an appropriate document drawn up for this purpose or by an endorsement on the certificate referred to in the first indent of Article 70 (1) (a) of Council Regulation (EEC) No 822/87 (*),
- unless the Commission has recognized, by publishing the name and address of the body concerned in the "C" series of the *Official Journal of the European Communities*, that the rules of the competition in question meet the criteria laid down in paragraph 4.

6. The Member States concerned shall notify the Commission of the names and addresses of the official bodies and officially recognized bodies which are authorized to grant awards and the names of the competitions that they hold.

The Commission shall publish in the "C" series of the *Official Journal of the European Communities* :

- the information referred to in the first subparagraph,
- where appropriate, the names and addresses of the bodies referred to in paragraph 3,
- the names and addresses of the bodies referred to in paragraph 5.

(*) OJ No L 84, 27. 3. 1987, p. 1.

9. The second subparagraph of Article 17 (1) is replaced by the following :

'The terms listed in the preceding subparagraph may be supplemented by :

- "estate bottled" provided that the first indent of Article 2 (3) (f) or of Article 12 (2) (q) of Regulation (EEC) No 355/79 applies,
- "bottled by the producer(s)", provided that the second or third indent of Article 2 (3) (f) or of Article 12 (2) (q) applies.'

10. Article 18 is replaced by the following :

Article 18

1. For the purposes of this Regulation :

- (a) "flûte d'Alsace" means a glass bottle consisting of a straight-sided body, cylindrical in appearance, with a tapered neck, the ratio between the overall height and the base diameter being approximately 5 : 1 and that between the height of the cylindrical section and the overall height being 1 : 3.

(b) "Bocksbeutel" or "Cantil" means a short-necked glass bottle, with a squat, rounded body which is flat in profile, with an ellipsoid base and an ellipsoid cross-section at its most convex point, the ratio between the main and the secondary axis of the ellipsoid cross-section being approximately 2:1 and that between the height of the rounded body and the cylindrical neck being approximately 2,5:1.

2. Pursuant to Article 40 (2) (b) of Regulation (EEC) No 355/79:

(a) the use of the "flûte d'Alsace" shall, as far as wine produced from grapes harvested in France is concerned, be restricted to the quality wines *psr* listed in Annex V;

(b) the use of the "Bocksbeutel", the "Cantil" and similar bottles likely to be confused with such bottles shall be restricted:

(i) as regards wines originating in the Community, to the wines listed in Annex V.

That Annex may, at the request of the Member State concerned, be supplemented until 31 August 1991 at the latest provided that it is shown that presentation in such bottles constitutes a fair and traditional practice in specified regions or production areas in the Community;

(ii) as regards wines originating in a third country, to wines:

— that have been produced in accordance with provisions recognized by the Commission as equivalent to the provisions applicable to quality wines *psr*, and in particular Article 2 of Council Regulation (EEC) No 823/87 (*), and in respect of which it has been shown that presentation in such bottles was, at 1 September 1976, a fair and traditional practice in the third country of origin, and that have been included in Annex V.

However, until 31 August 1991, Member States shall permit the sale of all imported wines put up in "Bocksbeutel", "Cantil" or similar bottles where these are traditional Community imports.

Until the end of the first stage of accession of Portugal, the reservation in point (b) (i) in the first subparagraph does not relate to wines of Portuguese origin imported into the other Member States.

(*) OJ No L 84, 27. 3. 1987, p. 59.

11. Annexes I, II and IV are amended in accordance with Annex A hereto.

12. Annex V in Annex B hereto is added.

Article 2

This Regulation shall enter into force on 1 May 1989.

Article 1 (3) (b) shall apply with effect from 1 July 1988.

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

Done at Brussels, 10 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX A

I. Annex I to Regulation (EEC) No 997/81 is hereby amended as follows:

- In Section 1, SOUTH AFRICA, the following term is added
- 'Superior'.

II. Annex II to Regulation (EEC) No 997/81 is hereby amended as follows:

1. In Section III, ARGENTINA, the following geographical ascriptions are deleted:

- 'La Rioja/Argentina
- Cordoba'.

2. In Section IV, AUSTRALIA, the following name is added under 4.1:

- 'King Valley'.

3. In Section VIII, UNITED STATES OF AMERICA:

- (a) in part B the following name is added under 13.1 New Jersey:

- 'Warren Hills';

- (b) In the English version of part B, under 12.1 Missouri,:

- 'Missouri Highlands' is replaced by 'Ozark Highlands'.

4. In Section XIX, NEW ZEALAND:

- (a) under 5, 'Te Kauwhata wine-growing region' is replaced by 'Waikato wine-growing region'. The names of the following sub-regions are added:

- 'Te Kauwhata
- Ihumatao
- Karaka
- Pokeno
- Mangatawhiri';

- (b) under 6, the name of the following sub-region is added;

- 'Manutuke';

- (c) under 7, the names of the following sub-regions are added:

- 'Ngatarawa
- Brookfields';

- (d) under 9, the names of the following sub-regions are added:

- 'Wairarapa
- Masterton
- Martinborough';

- (e) under 10, the names of the following sub-regions are added:

- 'Awatere or Awatere Valley
- Cloudy Bay';

- (f) under 12, the names of the following sub-regions are added:

- 'Amberley
- Burnham
- Larcomb
- Waipara';

- (g) under 13, the names of the following sub-regions are added:

- 'Queenstown or Queenstown Lakes
- Wanaka
- Taramea';

- (h) the following is inserted after 13, Central Otago wine-growing region:

- '14. Auckland wine-growing region:
- sub-region: Waiheke or Waiheke Island'.

5. In Section XX, CZECHOSLOVAKIA, the following name is added:

- 'Malokarpatska Oblast'.

6. In Section XXII, EGYPT, the following names are added:

- 'Gianaclis
- Mariout
- Matamir'.

7. The following is inserted after Section XXIII, SOVIET UNION:

'XXIV. CYPRUS

Wines bearing one of the following names of a wine-growing region or sub-region of origin:

1. Wine-growing region Pitsillia

sub-region:

- Madari;

2. Wine-growing region Marathasa;

3. Wine-growing region Commandaria;

4. Wine-growing region Troodos South

Sub-regions:

- Agames
- Laoma;

5. Wine-growing region Troodos West

Sub-regions :

- Ambelitis
- Vouni tis Panayias
- Laova Kathikas ;

6. Wine-growing region Troodos North.

III. Annex IV Regulation (EEC) No 997/81 is hereby amended as follows :

1. In Section XVI, CZECHOSLOVAKIA :

(a) the following varieties are added in the left-hand column :

- 'Silvaner
- Gewürtztraminer
- Muscat Ottonel' ;

(b) the following terms are added in the right-hand column :

- 'Rheinriesling' as a synonym for the 'Riezling rynsky' variety ;
- 'Ruland' and 'Rulander' as synonyms for the 'Rulandské' variety.

2. The following is inserted after Section XXII, CANADA :

'XXIII. EGYPT

- Muscat d'Alexandria
- Chaselas
- Roumi Abiad
- Sultanina
- Xenistery
- Roditis
- Muscat de Hambourg
- Carnet blanc
- Cabernet Sauvignon
- Pinot noir
- Lencas
- Cabernet'

3. The following is inserted after Section XXIII, EGYPT :

Names of varieties accepted in the Community	Accepted synonyms
'XXIV. CYPRUS	
Mavra	
Mavron tis Kyprou	
Xynisteri	
Muscat of Alexandria	
Moschato	
Ofthalmo	
Lefkada	Vertzami
Maratheftiko	Pambakada, Pambakina
Promara	
Carignan Noir	
Grenache	
Cinsaut	
Mataro	Mourvèdre
Cabernet Sauvignon	
Cabernet Franc	
Shiraz	
Muscat de Hambourg	
Ugni blanc	Trebbiano
Malvasia	
Semillon	
Palomino	
Pedro Ximenez'	

ANNEX B

The following Annex is added to Regulation (EEC) No 997/81 :

'ANNEX V

1. List of French quality wines psr which may be presented in bottles of the "flûte d'Alsace" type :
 - Alsace or vin d'Alsace,
 - Crépy,
 - Château-Grillet,
 - Côtes de Provence, red and rosé,
 - Cassis,
 - Jurançon,
 - Rosé de Béarn,
 - Tavel, rosé.
2. List of wines which may be presented in bottles of the "Bocksbeutel" or "Cantil" types or in bottles of a similar type :
 - 2.1. In Germany quality wines produced in the following specified regions :
 - Franken
 - Baden
 - originating in the Taubertal and the Schüpfergrund,
 - originating in the commune areas Neuweier, Steinbach, Unweg and Varnhalt of the commune of Baden-Baden.
 - 2.2. In Italy, quality wines produced in the following specified regions :
 - Santa Maddalena (St. Magdalener)
 - Valle Isarco (Eisacktaler)
 - Terlaner made from Pinot bianco grapes
 - Bozner Leiten
 - Alte Adige (Südtiroler) made from Riesling, Müller-Thurgau, Pinot nero, Moscato giallo, Sylvaner or Lagrein grapes
 - Greco di Bianco.
 - 2.3. In Greece the following wines
 - Agioritiko
 - Rombola Kephalonias
 - wines originating on the island of Kephallonia
 - wines originating on the island of Paros.

COMMISSION REGULATION (EEC) No 633/89
of 13 March 1989
amending Regulation (EEC) No 487/89 on the supply of olive oil to Algeria as
food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 487/89⁽³⁾ issued an invitation to tender for the supply, as food aid, of 1 200 tonnes of olive oil for Algeria; whereas, following a request by the beneficiary, some of the conditions specified in the Annex to the Regulation should be altered,

Article 1

The Annex to Regulation (EEC) No 487/89 is hereby replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 57, 28. 2. 1989, p. 10.

ANNEX

1. **Operation Nos** ⁽¹⁾: 17 to 19/89.
2. **Programme**: 1988
3. **Recipient**: Algeria
4. **Representative of the recipient** ⁽²⁾: Croissant rouge algérien, Comité National, 15 bis, Bld Mohamed V, Alger, Dr. Mouloud Belaouane; telex 66442 HILAL — ALGER, tel. 61 07 41
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: olive oil
7. **Characteristics and quality of the goods** ⁽³⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.4)
8. **Total quantity**: 1 200 tonnes
9. **Number of lots**: three
 - Lot A: 400 tonnes (operation No 17/89)
 - Lot B: 400 tonnes (operation No 18/89)
 - Lot C: 400 tonnes (operation No 19/89)
10. **Packaging and marking**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of five litres,
 - the cans, must be packed in cartons, with four cans per carton,
 - the cans and cartons must bear the following wording in letters at least 2,5 cm high in the case of cans and 5 cm high in the case of cartons:
 - Lot A:
'ACTION N° 17/89 / HUILE D'OLIVE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
 - Lot B:
'ACTION N° 18/89 / HUILE D'OLIVE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
 - Lot C:
'ACTION N° 19/89 / HUILE D'OLIVE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À L'ALGÉRIE'
11. **Method of mobilization**: the Community market.
12. **Stage of supply**: delivered at CRA warehouse in Algiers (the goods will in the main be immediately loaded on lorries which the CRA committees will send to the port of Algiers)
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**: Dépôt central du Croissant Rouge algérien, Diar es Saada, Alger
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 24. 4. 1989 to 13. 5. 1989
18. **Deadline for the supply**: 30. 6. 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Deadline for submission of tenders**: 28. 3. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 11. 4. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 4. 1989 to 24. 5. 1989
 - (c) deadline for the supply: 30. 6. 1989

22. Amount of the tendering security : ECU 45 per tonne
23. Amount of the delivery security : 10 % of the amount of the tender in ecus
24. Address for submission of tenders (*) :
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles ; telex : AGREC 22037 B
25. Refund payable on request by the successful tenderer (9) : refund applicable on 1. 2. 1989, fixed by Commission Regulation (EEC) No 241/89 (OJ No L 30, 1. 2. 1989, p. 13)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
M. J-P. Jesse, 36 rue Arezki, Hydra, 16300 Algiers ; tel. 59 08 22, telex 66067 EURAL DZ.
- (³) The successful tenderer shall supply 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.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
— either by porter at the office referred to in point 24 of this Annex,
— or by telecopier on one of the following numbers in Brussels :
235 01 32
236 10 97 ...
235 01 30
236 20 05
- (⁵) 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.
-

COMMISSION REGULATION (EEC) No 634/89

of 13 March 1989

on the country nomenclature for the external trade statistics of the Community
and statistics of trade between Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 1736/75 of the Council of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States⁽¹⁾, as last amended by Regulation (EEC) No 3367/87⁽²⁾, and in particular Articles 36 and 41 thereof,

Whereas Article 35 of Regulation (EEC) No 1736/75 requires certain data to be compiled according to the current version of the country nomenclature given in Annex C thereto;

Whereas Article 36 of the said Regulation requires the Commission to publish in the *Official Journal of the European Communities* the country nomenclature in the version thereof valid on 1 January of each year;

Whereas the version thereof valid on 1 January 1987 was annexed to Commission Regulation (EEC) No

3639/86⁽³⁾; whereas the validity of this version was extended as from 1 January 1988 by Commission Regulation (EEC) No 3839/87⁽⁴⁾; whereas, since the aforementioned version thereof has not been updated, it can be considered as remaining valid on 1 January 1989;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on External Trade Statistics,

HAS ADOPTED THIS REGULATION:

Sole Article

The country nomenclature for the external trade statistics of the Community and statistics of trade between Member States in the version annexed to Regulation (EEC) No 3639/86 is valid on 1 January 1989.

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

Done at Brussels, 13 March 1989.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

⁽¹⁾ OJ No L 183, 14. 7. 1975, p. 3.

⁽²⁾ OJ No L 321, 11. 11. 1987, p. 3.

⁽³⁾ OJ No L 336, 29. 11. 1986, p. 46.

⁽⁴⁾ OJ No L 361, 22. 12. 1987, p. 16.

COMMISSION REGULATION (EEC) No 635/89

of 13 March 1989

making the importation into Spain of certain textile products originating in Taiwan subject to quantitative limits

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

Having regard to Council Regulation (EEC) No 4134/86 of 22 December 1986 on the arrangements for imports of certain textile products originating in Taiwan ⁽¹⁾, as last amended by Regulation (EEC) No 3311/88 ⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 4134/86 established autonomous arrangements for imports of textiles originating in Taiwan; whereas Article 3 of that Regulation lays down the conditions for the establishment of further quantitative limits;

Whereas imports into Spain of certain textile products (category 100), originating in Taiwan, have considerably exceeded the threshold indicated in that Article;

Whereas it is necessary therefore to establish quantitative limits on imports into Spain of products of category 100 originating in Taiwan;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the quota Adminis-

tration Committee set up under Article 10 of Regulation (EEC) No 1023/70 of the Council ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The importation into Spain of certain textile fabrics (category 100), originating in Taiwan, shall be subject to the quantitative limits indicated in the Annex.

Article 2

The provisions of Regulation (EEC) No 4134/86, and in particular those concerning the administration of quantitative limits, shall apply to the quantitative limits established by this Regulation.

Article 3

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, 13 March 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 386, 31. 12. 1986, p. 1.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 58.

⁽³⁾ OJ No L 124, 8. 6. 1970, p. 1.

ANNEX

Category	CN code	Description	Third country	Units	Member State	Quantitative limits
100	5903 10 10 5903 10 90 5903 20 10 5903 20 90 5903 90 10 5903 90 91 5903 90 99	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	Taiwan	tonnes	ES	1989 : 295 1990 : 313 1991 : 331

COMMISSION REGULATION (EEC) No 636/89
of 13 March 1989

introducing a new countervailing charge on fresh lemons originating in Spain
(except the Canary Islands), and repealing Regulation (EEC) No 590/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas the entry price thus calculated for fresh lemons originating in Spain (except the Canary Islands) results in the fixing of a higher countervailing charge than that laid down by Commission Regulation (EEC) No 590/89 of 7 March 1989 introducing a countervailing charge on fresh lemon originating in Spain (except the Canary Islands)⁽⁶⁾;

Whereas, pursuant to Article 26 (2) of Regulation (EEC) No 1035/72, a new countervailing charge should be fixed and Regulation (EEC) No 590/89 should be repealed;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 64, 8. 3. 1989, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

A countervailing charge of ECU 2,07 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Spain (except the Canary Islands).

This Regulation shall enter into force on 14 March 1989.

Commission Regulation (EEC) No 590/89 is hereby repealed.

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 637/89

of 13 March 1989

amending for the seventh time Regulation (EEC) No 151/89 introducing a countervailing charge on fresh lemons originating in Turkey

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

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

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

Whereas Commission Regulation (EEC) No 151/89⁽³⁾, as last amended by Regulation (EEC) No 583/89⁽⁴⁾, introduced a countervailing charge on fresh lemons originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration, the countervailing charge on the import of fresh lemons originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 151/89 'ECU 6,98' is hereby replaced by 'ECU 10,11'.

Article 2

This Regulation shall enter into force on 14 March 1989.

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 17, 21. 1. 1989, p. 45.

⁽⁴⁾ OJ No L 63, 7. 3. 1989, p. 19.

COMMISSION REGULATION (EEC) No 638/89

of 13 March 1989

on the issuing and suspension of issuing of import licences for certain
processed products obtained from sour cherries originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1201/88 of 28 April 1988 establishing import mechanisms for certain processed products obtained from sour cherries and originating in Yugoslavia⁽¹⁾, and in particular Articles 4 and 5 thereof,

Whereas Article 2 (1) of Commission Regulation (EEC) No 4061/88 of 21 December 1988 laying down further detailed rules of application as regards import licences for certain processed products obtained from sour cherries originating in Yugoslavia⁽²⁾, as corrected by Regulation (EEC) No 582/89⁽³⁾, states that if the quantities for which licences have been applied for exceed those available, the Commission shall set a percentage reduction in the quantities applied for;

Whereas the quantities of the abovementioned products applied for on 8 and 9 March 1989 exceed those available; whereas a percentage reduction should be set for each application according to the quantities still available;

Whereas quantities for which import licences have been issued have reached the annual volume of 19 900 tonnes; whereas import licences for the products in question

should be suspended in the framework of the regime in question,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences made on 8 and 9 March 1989 and transmitted to the Commission on 10 March 1989 for processed products obtained from sour cherries falling within CN codes ex 0811 90 10, ex 0811 90 30, ex 0811 90 90, ex 0812 10 00, 2008 60 51, 2008 60 61, 2008 60 71 and 2008 60 91 originating in Yugoslavia shall be accepted for 23 % of the quantity applied for.

Article 2

The issuing of import licences for processed products obtained from sour cherries falling within CN codes ex 0811 90 10, ex 0811 90 30, ex 0811 90 90, ex 0812 10 00, 2008 60 51, 2008 60 61, 2008 60 71 and 2008 60 91 originating in Yugoslavia applied for from 10 March 1989 is suspended.

Article 3

This Regulation shall enter into force on 14 March 1989.

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

Done at Brussels, 13 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 115, 3. 5. 1988, p. 9.

⁽²⁾ OJ No L 356, 24. 12. 1988, p. 45.

⁽³⁾ OJ No L 63, 7. 3. 1989, p. 18.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 February 1989

on applications for reimbursement and the payment of advances in respect of
aids granted pursuant to Council Regulation (EEC) No 1402/86

(Only the English text is authentic)

(89/188/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1402/86
of 6 May 1986 introducing a common action for the
encouragement of agriculture in the Scottish islands off
the northern and western coasts with the exception of the
Western Isles (Outer Hebrides)⁽¹⁾, and in particular
Article 7 (4) thereof,

Whereas applications for reimbursement and applications
for the payment of advances to be presented by the
United Kingdom to the Guidance Section of the
European Agricultural Guidance and Guarantee Fund
(EAGGF) must include certain items of information
making it possible to verify that the expenditure complies
with the provisions of Regulation (EEC) No 1402/86 and
the programme presented by the United Kingdom,
endorsed by the Commission in accordance with Article 3
(3) of that Regulation;

Whereas, to allow for effective verification, the United
Kingdom must hold all supporting documentation at the
disposal of the Commission for a period of three years
after payment of the last reimbursement;

Whereas to enable payment of the advances provided for
in Article 7 (3) of Regulation (EEC) No 1402/86 to be
implemented, rules relating to procedures in this
connection must be laid down;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the European Agricultural
Guidance and Guarantee Fund Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The reimbursement applications referred to in
Article 7 (1) of Regulation (EEC) No 1402/86 must
comply with the tables given in Annexes I to III.
2. The United Kingdom shall submit to the
Commission, with the first reimbursement application,
texts of the national implementing and verification
provisions and of the administrative instructions, and the
forms and all other documents relating to the adminis-
trative implementation of the measure.

Article 2

The United Kingdom shall hold at the disposal of the
Commission for three years after payment of the last
reimbursement all the supporting documents or certified
copies thereof in its possession on the basis of which the
aids provided for by Regulation (EEC) No 1402/86 were
approved, and also the applications for reimbursement
and advances established.

Article 3

The applications for advances referred to in Article 7 (3)
of Regulation (EEC) No 1402/86 must comply with the
tables given in Annexes IV and V.1.1 to V.6.

⁽¹⁾ OJ No L 128, 14. 5. 1986, p. 9.

Article 4

1. The EAGGF Guidance Section advances may not exceed 80 % of the Community contribution to the financing of the expenditure provided for during the reference year.

2. Advances not disbursed during the year for which they have been paid shall be deducted from the advance to be paid in respect of the following year.

3. Advances in respect of the following year may not be paid before the following documents have been submitted to the Commission :

— either a report drawn up in accordance with the Table in Annex VI reviewing the progress of the operations

during the preceding year for which advances were paid,
— or the final application for reimbursement established in accordance with Article 1 (1).

Article 5

This Decision is addressed to the United Kingdom.

Done at Brussels, 23 February 1989.

For the Commission

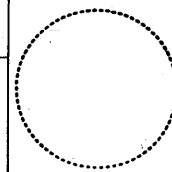
Ray MAC SHARRY

Member of the Commission

ANNEX I

APPLICATION FOR REIMBURSEMENT OF EXPENDITURE EFFECTED DURING 19 .. PURSUANT TO REGULATION (EEC) No 1402/86 INTRODUCING A COMMON ACTION FOR THE ENCOURAGEMENT OF AGRICULTURE IN THE SCOTTISH ISLANDS OFF THE NORTHERN AND WESTERN COASTS WITH THE EXCEPTION OF THE WESTERN ISLES

(1)	(2)	(3)	(4)	(5)	(6)
Type of measure	Expenditure effected by the United Kingdom	Eligible expenditure effected by the United Kingdom	Reimbursement applied for to the EAGGF	Advance already paid by the EAGGF	Balance to be reimbursed
— Farm development (general) (totals of Annexes II.1.1 to II.1.4)					
— Buildings for tourism and related activities (totals of Annex II.1.5)					
— Environmental management payments (totals of Annex II.1.6)					
Livestock development (totals of Annexes II.2.1 to II.2.5)					
Fish farming (totals of Annexes II.3.1 and II.3.2)					
Infrastructure (totals of Annex II.4)					
Croft housing (totals of Annex II.5)					
Project team (totals of Annex II.6)					
TOTAL					
Recoveries (totals of Annex III)					
NET TOTAL					

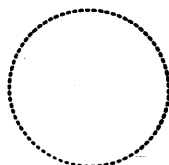


(Date, stamp and signature of the competent authority)

Declaration to be presented with the application for reimbursement of expenditure effected pursuant to Regulation (EEC) No 1402/86⁽¹⁾

It is confirmed that :

- (a) the work and expenditure for which reimbursement is requested has been carried out in accordance with the provisions laid down in the programme endorsed by the Commission ;
- (b) the United Kingdom has proper facilities for effective monitoring of the elements used to calculate the aids eligible for reimbursement from the fund ;
- (c) the measures have been implemented in the Scottish islands off the northern and western coasts with the exception of the Western Isles (Outer Hebrides)
- (d) no reimbursement is applied for in respect of investments or work which benefit from aid under other common measures within the meaning of Article 6 (1) of Council Regulation (EEC) No 729/70⁽²⁾ or from aid under the European Regional Development Fund or under the European Social Fund ;
- (e) the eligible expenditure which is the subject of an application for reimbursement relates to aids the decisions to grant which were made after 8 March 1988 ;
- (f) the aid beneficiaries have been informed, as appropriate, of the percentage of the appropriations coming from the Community ;
- (g) where there is public procurement, Community rules relating to the opening of public works and supply contracts mentioned in Council Directives 71/305/EEC⁽³⁾ and 77/62/EEC⁽⁴⁾ have been complied with ;
- (h) no reimbursement is applied for in respect of aids for the purchase of second-hand tractors and machinery ;
- (i) the eligible expenditure on environmental management in respect of which reimbursement is claimed relates to payments not exceeding the real net losses or profits foregone by the beneficiaries due to the real net losses or profits foregone by the beneficiaries due to the management restrictions agreed ;
- (j) no reimbursement is applied for in respect of aid in the form of working capital for fish-farming projects ;
- (k) no reimbursement is applied for in respect of aids granted on a unit of production basis ;
- (l) where reimbursement is claimed in respect of eligible expenditure on jetties, slipways and associated facilities, such facilities are for the use of agricultural communities involved in pluriactivity ;
- (m) the eligible expenditure on the project team in respect of which reimbursement is claimed excludes costs relating to the staff of the public administration.



.....

(Date, stamp and signature of the competent authority)

⁽¹⁾ The information provided for in Article 6 of the Regulation must also be sent to the Commission.

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽⁴⁾ OJ No L 13, 15. 1. 1977, p. 1.

(¹) Per island group.

ANNEX II.1.2

Farm development : Farm building works ⁽¹⁾

(1)	(2)	(3)	(4)	(5)	(6)
	Number of beneficiaries	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
Island group					
Systems for farm waste					
Other works					
TOTAL					

⁽¹⁾ Exclude buildings for tourism, crafts and related activities — see Annex II.1.5.

ANNEX II.1.3

Farm development : Machinery

(1)	(2)	(3)	(4)	(5)	(6)
	Number of beneficiaries	Total cost	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
Island group					
TOTAL					

ANNEX II.1.4

Farm development: Management premium

(1)	(2)		(3)		(4)		(5)
Island group	Number of beneficiaries		Expenditure by the United Kingdom		Eligible expenditure		Reimbursement applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	
</							

ANNEX II.1.5

Farm development: Buildings for tourism, crafts and related activities

(1)	(2) Number of beneficiaries	(3) Total cost of work	(4) Expenditure incurred by the United Kingdom	(5) Eligible expenditure	(6) Reimbursement applied for to the EAGGF
Island group					
TOTAL					

ANNEX II.1.6

Farm development : Environmental management payments

(1)	(2)	(3)	(4)	(5)	(6)
	Number of beneficiaries	Number of hectares concerned	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
Island group					
Winter keep schemes					
Inby land					
Hill land					
TOTAL					

ANNEX II.2.1

Livestock development : Beef cattle improvement measure

(1)	(2)	(3)	(4)	(5)	(6)
	Number of beneficiaries	Number of heifers	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	
Island group					
Home-bred heifers					
Purchased heifers					
Purchased in-calf heifers					
TOTAL					

ANNEX II.2.2

Livestock development : Sheep development measure

(1)	(2)		(3)		(4)		(5)		(6)
	Number of beneficiaries		Number of gimmers		Expenditure incurred by the United Kingdom		Eligible expenditure		
							First instalment	Second instalment	
Island group	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	Reimbursement applied for to EAGGF
Home-bred gimmers									
Purchased gimmers									
TOTAL									

ANNEX II.2.3

Livestock development : Stock health measure

(1)	(2)		(3)	(4)	(5)	(6)
Island group	Number of beneficiaries		Number of animals	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
	Old	New				
Sheep						
Goats						
Deer						
TOTAL						

ANNEX II.2.4

Livestock development : Bull and ram supply

(1)		(2)		(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries		Number of bulls/rams	Total cost of eligible work concerned	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF	
	Old	New						
Bulls								
Rams								
TOTAL								

ANNEX II.2.5

Livestock development : Veterinary scheme

(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Number of visits	Nature of expenditure				
Island group						
TOTAL						

ANNEX II.3.1

Fish farming : Fin fish

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of projects by species	Total cost of work	Amount of loans concerned	Interest subsidy granted	Capital subsidy granted	Reimbursement applied for to the EAGGF
TOTAL						

ANNEX II.3.2

Fish farming : Shellfish

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of projects by species	Total cost of work	Amount of loans concerned	Interest subsidy granted	Capital subsidy granted	Reimbursement applied for to the EAGGF
TOTAL						

ANNEX II.4

Infrastructure : Jetties, slipways and associated facilities

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of projects	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL					

ANNEX II.5

Croft housing

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Total cost of work	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL					

Project team

(1)	(2)	(3)	(4)	(5)
Nature of expenditure	Total cost	Expenditure incurred by the United Kingdom	Eligible expenditure	Reimbursement applied for to the EAGGF
TOTAL				

(7) The presentation of this table does not exclude the submission of the documents provided for in Articles 3 and 5 of Regulation (EEC) No 283/72 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field.

(Date, stamp and signature of the competent authority)

ANNEX IV

APPLICATION FOR ADVANCE PAYMENTS IN RESPECT OF 19 . . . PURSUANT TO REGULATION (EEC) No 1402/86
INTRODUCING A COMMON ACTION FOR THE ENCOURAGEMENT OF AGRICULTURE IN THE SCOTTISH ISLANDS
OFF THE NORTHERN AND WESTERN COASTS WITH THE EXCEPTION OF THE WESTERN ISLES

(1)	(2)	(3)	(4)	(5)
Type of measure	Estimated expenditure by the United Kingdom	Estimated eligible expenditure by the United Kingdom	Reimbursement to be applied for the EAGGF	Advance applied for the EAGGF
— Farm development (general) (totals of Annexes V.1.1. to V.1.4)				
— Buildings for tourism and related activities (totals of Annex V.1.5)				
— Environmental management payments (totals of Annex V.1.6)				
Livestock development (totals of Annexes V.2.1 to V.2.5)				
Fish farming (totals of Annexes V.3.1 and V.3.2)				
Infrastructure (totals of Annex V.4)				
Croft housing (totals of Annex V.5)				
Project team (totals of Annex V.6)				
TOTAL				

It is confirmed that:

- (a) the work and expenditure planned are in accordance with the provisions laid down in the programme endorsed by the Commission ;
- (b) the costs shown in columns 2 and 3 correspond to expenditure to be effected during the year for which the advances have been applied for ;
- (c) appropriations to cover the national financial contribution are available and will be paid during the year for which the advances have been applied for ;
- (d) the advances will be placed at the disposal of the agencies and farmers bearing the financial cost of the work during the year for which the advances have been applied for ;
- (e) the beneficiaries referred to above will be informed in an appropriate manner, on payment of aids, of the percentage of the appropriations coming from the Community (an information memorandum on the procedure laid down for this purpose is attached to this application) ;
- (f) where there is public procurement, Community rules relating to the opening of public works and supply contracts mentioned in Council Directives 71/305/EEC and 77/62/EEC have been complied with.

(Date, stamp and signature of the competent authority)

ANNEX V

APPLICATION FOR ADVANCE PAYMENTS IN RESPECT OF 19...
UNDER REGULATION (EEC) No 1402/86⁽¹⁾

ANNEX V.1.1

Farm development : Land improvement

(1) Measure	(2) Number of beneficiaries	(3) Works planned		(4) Estimated total cost of work	(5) Estimated expenditure by the United Kingdom	(6) Estimated eligible expenditure	(7) Reimbursement to be applied for to the EAGGF	(8) Advance applied for to the EAGGF
		Length in metres	Number of hectares					
Reseeding reconditioning, laying pasture		—						
Drainage			—					
Fencing			—					
Bracken control, dune restoration		—						
Dyking and hedging			—					
Shelter belts		—						
TOTAL	—	—	—					

⁽¹⁾ Per island group.

ANNEX V/1.2

Farm development : Farm building works ⁽¹⁾

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement total applied for to the EAGGF	Advance applied for to the EAGGF
Systems for farm waste						
Other works						
TOTAL						
⁽¹⁾ Exclude buildings for tourism, crafts and related activities — see Annex V.1.5.						

ANNEX V/1.3

Farm development : Machinery

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

(1)	(2)	(3)	(4)	(5)	(6)
Island group	Number of beneficiaries	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	First instalment	First instalment	First instalment		
	Second instalment	Second instalment	Second instalment		
TOTAL					

ANNEX V.1.5

Farm development: Buildings for tourism crafts and related activities

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

Farm development: Environmental management payments

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of beneficiaries	Estimated number of hectares concerned	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
Winter keep schemes						
Inby land						
Hill land						
TOTAL						

Livestock development : Beef cattle improvement measure

[illegible]

Livestock development : Sheep development measure

(£)

(1)	(2)		(3)		(4)		(5)		(6)	(7)
Island group	Number of beneficiaries		Number of gimmers		Estimated expenditure by the United Kingdom		Estimated eligible expenditure		Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment	First instalment	Second instalment		
Home-bred gimmers										
Purchased gimmers										
TOTAL										

ANNEX V.2.3

Livestock development : Stock health measure

(£)

(1)	(2)		(3)	(4)	(5)	(6)	(7)
	Number of beneficiaries						
	Old	New					
Island group				Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
Sheep							
Goats							
Deer							
TOTAL							

ANNEX V.2.4

Livestock development : Bull and ram supply

(€)								
(1)	(2)		(3)	(4)	(5)	(6)	(7)	(8)
	Number of beneficiaries							
Island group	Old	New	Number of bulls/rams	Estimated cost of eligible work concerned	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
Bulls								
Rams								
TOTAL								

ANNEX V.2.5

Livestock development : Veterinary scheme

(£)								
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
Island group	Number of visits	Nature of expenditure	Estimated total cost of eligible work concerned	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF	
		</						

ANNEX V.3.1

Fish farming : Fin fish

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Island group	Number of projects by species	Estimated total cost of work	Estimated amount of loans concerned	Estimated interest subsidy to be granted	Estimated capital subsidy to be granted	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL							

ANNEX V.3.2

Fish farming : Shellfish

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Island group	Number of projects by species	Estimated total cost of work	Estimated amount of loans concerned	Estimated interest subsidy to be granted	Estimated capital subsidy to be granted	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL							

ANNEX V.4

Infrastructure : Jetties, slipways and associated facilities

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number of projects	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

ANNEX V.5

Croft housing

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Island group	Number beneficiaries	Estimated total cost of work	Estimated expenditure by the United Kingdom	Estimated eligible expenditure	Reimbursement to be applied for to the EAGGF	Advance applied for to the EAGGF
TOTAL						

Project team

(1) Nature of expenditure	(2) Estimated total cost	(3) Estimated expenditure by the United Kingdom	(4) Estimated eligible expenditure	(5) Reimbursement to be applied for to the EAGGF	(6) Advance applied for to the EAGGF
TOTAL					

ANNEX VI

REPORT CONCERNING THE USE OF THE ADVANCES PAID IN RESPECT OF 19 . .
PURSUANT TO REGULATION (EEC) No 1402/86

(1)	(2)			(3)			(4)			(5)		
	Total cost of operations			Total expenditure by the United Kingdom			Total eligible expenditure			Advances		
	Planned	Outcome	%	Planned	Outcome	%	Planned	Outcome	%	Received	Paid	%
Island group	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
— Farm development (general)												
— Buildings for tourism and related activities												
— Environmental management payments												
Livestock development												
Fish farming												
Infrastructure												
Croft housing												
Project team												
TOTAL												

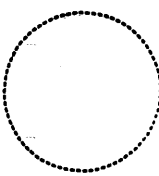
(1) Figures in Annexes IV, V.1.1 to V.6.

(2) During the year for which the advance was granted.

(3) Advances received on the part of the EAGGF.

(4) Advances paid to the beneficiaries bearing the financial cost of the operations.

(5) If the percentage is less than 80 or more than 120, attach an explanation on a separate sheet.



 (Date, stamp and signature of the competent authority)