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## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 1008/89**

of 17 April 1989

**amending Regulation (EEC) No 3828/85 on a specific programme for the development of Portuguese agriculture**

THE COUNCIL 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 253, 258 (2) and 263 (2) thereof and Protocol 24 thereto,

Having regard to the proposal from the Commission,

Whereas the launching aid granted to livestock health protection groups provided for in Article 10 of Regulation (EEC) No 3828/85<sup>(1)</sup>, as last amended by Regulation (EEC) No 2182/88<sup>(2)</sup>, relates solely to cattle, sheep and goat farming;

Whereas, in order to solve the animal health problem continuing in pig farming, the activities of animal-health-protection groups should be extended to pig farming; whereas Articles 9 and 10 of Regulation (EEC) No 3828/85 are to be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3828/85 is hereby amended as follows:

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

Done at Luxembourg, 17 April 1989.

1. Article 9 (a) is replaced by the following:

'(a) specific measures for the development of cattle, sheep and goat farming, together with measures to protect animal health in stockfarming including pig farming;'

2. The second sub-indent of the second indent of Article 10 (1) is replaced by the following:

'— launching aid granted to livestock health protection groups, including those concerned with pig farming, to help cover their operating costs during the first five years after they have been formed, including their initial equipment costs.'

*Article 2*

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

It shall apply with effect from 1 January 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

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

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

## COUNCIL REGULATION (EEC) No 1009/89

of 17 April 1989

opening a Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has undertaken, within the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 4 % for 1 500 tonnes of frozen thin skirt of bovine animals falling within CN code 0206 29 91 ; whereas this quota should therefore be opened for 1989 ;

Whereas there should be a guarantee of equal and continuing access by all interested operators within the Community to the said quota and of uninterrupted application of the rate laid down for that quota, to all imports of the product in question, in all the Member States, up to the limit of the volume of the quota ;

Whereas the detailed rules to implement these provisions should be drawn up in accordance with the procedure laid down in Article 27 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EEC) No 571/89<sup>(2)</sup>,

*Article 1*

1. A Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 shall be opened for 1989.

The total volume of this quota shall be 1 500 tonnes.

2. Under this quota the applicable duty of the Common Customs Tariff shall be fixed at 4 %.

*Article 2*

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular :

- (a) provisions to guarantee the nature of product, where it comes from and its origin ;
- (b) provisions concerning recognition of the document to make it possible to verify the guarantee referred to in (a).

*Article 3*

This Regulation shall enter into force on the second 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 Luxembourg, 17 April 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 61, 4. 3. 1989, p. 43.

## COUNCIL REGULATION (EEC) No 1010/89

of 17 April 1989

amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas Article 21 (1) of Regulation (EEC) No 1035/72<sup>(2)</sup>, as last amended by Regulation (EEC) No 789/89<sup>(3)</sup>, lists the ways in which products withdrawn from the market under Articles 15b and 18 or bought in under Articles 19 and 19a of the said Regulation may be disposed of;

Whereas nectarines were added to the list of products covered by the price and intervention system by Regulation (EEC) No 223/88<sup>(4)</sup>, amending Regulation (EEC) No 1035/72;

Whereas it should be possible for nectarines withdrawn from the market or bought in under Regulation (EEC) No 1035/72 to be disposed of in the same way as peaches by processing into alcohol; whereas, to this end, the first subparagraph of Article 21 (1) (b) of the said Regulation should be amended;

Whereas Article 2 of Regulation (EEC) No 1035/72 provides for the fixing of common quality standards for a number of products marketed within the Community or

exported to third countries; whereas kiwi fruit already accounts for a substantial volume of trade within the Community and with third countries; whereas it is therefore desirable that common quality standards should be laid down for this product; whereas application of the standards should have the effect of keeping products of unsatisfactory quality off the market, guiding production to meet consumers' requirements and facilitating trade relations based on fair competition, thus helping to improve the profitability of production; whereas, to this end, kiwi fruit should be added to the list in Annex I to the said Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1035/72 is amended as follows:

1. In the first subparagraph of Article 21 (1) (b), 'and nectarines' is added after 'peaches';
2. In Annex I, 'kiwi fruit' is added under the heading 'Fruit'.

*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 Luxembourg, 17 April 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

<sup>(1)</sup> Opinion delivered on 14 April 1989 (not yet published in the Official Journal).

<sup>(2)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(3)</sup> OJ No L 85, 30. 3. 1989, p. 3.

<sup>(4)</sup> OJ No L 23, 28. 1. 1988, p. 1.

## COUNCIL REGULATION (EEC) No 1011/89

of 17 April 1989

amending Regulation (EEC) No 3285/83 laying down general rules for the extension of certain rules issued by producers' organizations in the fruit and vegetables sector

THE COUNCIL 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 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 1010/89<sup>(2)</sup>, and in particular Article 15b (10) thereof,

Having regard to the proposal from the Commission,

Whereas Article 3 of Regulation (EEC) No 3285/83<sup>(3)</sup> provides that, during the first three years of application of the system, a producers' organization or an association of producers' organizations is representative if it covers more than 50 % of the producers of the economic area in which it operates and covers more than 50 % of the production in that area; whereas, after this initial period, representation of two-thirds of the producers and two-thirds of production is required;

Whereas it has become apparent that the requirement for a higher degree of representation at the end of the initial three-year period cannot be satisfied by many producers' organizations or associations of producers' organizations operating on the market in a number of products; whereas, however, in view of the positive contribution made by the more dynamic organizations towards regularizing supplies and expanding markets, the degree of representation required hitherto should be maintained for several more marketing years; whereas this measure should obviously be advantageous for organizations or associations if, since the introduction of the system they have increased their degree of representation and, pursuant to the system, certain of their rules have been hitherto extended to non-members;

Whereas, for an equivalent transitional period, the same derogation must be granted in Spain and Portugal in order to encourage the positive action of producers' organizations recognized since accession;

Whereas it should be provided that the rules applied by the organizations or associations which cannot attain a degree of representation of two-thirds of the producers and two-thirds of the production in the economic area in which they operate may not be extended if there is significant opposition on the part of the producers in the area concerned,

*Article 1*

Regulation (EEC) No 3285/83 is hereby amended as follows:

1. Article 3 is replaced by the following:

*Article 3*

1. A producers' organization or association of producers' organizations shall be considered representative within the meaning of Article 15b(1) of Regulation (EEC) No 1035/72 if it covers at least two-thirds of the producers in the economic area in which it operates and at least two-thirds of the production in that area.

2. A producers' organization or association of producers' organizations not satisfying the conditions of paragraph 1 shall, however, be considered representative for the application of this system if, for one or more products, it covers more than 50 % of the producers in the economic area in which it operates and more than 50 % of the production of that area, providing that:

- the rules adopted by the organization or association have been made binding for non-member producers in the economic area from the entry into force of the system provided for in Article 15b of Regulation (EEC) No 1035/72, and
- the organization or association has increased its degree of representation, either by the percentage of producers who are members or by the percentage of production covered in the area concerned since the entry into force of the system provided for in the said Article 15b.

The rules adopted by the organization or association referred to in the first indent above and made binding pursuant to Article 15b of the said Regulation shall be valid for a period which may not, in any circumstances, exceed the end of the marketing year beginning in 1991 for the product or products concerned.

3. A producers' organization or association of producers' organizations constituted in Spain or Portugal shall be considered representative for the purposes of this system, for a period which may not exceed the end of the marketing year beginning in 1991 for the product or products concerned, if it covers more than 50 % of the producers in the economic area in which it operates and more than 50 % of the production of that area.

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

<sup>(2)</sup> See page 3 of this Official Journal.

<sup>(3)</sup> OJ No L 325, 22. 11. 1983, p. 8.

2. Article 4 is replaced by the following:

*Article 4*

In the case of producers' organizations and associations of producers' organizations considered representative pursuant to Article 3 (3), the rules referred to in Article 15b of Regulation (EEC) No 1035/72 may not be binding for non-member producers established in the economic area if, after consultation of all the producers in the area, at least one-third of them have expressed opposition.

*Article 2*

Before 1 October 1991, the Commission shall present a report, together with proposals, as appropriate, enabling the Council to decide whether to maintain, modify or revoke the system for extending the application of the rules concerned.

*Article 3*

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

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

Done at Luxembourg, 17 April 1989.

*For the Council*

*The President*

C. ROMERO HERRERA

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## COMMISSION REGULATION (EEC) No 1012/89

of 19 April 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 18 April 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 20 April 1989.

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

Done at Brussels, 19 April 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. 96.

## ANNEX

to the Commission Regulation of 19 April 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 | 23,43          | 128,12                               |
| 0712 90 19 | 23,43          | 128,12                               |
| 1001 10 10 | 57,12          | 190,07 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 57,12          | 190,07 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 33,89          | 122,36                               |
| 1001 90 99 | 33,89          | 122,36                               |
| 1002 00 00 | 61,56          | 116,82 <sup>(3)</sup>                |
| 1003 00 10 | 52,12          | 119,22                               |
| 1003 00 90 | 52,12          | 119,22                               |
| 1004 00 10 | 43,18          | 85,47                                |
| 1004 00 90 | 43,18          | 85,47                                |
| 1005 10 90 | 23,43          | 128,12 <sup>(3)</sup> <sup>(2)</sup> |
| 1005 90 00 | 23,43          | 128,12 <sup>(3)</sup> <sup>(2)</sup> |
| 1007 00 90 | 46,77          | 136,43 <sup>(4)</sup>                |
| 1008 10 00 | 52,12          | 25,90                                |
| 1008 20 00 | 52,12          | 16,77 <sup>(4)</sup>                 |
| 1008 30 00 | 52,12          | 0,00 <sup>(5)</sup>                  |
| 1008 90 10 | <sup>(7)</sup> | <sup>(7)</sup>                       |
| 1008 90 90 | 52,12          | 0,00                                 |
| 1101 00 00 | 61,97          | 185,83                               |
| 1102 10 00 | 100,71         | 178,08                               |
| 1103 11 10 | 102,11         | 307,42                               |
| 1103 11 90 | 65,30          | 199,07                               |

<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 1013/89

of 19 April 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 18 April 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 20 April 1989.

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

Done at Brussels, 19 April 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 19 April 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>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 |
| 0709 90 60 | 0            | 0               | 0               | 0               |
| 0712 90 19 | 0            | 0               | 0               | 0               |
| 1001 10 10 | 0            | 1,62            | 1,62            | 1,62            |
| 1001 10 90 | 0            | 1,62            | 1,62            | 1,62            |
| 1001 90 91 | 0            | 0               | 0               | 0               |
| 1001 90 99 | 0            | 0               | 0               | 0               |
| 1002 00 00 | 0            | 0               | 0               | 0               |
| 1003 00 10 | 0            | 0               | 0               | 0               |
| 1003 00 90 | 0            | 0               | 0               | 0               |
| 1004 00 10 | 0            | 0               | 0               | 0               |
| 1004 00 90 | 0            | 0               | 0               | 0               |
| 1005 10 90 | 0            | 0               | 0               | 0               |
| 1005 90 00 | 0            | 0               | 0               | 0               |
| 1007 00 90 | 0            | 0               | 0               | 0               |
| 1008 10 00 | 0            | 0               | 0               | 0               |
| 1008 20 00 | 0            | 0               | 0               | 0               |
| 1008 30 00 | 0            | 0               | 0               | 0               |
| 1008 90 90 | 0            | 0               | 0               | 0               |
| 1101 00 00 | 0            | 0               | 0               | 0               |

## B. Malt

| CN code    | (ECU/tonne)  |                 |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|-----------------|
|            | Current<br>4 | 1st period<br>5 | 2nd period<br>6 | 3rd period<br>7 | 4th period<br>8 |
| 1107 10 11 | 0            | 0               | 0               | 0               | 0               |
| 1107 10 19 | 0            | 0               | 0               | 0               | 0               |
| 1107 10 91 | 0            | 0               | 0               | 0               | 0               |
| 1107 10 99 | 0            | 0               | 0               | 0               | 0               |
| 1107 20 00 | 0            | 0               | 0               | 0               | 0               |

**COMMISSION REGULATION (EEC) No 1014/89**  
**of 18 April 1989**

**on arrangements for imports into the Community of certain textile products**  
**(category 90) originating in Poland**

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

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries<sup>(1)</sup>, as last amended by Regulation (EEC) No 718/89<sup>(2)</sup>, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 90) specified in the Annex hereto and originating in Poland have exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, on 9 February 1989 Poland was notified of request for consultations;

Whereas, pending the outcome of the requested consultations, imports into the Community were made subject to a provisional quantitative limitation for the period 9 February to 8 May 1989, by Commission Regulation (EEC) No 438/89<sup>(3)</sup>;

Whereas, in the course of consultations held on 7 March 1989, it was agreed that imports of products falling within category 90 into the Community should be subject to quantitative limits for the period 9 February 1989 to 31 December 1991.

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

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

Poland before the date of entry into force of Regulation (EEC) No 438/89.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

1. Products as referred to in Article 1 shipped from Poland to the Community before the date of entry into force of Regulation (EEC) No 438/89 and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

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

*Article 3*

Regulation (EEC) No 438/89 is hereby repealed.

*Article 4*

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

It shall apply until 31 December 1991.

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

Done at Brussels, 18 April 1989.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 387, 31. 12. 1986, p. 42.

<sup>(2)</sup> OJ No L 79, 22. 3. 1989, p. 6.

<sup>(3)</sup> OJ No L 51, 23. 2. 1989, p. 5.

## ANNEX

| Category | CN code    | Description                                                          | Third country | Units  | Member State | Quantitative limits                 |                               |       |
|----------|------------|----------------------------------------------------------------------|---------------|--------|--------------|-------------------------------------|-------------------------------|-------|
|          |            |                                                                      |               |        |              | from 9 February to 31 December 1989 | from 1 January to 31 December |       |
|          |            |                                                                      |               |        |              |                                     | 1990                          | 1991  |
| 90       | 5607 41 00 | Twine, cordage, ropes and cables of synthetic fibres, plaited or net | Poland        | tonnes | D            | 1 117                               | 1 282                         | 1 309 |
|          | 5607 49 11 |                                                                      |               |        | F            | 166                                 | 223                           | 266   |
|          | 5607 49 19 |                                                                      |               |        | I            | 982                                 | 1 106                         | 1 112 |
|          | 5607 49 90 |                                                                      |               |        | BNL          | 96                                  | 130                           | 155   |
|          | 5607 50 11 |                                                                      |               |        | UK           | 211                                 | 286                           | 341   |
|          | 5607 50 19 |                                                                      |               |        | IRL          | 8                                   | 11                            | 13    |
|          | 5607 50 30 |                                                                      |               |        | DK           | 27                                  | 36                            | 43    |
|          | 5607 50 90 |                                                                      |               |        | GR           | 15                                  | 21                            | 25    |
|          |            |                                                                      |               |        | ES           | 75                                  | 102                           | 122   |
|          |            |                                                                      |               |        | PT           | 15                                  | 21                            | 25    |
|          |            |                                                                      |               |        | EEC          | 2 712                               | 3 218                         | 3 411 |

## COMMISSION REGULATION (EEC) No 1015/89

of 18 April 1989

on arrangements for imports into the Community of certain textile products  
(category 4), originating in Indonesia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries<sup>(1)</sup>, amended by Regulation (EEC) No 718/89<sup>(2)</sup> and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into the Community of certain textile products (category 4) specified in the Annex hereto and originating in Indonesia have exceeded the level referred to in paragraph 2 of the said Article 11;

Whereas in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, on 23 November 1988 Indonesia was notified of a request for consultations; whereas pending a mutually satisfactory solution, importations into the Community of category 4 products have been submitted to provisional limits for the period 23 November 1988 to 22 February 1989 by Commission Regulation (EEC) No 3814/88<sup>(3)</sup>;

Whereas, as a result of consultations held on 31 January and 1 February 1989, it was agreed to submit the textile products in question to Community quantitative limits for the period 23 November to 31 December 1988 and for the years 1988 to 1991;

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

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

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

from Indonesia to the Community before the date of entry into force of Regulation (EEC) No 3814/88;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

1. Products referred to in Article 1 shipped from Indonesia to the Community before the date of entry into force of Regulation (EEC) No 3814/89 and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place during that period.

2. The importation of products referred to in Article 1, shipped from Indonesia to the Community during the period of application of Regulation (EEC) No 3814/88 as well as after the entry into force of the current Regulation shall be subject to the double checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of the products described in Article 1 shipped from Indonesia to the Community on or after 23 December 1988 and released for free circulation shall be deducted from the quantitative limits laid down in the Annex. These quantitative limits shall not, however, prevent the importation of products covered by them but shipped from Indonesia before the date of entry into force of Regulation (EEC) No 3814/88 as well as the period from 23 February 1989 to the date of entry into force of the present Regulation.

*Article 3*

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

It shall apply until 31 December 1991.

<sup>(1)</sup> OJ No L 387, 31. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 79, 22. 3. 1989, p. 6.

<sup>(3)</sup> OJ No L 337, 8. 12. 1988, p. 11.

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

Done at Brussels, 18 April 1989.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

# ANNEX

| Category | CN code                                                                                                                            | Description                                                                                                                                                                        | Third country | Unit                                                               | Member States                                                      | Quantitative limits from 23 November to 31 December 1988 (1)                            |                                                                                         |                                                                                          |
|----------|------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| 4        | 6105 10 00<br>6105 20 10<br>6105 20 90<br>6105 90 10<br><br>6109 10 00<br>6109 90 10<br>6109 90 30<br><br>6110 20 10<br>6110 30 10 | Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undershirts and the like, knitted or crocheted | Indonesia     | 1 000 pieces                                                       | D<br>F<br>I<br>BNL<br>UK<br>IRL<br>DK<br>GR<br>ES<br>PT<br><br>EEC | 365<br>254<br>197<br>405<br>294<br>3<br>20<br>6<br>28<br>6<br><br>1 578                 |                                                                                         |                                                                                          |
|          | Indonesia                                                                                                                          |                                                                                                                                                                                    | 1 000 pieces  | D<br>F<br>I<br>BNL<br>UK<br>IRL<br>DK<br>GR<br>ES<br>PT<br><br>EEC | Quantitative limits from 1 January to 31 December                  |                                                                                         |                                                                                         |                                                                                          |
| 1989 (2) |                                                                                                                                    | 1990                                                                                                                                                                               |               |                                                                    | 1991                                                               |                                                                                         |                                                                                         |                                                                                          |
|          |                                                                                                                                    |                                                                                                                                                                                    |               |                                                                    | D<br>F<br>I<br>BNL<br>UK<br>IRL<br>DK<br>GR<br>ES<br>PT<br><br>EEC | 6 601<br>3 880<br>3 213<br>5 724<br>4 608<br>77<br>591<br>53<br>700<br>53<br><br>25 500 | 6 776<br>4 040<br>3 482<br>5 849<br>4 800<br>92<br>616<br>68<br>729<br>68<br><br>26 520 | 6 952<br>4 230<br>3 715<br>5 956<br>5 023<br>108<br>641<br>85<br>786<br>85<br><br>27 581 |

<sup>(1)</sup> In addition to the quantitative limit established for the period 23 November to 31 December 1988 a maximum quantity of 2 145 000 pieces may be imported into the Community. The breakdown of this quantity between Member States is as follows:

(1 000 pieces)

| EEC   | D   | F   | I   | BNL | UK  | IRL | DK | GR | ES | PT |
|-------|-----|-----|-----|-----|-----|-----|----|----|----|----|
| 2 145 | 497 | 346 | 268 | 551 | 399 | 4   | 28 | 7  | 38 | 7  |

This quantity is deducted from the quantitative limit established for the year 1989.

<sup>(2)</sup> All quantities of category-4 products shipped from Indonesia between 23 November and 31 December 1988 in excess of the Community quantitative limit of 3 723 000 pieces established by Regulation (EEC) No 3814/88 for the period 23 November 1988 to 22 February 1989 must be covered by *a posteriori* export licences issued by the Indonesian authorities and will be deducted from the quantitative limits established for 1989.

**COMMISSION REGULATION (EEC) No 1016/89  
of 19 April 1989**

**re-establishing the levying of customs duties applicable to third countries on  
certain products originating in Yugoslavia**

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

Having regard to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia <sup>(1)</sup>, and in particular Protocol 1 thereto,

Having regard to Council Regulation (EEC) No 4234/88 of 19 December 1988 establishing ceilings and Community surveillance for imports of certain products originating in Yugoslavia (1989) <sup>(2)</sup>, and in particular Article 1 thereof,

Whereas the abovementioned Protocol 1 and Article 15 of the Cooperation Agreement provide that the products listed in Article 1 hereto are imported exempt of customs duty into the Community, subject to the ceiling shown, above which the customs duties applicable to third countries may be re-established;

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that ceiling;

whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION:

*Article 1*

From 23 April to 31 December 1989, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the products listed in the Annex, originating in Yugoslavia.

*Article 2*

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

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

Done at Brussels, 19 April 1989.

*For the Commission*  
Christiane SCRIVENER  
*Member of the Commission*

<sup>(1)</sup> OJ No L 41, 14. 2. 1983, p. 2.

<sup>(2)</sup> OJ No L 372, 31. 12. 1988, p. 15.

## ANNEX

(tonnes)

| Order No | CN code | Description                                                                                                                                                                                                                                                                                                                                                           | Ceiling |
|----------|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 01.0240  | ex 8544 | Insulated (including enamelled or anodized) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors excluding products of CN codes 8544 30 10 and 8544 70 00 | 2 516   |

**COMMISSION REGULATION (EEC) No 1017/89  
of 19 April 1989**

**suspending the application of the monetary compensatory amount for halva**

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 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture <sup>(1)</sup>, as last amended by Regulation (EEC) No 1889/87 <sup>(2)</sup>, and in particular Articles 3 and 12 thereof,

Whereas the wording of Part 8 of Annex I to Commission Regulation (EEC) No 1852/88 <sup>(3)</sup>, as last amended by Regulation (EEC) No 4013/88 <sup>(4)</sup>, mistakenly ruled out the application of monetary compensatory amounts for halva from 1 July 1988;

Whereas Commission Regulation (EEC) No 2198/88 <sup>(5)</sup>, which suspends the monetary compensatory amounts in question, came into force on 24 July 1988 only; whereas Tables 17-2, 17-3 and 18-3 in the appendix to Annex I to Regulation (EEC) No 1852/88 were correct; whereas, in order to protect the confidence of operators and in view of the lack of disturbance in trade in the products in question during the period concerned, the situation brought about by Regulation (EEC) No 1852/88 should be maintained;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

*Article 1*

Application of the monetary compensatory amount for halva covered by CN codes 1704 90 81, 1704 90 99 and 1806 90 50, additional code 7632, in Part 8 of Annex I to Regulation (EEC) No 1852/88 is hereby suspended.

*Article 2*

Regulation (EEC) No 2198/88 is hereby repealed with effect from the date of its entry into force.

*Article 3*

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

Article 1 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, 19 April 1989.

*For the Commission*  
Martin BANGEMANN  
*Vice-President*

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

<sup>(2)</sup> OJ No L 182, 3. 7. 1987, p. 1.

<sup>(3)</sup> OJ No L 167, 1. 7. 1988, p. 1.

<sup>(4)</sup> OJ No L 357, 26. 12. 1988, p. 1.

<sup>(5)</sup> OJ No L 195, 23. 7. 1988, p. 48.

## COMMISSION REGULATION (EEC) No 1018/89

of 19 April 1989

amending Regulation No 282/67/EEC on detailed rules for intervention for oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 2210/88<sup>(2)</sup>, and in particular Article 26 (3) thereof,

Whereas Article 26 (1) of Regulation No 136/66/EEC no longer lays down as a condition for opening intervention buying-in that it be recorded in the conditions laid down by Commission Regulation No 282/67/EEC<sup>(3)</sup>, as last amended by Regulation (EEC) No 3501/88<sup>(4)</sup>, that the market prices are to be less than the buying-in price; whereas Regulation No 282/67/EEC should be adapted accordingly;

Whereas the opportunity should also be taken of including in that Regulation the concept of intervention buying-in price introduced into Article 26 of Regulation No 136/66/EEC;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation No 282/67/EEC is hereby amended as follows:

1. In Article 2, paragraphs 2 to 7 are deleted;
2. In the second subparagraph of Article 6 (2), 'intervention price' is replaced by 'intervention buying-in price';
3. In the first paragraph of Article 7, 'Regulation (EEC) No 1204/72' is replaced by 'Regulation (EEC) No 2681/83 (OJ No L 266, 28. 9. 1983, p. 1)';
4. In the fourth paragraph of Article 7, 'intervention price' is replaced by 'intervention buying-in price'.

*Article 2*

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

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

Done at Brussels, 19 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 1.

<sup>(3)</sup> OJ No 151, 13. 7. 1967, p. 1.

<sup>(4)</sup> OJ No L 306, 11. 11. 1988, p. 38.

## COMMISSION REGULATION (EEC) No 1019/89

of 19 April 1989

amending Regulation (EEC) No 2775/88 laying down detailed rules for the application of Article 5a of Council Regulation (EEC) No 729/70

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 729/70 of 21 April 1970 on the financing of the common agricultural policy<sup>(1)</sup>, as last amended by Regulation (EEC) No 2048/88<sup>(2)</sup>, and in particular Article 5a thereof,

Whereas the reexamination of the existing situation in the Community as far as interest rates are concerned, shows a growing evolution requiring an adjustment of the rate laid down by Commission Regulation (EEC) No 2775/88<sup>(3)</sup>;

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

*Article 1*

Regulation (EEC) No 2775/88 is amended as follows:

1. In Article 1 (1), '6,8 %' is replaced by '7,7 %';
2. In Article 2 (1), '(0,068)' is replaced by '(0,077)';
3. In Article 2 (2), '0,008736' is replaced by '0,009892'.

*Article 2*

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

It shall apply to expenditures financed with effect from the start of the fiscal year 1989.

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

Done at Brussels, 19 April 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(2)</sup> OJ No L 185, 15. 7. 1988, p. 1.

<sup>(3)</sup> OJ No L 249, 8. 9. 1988, p. 8.

## COMMISSION REGULATION (EEC) No 1020/89

of 19 April 1989

fixing for Great Britain the level of the variable slaughter premium for sheep  
and the amounts to be charged on products leaving region 5

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat <sup>(1)</sup>, as last amended by Regulation (EEC) No 1115/88 <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3939/87 <sup>(4)</sup>, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 27 March 1989, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 1310/88 of 11 May 1988 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat <sup>(5)</sup> the weekly amounts of the guide level are set out pursuant to Article 9a (3) of Regulation (EEC) No 1837/80;

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 27

March 1989, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (3) of Regulation (EEC) No 1837/80 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 5, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions following the abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

*Article 1*

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 27 March 1989, the level of the premium is fixed at 63,134 ECU/100 kilograms of estimated or actual dressed carcass weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

*Article 2*

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 27 March 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

*Article 3*

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

It shall apply with effect from 27 March 1989.

<sup>(1)</sup> OJ No L 183, 16. 7. 1980, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 36.

<sup>(3)</sup> OJ No L 154, 9. 6. 1984, p. 27.

<sup>(4)</sup> OJ No L 373, 31. 12. 1987, p. 1.

<sup>(5)</sup> OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 19 April 1989.

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

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## ANNEX

to the Commission Regulation of 19 April 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

| CN code             | Amounts                                                                                      |                                                                                      |
|---------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                     | A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80 | B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 <sup>(1)</sup> |
|                     | Live weight                                                                                  | Live weight                                                                          |
| 0104 10 90          | 29,673                                                                                       | 0                                                                                    |
| 0104 20 90          |                                                                                              | 0                                                                                    |
|                     | Net weight                                                                                   | Net weight                                                                           |
| 0204 10 00          | 63,134                                                                                       | 0                                                                                    |
| 0204 21 00          | 63,134                                                                                       | 0                                                                                    |
| 0204 50 11          |                                                                                              | 0                                                                                    |
| 0204 22 10          | 44,194                                                                                       |                                                                                      |
| 0204 22 30          | 69,447                                                                                       |                                                                                      |
| 0204 22 50          | 82,074                                                                                       |                                                                                      |
| 0204 22 90          | 82,074                                                                                       |                                                                                      |
| 0204 23 00          | 114,904                                                                                      |                                                                                      |
| 0204 30 00          | 47,351                                                                                       |                                                                                      |
| 0204 41 00          | 47,351                                                                                       |                                                                                      |
| 0204 42 10          | 33,146                                                                                       |                                                                                      |
| 0204 42 30          | 52,086                                                                                       |                                                                                      |
| 0204 42 50          | 61,556                                                                                       |                                                                                      |
| 0204 42 90          | 61,556                                                                                       |                                                                                      |
| 0204 43 00          | 86,179                                                                                       |                                                                                      |
| 0204 50 13          |                                                                                              | 0                                                                                    |
| 0204 50 15          |                                                                                              | 0                                                                                    |
| 0204 50 19          |                                                                                              | 0                                                                                    |
| 0204 50 31          |                                                                                              | 0                                                                                    |
| 0204 50 39          |                                                                                              | 0                                                                                    |
| 0204 50 51          |                                                                                              | 0                                                                                    |
| 0204 50 53          |                                                                                              | 0                                                                                    |
| 0204 50 55          |                                                                                              | 0                                                                                    |
| 0204 50 59          |                                                                                              | 0                                                                                    |
| 0204 50 71          |                                                                                              | 0                                                                                    |
| 0204 50 79          |                                                                                              | 0                                                                                    |
| 0210 90 11          | 82,074                                                                                       |                                                                                      |
| 0210 90 19          | 114,904                                                                                      |                                                                                      |
| 1602 90 71 :        |                                                                                              |                                                                                      |
| — unboned (bone-in) | 82,074                                                                                       |                                                                                      |
| — boned or boneless | 114,904                                                                                      |                                                                                      |

<sup>(1)</sup> Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

**COMMISSION REGULATION (EEC) No 1021/89****of 19 April 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 939/89 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 939/89 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 Regulation (EEC) No 939/89 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 20 April 1989.

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

Done at Brussels, 19 April 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 101, 13. 4. 1989, p. 8.

## ANNEX

to the Commission Regulation of 19 April 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 | 30,71 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 910 | 28,34 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 12 90 100 | 30,71 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 910 | 28,34 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 91 00 000 |                      | 0,3339                                                                                |
| 1701 99 10 100 | 33,39                |                                                                                       |
| 1701 99 10 910 | 32,75                |                                                                                       |
| 1701 99 10 950 | 32,75                |                                                                                       |
| 1701 99 90 100 |                      | 0,3339                                                                                |

<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 1022/89****of 19 April 1989****fixing the maximum export refund for white sugar for the 50th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88**

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 first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1035/88 of 18 April 1988 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1035/88, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 50th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 50th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at ECU 35,450 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 20 April 1989.

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

Done at Brussels, 19 April 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 102, 21. 4. 1988, p. 14.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DIRECTIVE

of 28 March 1989

adapting to technical progress Council Directive 76/759/EEC on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers

(89/277/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

The Annexes to Directive 76/759/EEC are hereby amended in accordance with the Annex to this Directive.

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers<sup>(1)</sup>, as last amended by Directive 87/403/EEC<sup>(2)</sup>, and in particular Article 11 thereof,

*Article 2*

1. With effect from 31 March 1989, no Member State may:

- (a) — refuse, in respect of a type of vehicle, to grant EEC type approval, to issue the document referred to in the last indent of Article 10 (1) of Directive 70/156/EEC, or to grant national type approval, or — prohibit the entry into service of vehicles, on grounds relating to the direction indicator lamps if the latter comply with the provisions of this Directive;
- (b) — refuse to grant EEC component type approval or national component type approval in respect of the said direction indicator lamps if they comply with the provisions of this Directive, or — prohibit the placing on the market of direction indicator lamps if the latter bear the EEC component type-approval mark issued in pursuance of the provisions of this Directive.

Having regard to Council Directive 76/759/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers<sup>(3)</sup>, as last amended by Directive 87/354/EEC<sup>(4)</sup>, and in particular Article 10 thereof,

Whereas, in the light of experience and in view of the current state of the art, it is now possible to make certain requirements more complete and better adapted to actual traffic conditions thus improving the safety offered to vehicle occupants and other road users;

2. With effect from 1 October 1991, Member States:

- (a) — shall no longer issue the document referred to in the last indent of Article 10 (1) of Directive 70/156/EEC in respect of a type of vehicle in which the direction indicator lamps do not comply with the provisions of this Directive,

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of Directives on the Removal of Technical Barriers to Trade in the Motor Vehicles Sector;

<sup>(1)</sup> OJ No L 42, 23. 2. 1970, p. 1.

<sup>(2)</sup> OJ No L 220, 8. 8. 1987, p. 44.

<sup>(3)</sup> OJ No L 262, 27. 9. 1976, p. 71.

<sup>(4)</sup> OJ No L 192, 11. 7. 1987, p. 43.

- may refuse to grant national type approval in respect of a type of vehicle in which the said direction indicator lamps do not comply with the provisions of this Directive ;
- (b) — shall no longer grant EEC component type approval in respect of direction indicator lamps if the latter do not comply with the provisions of this Directive,
- may refuse to grant national component type approval in respect of the said direction indicator lamps if they do not comply with the provisions of this Directive.

Nevertheless, this date is postponed to 1 October 1993 in the case of the EEC component type approval of category 5 direction indicator lamps.

3. With effect from 1 October 1995, Member States may prohibit the entry into service of vehicles in which the direction indicator lamps do not comply with the provisions of this Directive, as well as the placing on the market of direction indicator lamps that do not bear the type-approval mark issued in pursuance of the provisions of this Directive.

4. Notwithstanding paragraph (2) (b), Member States shall continue to recognize EEC component type approval granted for direction indicator lamps in pursuance of Directive 76/759/EEC in the case of devices intended to be mounted on vehicles already in circulation, and may also grant EEC component type approval for direction indicator lamps in pursuance of Directive 76/759/EEC provided that such devices are

intended to be used as replacement parts for vehicles in circulation and it is not technically possible for the said devices to comply with the provisions of this Directive.

#### *Article 3*

The provisions of Article 2 shall not apply if they conflict with the provisions of Article 2 (2), (3) and (4) of Commission Directive 89/278/EEC of 28 March 1989, adapting to technical progress Council Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers<sup>(1)</sup>.

#### *Article 4*

Member States shall bring into force the provisions necessary to comply with this Directive not later than 30 September 1989. They shall forthwith inform the Commission thereof.

#### *Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 28 March 1989.

*For the Commission*

Martin BANGEMANN

*Vice-President*

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<sup>(1)</sup> See page 38 of this Official Journal.

## ANNEX

Annex 0 is amended as follows:

Items 1 and 1.1 are replaced by the following items 1 and 1.1 to 1.2.3:

1. DEFINITIONS

1.1. The definitions set out in Directive 76/756/EEC of:

- direction indicator lamp,
- lamp,
- light source with regard to filament lamps,
- independent lamps,
- grouped lamps,
- combined lamps,
- reciprocally incorporated lamps,
- device,
- single-function lamp,
- illuminating surface of a signalling lamp other than a reflex reflector,
- apparent surface,
- light-emitting surface,
- axis of reference,
- centre of reference,
- single lamp,
- two lamps or an even number of lamps

shall apply to this Directive.

1.2. Type of direction indicator lamp

"Type of direction indicator lamp" means lamps that do not differ in such essential respects as:

1.2.1. Make or trade mark.

1.2.2. Characteristics of the optical system (luminous intensity, angle of light distribution, etc.).

1.2.3. Direction indicator category."

The table set out in item 6.1 is replaced by the following:

| Category of direction indicator (1) | Minimum intensity (cd) | Maximum intensity, in cd, when used |                                                                   | Total for the set of two lamps (see Annex III, item 4.3.3) |
|-------------------------------------|------------------------|-------------------------------------|-------------------------------------------------------------------|------------------------------------------------------------|
|                                     |                        | As a single lamp                    | As a single lamp bearing the mark "D" (see Annex III, item 4.3.3) |                                                            |
| 1                                   | 175                    | 700 (2)                             | 490 (2)                                                           | 980 (2)                                                    |
| 1 a                                 | 250                    | 800 (2)                             | 560 (2)                                                           | 1 120 (2)                                                  |
| 1 b                                 | 400                    | 860 (2)                             | 600 (2)                                                           | 1 200 (2)                                                  |
| 2 a                                 | 50                     | 200                                 | 140                                                               | 280                                                        |
| 2 b daytime                         | 175                    | 700 (2)                             | 490 (2)                                                           | 980 (2)                                                    |
| night-time                          | 40                     | 120 (2)                             | 84 (2)                                                            | 168 (2)                                                    |
| 5                                   | 0,6                    | 200                                 | 140                                                               | 280                                                        |

(1) The installation of front direction indicator lamps of different categories on motor vehicles and their trailers is governed by the Directive relating to the installation of lighting and light-signalling devices (Directive 76/756/EEC).

(2) The total value of the maximum intensity of a set of two lamps is obtained by multiplying the value specified for a single lamp by a factor of 1.4.

Where two single-function lamps with the same function, regardless of whether they are identical, are grouped together in a single device such that the projections of the illuminating surface of the single-function lamps on a vertical plane perpendicular to the median longitudinal plane of the vehicle cover not less than 60 % of the smallest rectangle circumscribed by the projections of the said illuminating surfaces, the set is treated as a single lamp for the purposes of installation on a vehicle. In that case, each single-function lamp must comply with the minimum required intensity values, while the two lamps to be used simultaneously must not exceed the permitted maximum intensity values (last column in the table).

In the case of a single lamp with more than one light source:

- the lamp must comply with the minimum required intensity value in the event of failure of one light source, and
- where all the light sources are in operation, the maximum intensity specified for a single-function lamp may be exceeded on condition that it does not bear the mark "D" and the maximum specified intensity for the set of two lamps (last column in the table) is not exceeded.

After item 6.2.1, the following new item 6.2.1.1 is added:

- '6.2.1.1. Contrary to the provisions of 6.2 and 6.2.1, in the case of rearward direction indicators in category 5, a minimum value of 0,6 cd is required in all the fields specified in Annex I.'

Items 6.2.3.1 and 6.2.3.2 are replaced by the following:

- '6.2.3.1. Throughout the fields defined in the diagrams in Annex I, the intensity of the light emitted must be not less than 0,7 cd for devices in category 1 b, not less than 0,3 cd for devices in categories 1, 1 a and 2 a and for those in category 2 b (daytime), and not less than 0,07 cd for devices in category 2 b (night-time).
- 6.2.3.2. For devices in categories 1 and 2 b (night-time), the intensity of the light emitted outside the area bounded by the measurement points  $\pm 10^\circ$  H and  $\pm 10^\circ$  V ( $10^\circ$  field) must not exceed the following values:

| Category of indicator | Maximum values, in cd, outside the $10^\circ$ field |                                                              |                                                            |
|-----------------------|-----------------------------------------------------|--------------------------------------------------------------|------------------------------------------------------------|
|                       | Single lamp                                         | Single lamp bearing the mark "D" (see Annex III, item 4.3.3) | Total for the set of two lamps (see Annex III, item 4.3.3) |
| 2 b night-time        | 100                                                 | 70                                                           | 140                                                        |
| 1                     | 400                                                 | 280                                                          | 560                                                        |

Between the limits of the  $10^\circ$  field ( $\pm 10^\circ$  H and  $\pm 10^\circ$  V) and those of the  $5^\circ$  field ( $\pm 5^\circ$  H and  $\pm 5^\circ$  V), the maximum values shall increase in a linear fashion up to the values defined in 6.1.

- 6.2.3.3. For devices in categories 1 a and 1 b, the intensity of the light emitted outside the area bounded by the measurement points  $\pm 15^\circ$  H and  $\pm 15^\circ$  V ( $15^\circ$  field) must not exceed the following values:

| Category of indicator | Maximum values, in cd, outside the $15^\circ$ field |                                                              |                                                            |
|-----------------------|-----------------------------------------------------|--------------------------------------------------------------|------------------------------------------------------------|
|                       | Single lamp                                         | Single lamp bearing the mark "D" (see Annex III, item 4.3.3) | Total for the set of two lamps (see Annex III, item 4.3.3) |
| 1 a                   | 250                                                 | 175                                                          | 350                                                        |
| 1 b                   | 400                                                 | 280                                                          | 560                                                        |

Between the limits of the  $15^\circ$  field ( $\pm 15^\circ$  H and  $\pm 15^\circ$  V) and those of the  $5^\circ$  field ( $\pm 5^\circ$  H and  $\pm 5^\circ$  V), the maximum permitted values for the light intensity shall increase in a linear fashion up to the values defined in 6.1.'

Item 6.2.3.3 becomes item 6.2.3.4.

Item 6.3 is replaced by the following:

- '6.3. The intensities shall be measured while the filament lamp(s) are continuously alight.'

After item 6.3, the following new item 6.4 is added:

- '6.4. In the case of devices in category 2 b, the delay between the moment the circuit is closed and the light intensity measured on the axis of reference reaches 90 % of the value determined in accordance with 6.3 above must be measured in both daytime and night-time conditions of use. The time measures for night-time conditions of use must not exceed that measured for daytime conditions of use.'

Item 6.4 becomes item 6.5.

After item 7.1, the following new item 7.2 is added:

- '7.2. Nevertheless, in the case of category 2 b indicators for which an additional system (\*) is used with a view to obtaining the intensity required for night-time use, the voltage applied to the system for measuring the night-time intensity must be the same as that applied to the filament lamp for measuring the daytime intensity.'

(\*) The operating and installation conditions for this additional device are laid down by specific provisions.

Item 7.2 is replaced by the following item 7.3:

- '7.3. The vertical and horizontal edges of the illuminating surface of a light-signalling device must be determined and dimensioned with respect to the centre of reference.'

Item 8 is replaced by the following :

'8. Colour of light emitted

The colour of the light emitted must be within the limits of the coordinates laid down in Annex V.'

Annex I is replaced by the following :

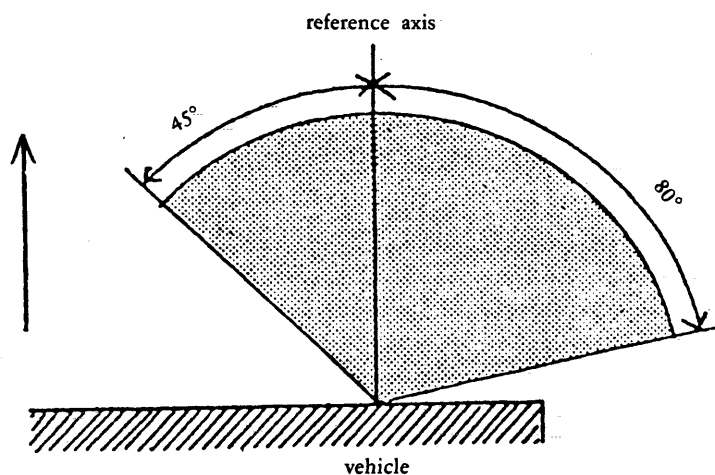
#### *ANNEX I*

#### **CATEGORIES OF DIRECTION INDICATOR LAMPS : MINIMUM ANGLES REQUIRED FOR LIGHT DISTRIBUTION IN SPACE OF DIRECTION INDICATOR LAMPS OF THESE CATEGORIES <sup>(1)</sup>**

In all cases, the minimum vertical angles of light distribution in space of direction indicator lamps are 15° above and 15° below the horizontal.

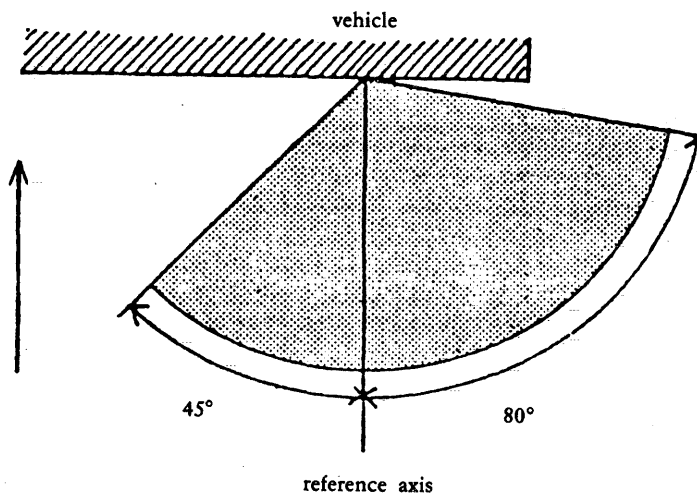
#### **Minimum horizontal angles of light distribution in space :**

*Categories 1, 1 a and 1 b :* Direction indicators for the front of the vehicle.



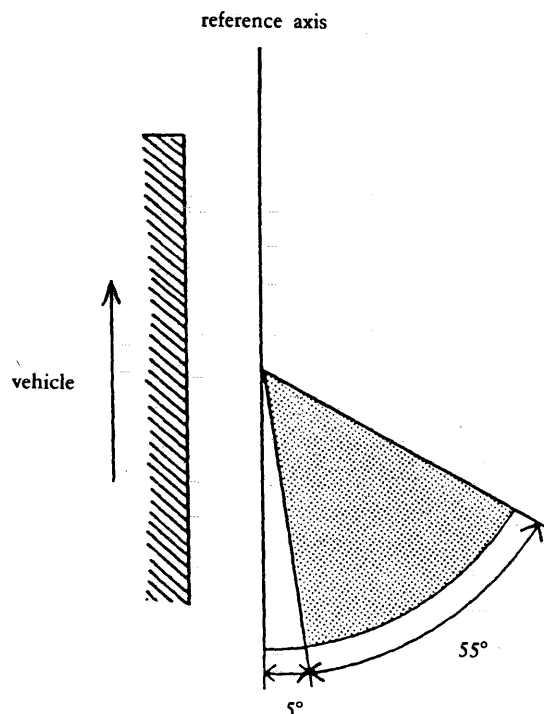
*Category 2 a :* Direction indicators with one level of intensity for the rear of the vehicle.

*Category 2 b :* Direction indicators with two levels of intensity for the rear of the vehicle.



<sup>(1)</sup> The angles shown in these diagrams correspond to devices intended to be mounted on the right-hand side of the vehicle. The arrows in these diagrams point towards the front of the vehicle.

*Category 5*: Side repeater indicators for use on a vehicle that is also equipped with category 1, 1 a or 1 b, and 2 a or 2 b direction indicators.



Annex II is amended as follows:

Item I is replaced by the following:

- '1. Device ("
- in category 1
  - in category 1 a
  - in category 1 b
  - in category 2 a
  - in category 2 b
  - in category 5
- which may/may not (" be used in a two lamp unit.'

After item 1, the following new item 2 is added:

- '2. For indicators in category 2 b, state the system used for obtaining the night-time intensity (main characteristics).....'

Items 2 to 12 are renumbered 3 to 13.

The following new item 14 is added after item 13:

- '14. Component type approval granted for replacement on vehicles in service only: yes/no ("

Items 14 to 18 are renumbered 15 to 19.

Annex III is amended as follows:

Item 1.2.1 is replaced by the following:

- '1.2.1. An indication of which of categories 1, 1 a, 1 b, 2 or 5 the direction indicator belongs to and, if it belongs to category 2, whether it has one level of intensity (category 2 a) or two levels of intensity (category 2 b), and, furthermore, whether the direction indicator may also be used in a set of two lamps of the same category.'

Item 1.2.3 is replaced by the following:

- '1.2.3. Drawings (three copies), in sufficient detail to permit identification of the type and category and showing, geometrically, the position in which the device is to be mounted on the vehicle, the axis of observation to be taken as the axis of reference in the tests (horizontal angle  $H = 0^\circ$ , vertical angle  $V = 0^\circ$ ), the point to be taken as the centre of reference in the said tests, the vertical and horizontal tangents to the illuminating surface and their distance from the centre of reference of the lamp.'

In the case of a category 2 b direction indicator lamp, diagram and a statement of the characteristics of the system providing the two levels of intensity.

The end of item 1.2.4 shall read :

'1.2.4 ...

In the case of a category 2b direction indicator the request must moreover be accompanied by two samples of the parts making up the system providing the two levels of intensity.'

In item 3.2, the following paragraph is added :

'Direction indicators of different categories may bear a single type-approval number where they make up a set.'

In item 3.3, second line, the words 'and other lamps' are replaced by the following : 'grouped, combined or reciprocally incorporated with other lamps,' and 'mark' is replaced by 'number'.

Item 4.2 is replaced by the following :

'4.2. This mark shall consist of a rectangle surrounding the letter "e" followed by the distinguishing number or letters of the Member State which has granted type approval :

- 1 for Germany,
- 2 for France,
- 3 for Italy,
- 4 for the Netherlands,
- 6 for Belgium,
- 9 for Spain,
- 11 for the United Kingdom,
- 13 for Luxembourg,
- 18 for Denmark,
- 21 for Portugal,
- EL for Greece,
- IRL for Ireland.

It must also include the EEC component type-approval number which corresponds to the number of the EEC component type-approval certificate issued for the type of direction indicator lamp in question (see Annex I), preceded by two figures indicating the serial number assigned to the most recent major amendment of Council Directive 76/759/EEC, on the date EEC component type approval was granted. For the present Directive, the serial number is 01.

Item 4.3.1 is replaced by the following :

'4.3.1. One or more of the symbols 1, 1 a, 1 b, 2 a, 2 b or 5 according to whether the device belongs to one or more of the categories 1, 1 a, 1 b, 2 a, 2 b or 5, as referred to in 1.2.1, placed above the rectangle.'

Item 4.3.2, second sentence, is replaced by the following :

'The arrow shall be directed outwards from the vehicle in the case of devices in categories 1, 1 a, 1 b, 2 a and 2 b and towards the front of the vehicle in the case of devices in category 5 (see Appendix 3);'

After item 4.3.2, the following new item 4.3.3 is added : -

'4.3.3. On devices that may be used as a single lamp or as part of a set of two lamps, the additional letter "D" to the right of the symbol in 4.3.1.'

Item 4.6 is replaced by the following :

'4.6. Examples of the EEC component type-approval mark for an independent lamp are shown in Appendix 1.'

Item 4.7 is replaced by the following :

'4.7. Where a single EEC component type-approval number is issued, as under 3.3, for a type of lighting and light-signalling device comprising a direction indicator lamp that is grouped, combined or reciprocally incorporated with other lamps, one EEC component type-approval mark only may be affixed, consisting of :

- a rectangle surrounding the letter "e" followed by the distinguishing number or letters of the Member State which has granted the type approval,
- the EEC component type-approval number and, where necessary, the appropriate arrow.'

After item 4.7, the following new items are added :

- '4.7.1. This EEC component type-approval mark may be placed anywhere on lamps that are grouped, combined or reciprocally incorporated, provided that :
  - 4.7.1.1. it is visible when the lamps have been installed ;
  - 4.7.1.2. no light-transmitting component of the grouped, combined or reciprocally incorporated lamps may be removed without the EEC component type-approval mark being removed at the same time.
- 4.7.2. The identification symbol for each lamp corresponding to each Directive in pursuance of which EEC component type approval was granted, together with the two figures given in point 4.2., final indent, and where necessary, the additional letter "D" must be indicated :
  - 4.7.2.1. either on the appropriate light-emitting surface ;
  - 4.7.2.2. or in a group, such that each of the grouped, combined or reciprocally incorporated lamps may be clearly identified.'

After item 4.8, the following new item 4.9 is added :

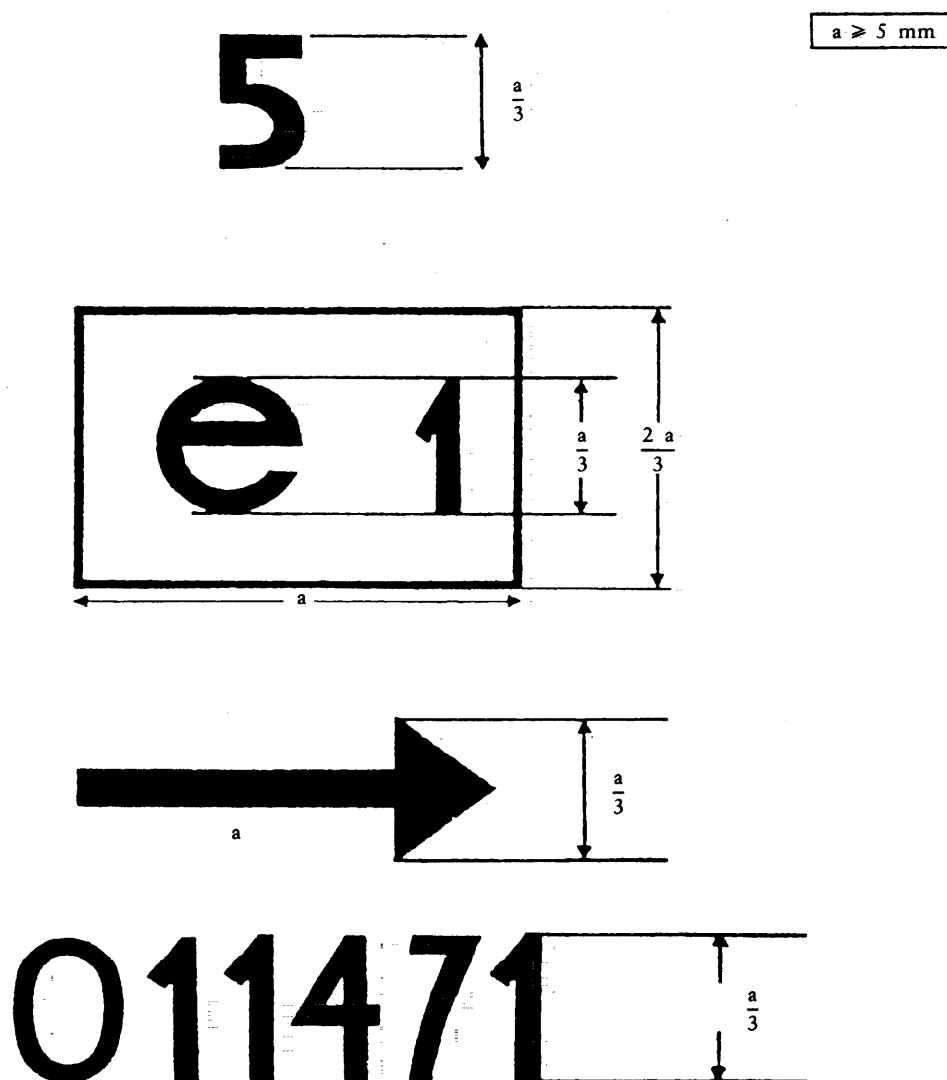
- '4.9. Examples of an EEC component type-approval mark for a lamp that is grouped, combined or reciprocally incorporated with other lamps are shown in Appendix 2.'

The Appendix is replaced by the following Appendices 1, 2 and 3 :

## Appendix 1

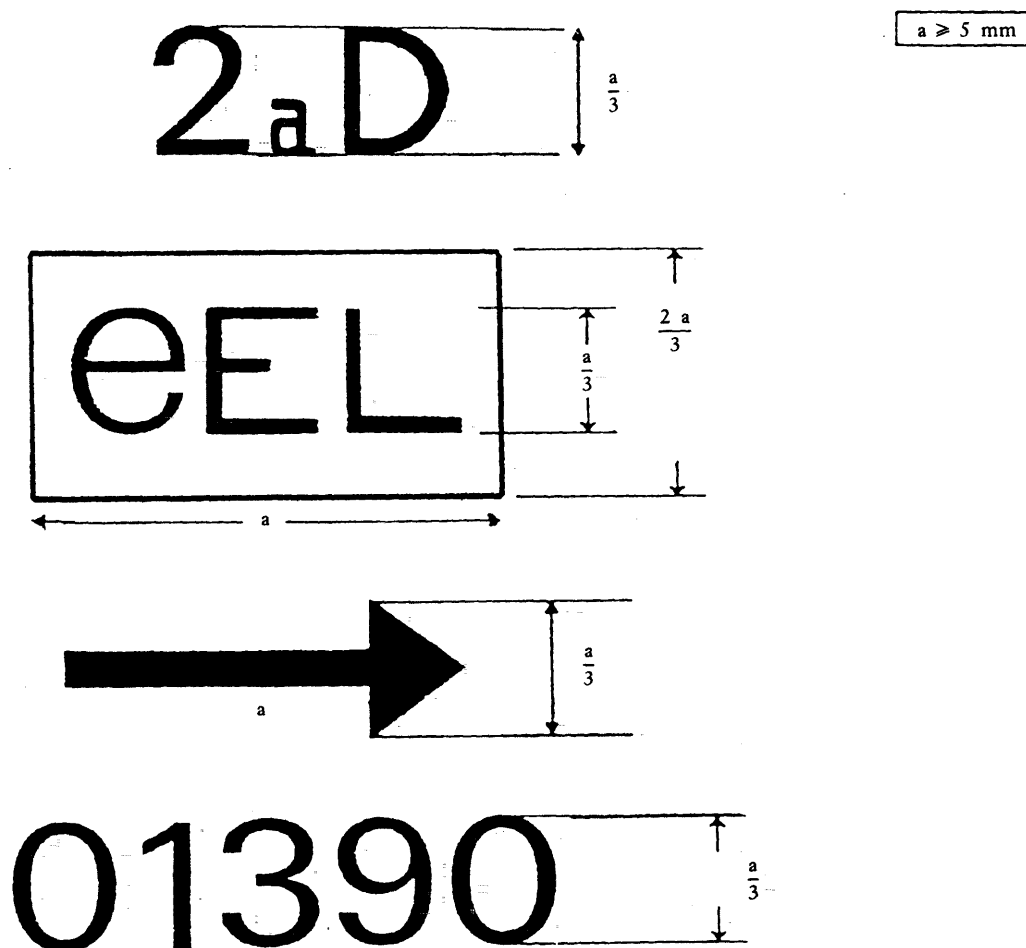
## EXAMPLES OF EEC COMPONENT TYPE-APPROVAL MARKS

Figure 1



The device bearing the EEC component type-approval mark shown above is a direction indicator lamp in category 5, EEC type-approved in Germany (e 1) under the number 011471. The arrow shows in what position this device, which can be mounted only on one side of the vehicle, is to be mounted. The arrow is pointing towards the front of the vehicle.

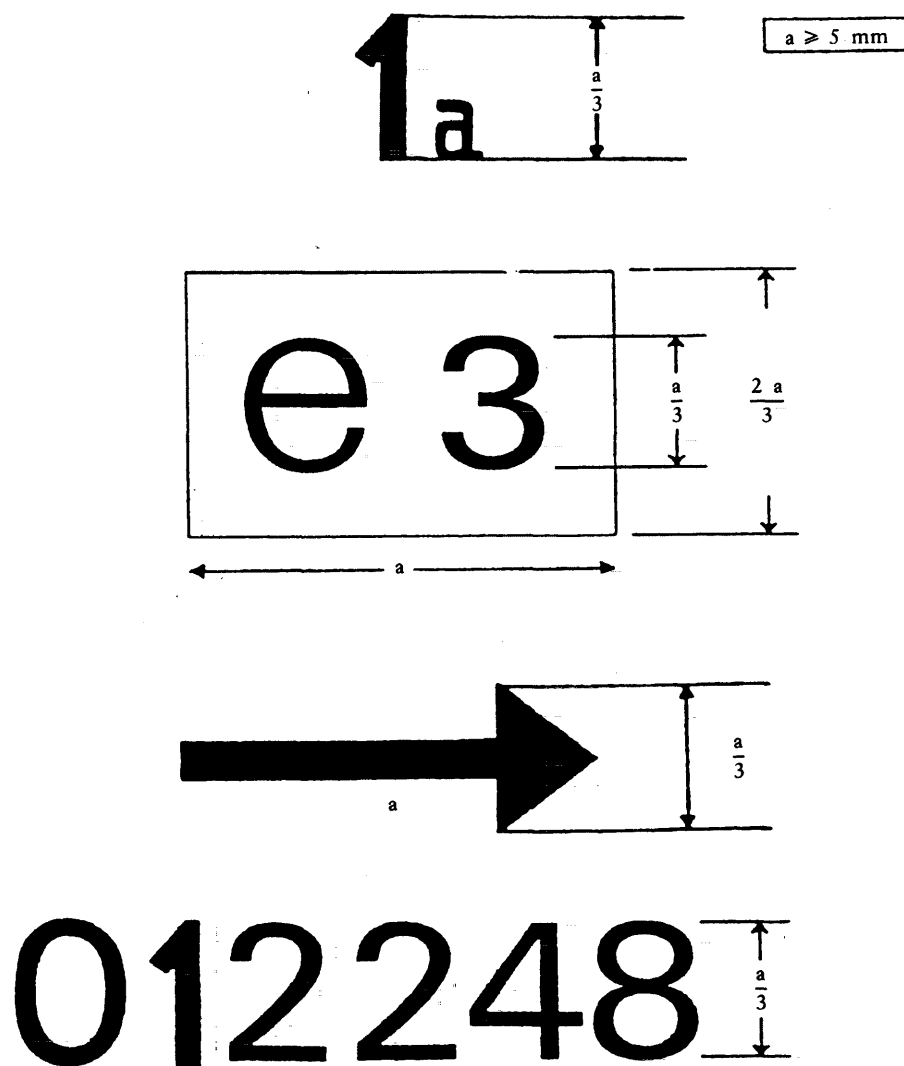
Figure 2



The device bearing the EEC component type-approval mark shown above is a direction indicator lamp in category 2 a, EEC type-approved in Greece (e EL) under the number 01390, which may also be used as part of a set of two lamps (letter 'D').

The arrow is pointing towards the outside of the vehicle.

Figure 3



The device bearing the EEC component type-approval mark shown above is a direction indicator lamp in category 1 a (for use at a distance of between 20 mm and 40 mm from the headlamp), EEC type-approved in Italy (e 3) under the number 012248.

The arrow is pointing towards the outside of the vehicle.

## Appendix 2

Examples of simplified marking for grouped, combined or reciprocally incorporated lamps where two or more lamps form part of the same set

## Model A

|                                                          |          |           |          |
|----------------------------------------------------------|----------|-----------|----------|
| <div> <div>3333</div> <div>e 4</div> <div>→</div> </div> | IA<br>02 | 2 a<br>01 | R<br>01  |
|                                                          | F<br>00  | AR<br>00  | S1<br>01 |

## Model B

|  |                                                          |                       |                     |
|--|----------------------------------------------------------|-----------------------|---------------------|
|  | IA<br>02<br>F<br>00                                      | 2 a<br>01<br>AR<br>00 | R<br>01<br>S1<br>01 |
|  | <div> <div>3333</div> <div>e 4</div> <div>→</div> </div> |                       |                     |

## Model C

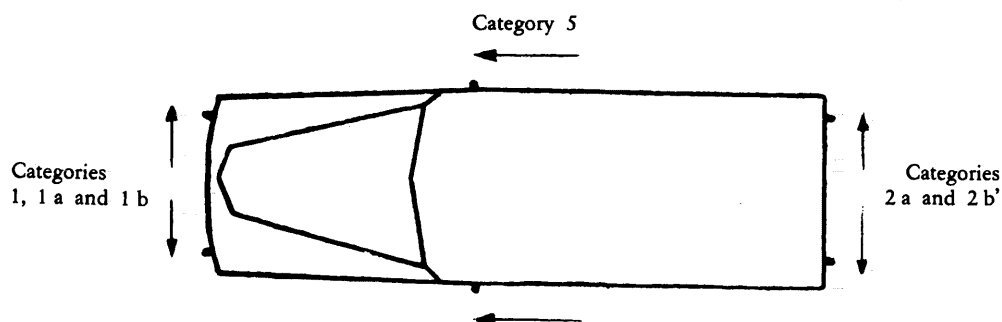
|                                                          |           |          |  |
|----------------------------------------------------------|-----------|----------|--|
| IA<br>02                                                 | 2 a<br>01 | R<br>01  |  |
| F<br>00                                                  | AR<br>00  | S1<br>01 |  |
| <div> <div>3333</div> <div>e 4</div> <div>→</div> </div> |           |          |  |
|                                                          |           |          |  |

*Note:* In the above examples the vertical and horizontal lines depict the general arrangement of a lamp cluster and do not form part of the component type-approval mark. The three examples of EEC component type-approval marks shown above, namely models A, B and C, represent three possible alternatives for marking a lighting device where two or more lamps form part of the same set of grouped, combined or reciprocally incorporated lamps. They show that the device in question was EEC type-approved in the Netherlands (e 4) under the number 3333 and consists of:

- a class I a reflex reflector, EEC type-approved in pursuance of Directive 76/757/EEC;
- a category 2 a rear direction indicator, EEC type-approved in pursuance of the provisions of this Directive;
- a red rear position (side) lamp (R), EEC type-approved in pursuance of Directive 76/758/EEC;
- a rear fog lamp (F), EEC type-approved in pursuance of Directive 77/538/EEC;
- a reversing lamp (AR), EEC type-approved in pursuance of Directive 77/539/EEC;
- a stop lamp (S1), EEC type-approved in pursuance of Directive 76/758/EEC.

#### Appendix 3

Direction in which the arrows on the EEC component type-approval mark point, according to the category of device



Annex IV is amended as follows:

Items 2.2 to 2.2.2 are replaced by the following:

- '2.2. Inside the field of light distribution in space described in section 2, which is diagrammatically represented by a grid, the light distribution should be approximately uniform, i.e. the luminous intensity in each direction of a part of the field bounded by the lines of the grid must reach not less than the lowest minimum percentage value given on the lines of the grid surrounding the direction in question.'

Annex V is amended as follows:

'2854 K' is replaced by '2856 K'.

In the German, Dutch, ... versions, the abbreviation for the International Commission on Illumination must read 'CIE'.

**COMMISSION DIRECTIVE**

of 28 March 1989

**adapting to technical progress Council Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers**

(89/278/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers <sup>(1)</sup>, as last amended by Directive 87/403/EEC <sup>(2)</sup>, and in particular Article 11 thereof,

Having regard to Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor-vehicles and their trailers <sup>(3)</sup>, as last amended by Directive 84/8/EEC <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas, in the light of experience and in view of the current state of the art, certain requirements may now be supplemented and brought more into line with real traffic conditions, while thus improving the safety of vehicle occupants and other road users;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of Directives on the Removal of Technical Barriers to Trade in the Motor Vehicles Sector,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Annex I to Directive 75/756/EEC is hereby amended in accordance with the Annex to this Directive.

*Article 2*

1. With effect from 31 March 1989, no Member State may:

<sup>(1)</sup> OJ No L 42, 23. 2. 1970, p. 1.

<sup>(2)</sup> OJ No L 220, 8. 8. 1987, p. 44.

<sup>(3)</sup> OJ No L 262, 27. 9. 1976, p. 1.

<sup>(4)</sup> OJ No L 9, 12. 1. 1984, p. 24.

— refuse, in respect of a type of vehicle, to grant EEC type-approval, to issue the document referred to in the last indent of Article 10 (1) of Directive 70/156/EEC, or to grant national type-approval or

— prohibit the entry into service of vehicles

on grounds relating to the installation on the vehicles of the lighting and light-signalling devices, whether mandatory or optional, listed in 1.5.9 to 1.5.22 of Annex I to Directive 76/756/EEC, if the installation of the said lighting and light-signalling devices on the type of vehicle or vehicles in question complies with the provisions of this Directive.

2. With effect from 1 October 1989, Member States:

— shall no longer issue the document referred to in the last indent of Article 10 (1) of Directive 70/156/EEC in respect of a type of vehicle if the installation of the said lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3,

— may refuse to grant national type approval in respect of a type of vehicle if the installation of the said lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3.

3. With effect from 1 April 1991 Member States may refuse the national type approval of a type of vehicle and may no longer issue the document provided for in Article 10 (1), final indent, of Directive 70/156/EEC for a type of vehicle if the installation of said lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the provisions relating to the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3, for types of vehicle, the type approval of which is prompted neither by a new design nor by a change in design and/or body shape which could effect the dimensions of those front direction indicator lamps and their position in relation to the front dipped-beam headlamps and fog lamps.

4. With effect from 1 October 1993, Member States may prohibit the entry into service of vehicles if the installation of the lighting and light-signalling devices does not comply with the provisions of this Directive, except in respect of the category 1 a and 1 b front direction indicator lamps described in Annex I to Directive 76/756/EEC, item 4.5.3.

*Article 3*

Member States shall bring into force the provisions necessary to comply with this Directive not later than 30

September 1989. They shall forthwith inform the Commission thereof.

*Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 28 March 1989.

*For the Commission*

Martin BANGEMANN

*Vice-President*

## ANNEX

Annex I to Directive 76/756/EEC is hereby amended as follows :

After item 1.5.5 add new items 1.5.6 and 1.5.7 as follows :

**1.5.6      *Device***

Device means a lighting or light-signalling device comprising at least a light source (and, in certain cases, an optical system), a light-emitting surface and a housing. A device may consist of one or several lamps ; if it consists of several lamps these may be grouped together, combined, or reciprocally incorporated.'

**1.5.7.      *Single-function lamp***

Single-function lamp means a part of a device which performs a single lighting or light-signalling function.'

Item 1.12, the first two lines shall read :

'A single lamp means a single-function lamp or any combination of lamps, whether identical or not, having the same function and emitting light of the same colour, if it comprises devices, ...'

Items 1.5.6 to 1.5.20 are renumbered 1.5.8 to 1.5.22.

Item 4.1.2. shall read :

**4.1.2.      *Number***

2 or 4

Where a vehicle is fitted with four concealable main-beam headlamps the installation of two additional main-beam headlamps shall only be authorized for the purpose of light signalling (as defined in item 3.12.) in daylight.'

The following new item 4.1.10.3. shall be added after item 4.1.10.2 :

**4.1.10.3.**      Where four concealable main-beam headlamps are fitted their raised position must prevent the simultaneous operation of any additional main-beam headlamps fitted, if these are intended to provide light signals (as defined in item 3.12) in daylight.

Item 4.5.1 shall read as follows :

**4.5.1.      *Presence* (see Appendix 4)**

Mandatory. Types of direction indicator lamps fall into categories (1, 1 a, 1 b, 2 a, 2 b and 5) the assembly of which on one vehicle constitutes an arrangement ("A" and "B").

Arrangement "A" shall apply to all motor vehicles.

Arrangement "B" shall apply to trailers only.'

Item 4.5.3 shall read as follows :

**4.5.3.      *Arrangement***

A: two front direction indicator lamps of the following categories :

— 1 or 1 a or 1 b,

if the distance between the edge of the illuminating surface of this lamp and that of the illuminating surface of the dipped-beam headlamp and/or the front fog lamp, if there is one, is at least 40 mm ;

— 1 a or 1 b,

if the distance between the edge of the illuminating surface of this lamp and that of the illuminating surface of the dipped-beam headlamp and/or the front fog lamp, if there is one, is greater than 20 mm and less than 40 mm ;

— 1 b,

if the distance between the edge of the illuminating surface of this lamp and that of the illuminating surface of the dipped-beam headlamp and/or the front fog lamp, if there is one, is less than or equal to 20 mm ;

two rear direction indicator lamps (category 2 a or 2 b) ;

two repeating side direction indicator lamps (category 5).

Where any devices functioning as front direction indicator lamps (category 1, 1 a and 1 b) and any repeating side indicator lamps (category 5) have been installed, two additional repeating side direction indicator lamps (category 5) may be installed to meet the visibility requirements of item 4.5.5.

B: two rear direction indicator lamps (category 2 a or 2 b).'

Items 4.5.4.2.2. and 4.5.4.2.3. shall read as follows :

'4.5.4.2.2. The height of the direction indicator lamps of categories 1, 1 a, 1 b, 2 a and 2 b, measured in accordance with item 3.8., shall not be less than 350 mm or more than 1 500 mm.

4.5.4.2.3. If the structure of the vehicle does not permit these upper limits, measured as specified above, to be respected, they may be increased to 2 300 mm for side direction indicator lamps of category 5 and to 2 100 mm for the direction indicator lamps of categories 1, 1 a, 1 b, 2 a and 2 b.'

Item 4.5.12. shall read as follows :

'4.5.12. *Other requirements*

The light shall be a flashing light flashing  $90 \pm 30$  times per minute.

Operation of the light-signal control shall be followed within not more than one second by the emission of light and within not more than one and one-half seconds by its first extinction. If a motor vehicle is equipped to draw a trailer, the control of the direction indicator lamps on the drawing vehicle shall also operate the indicator lamps of the trailer. In the event of failure, other than a short circuit, of one direction indicator lamp, the others must continue to flash but the frequency under this condition may be different from that specified.'

Items 4.9.4.3. and 4.9.5. shall read as follows :

'4.9.4.3. Length :

No individual specifications.

4.9.5. *Geometric visibility*

Horizontal angle for the two front position (side) lamps :

45° inwards and 80° outwards.

In the case of trailers, the angle inwards may be reduced to 5°.

Vertical angle :

15° above and below the horizontal. The vertical angle below the horizontal may be reduced to 5° in the case of lamps less than 750 mm above the ground.'

Appendix 4 is hereby amended as follows :

*'Appendix 4*

DIRECTION INDICATOR LAMP  
ANGLES OF GEOMETRIC VISIBILITY

