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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1023/89

of 17 April 1989

opening and providing for the administration of a Community tariff quota for
beer made from malt originating in Malta (1989)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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 Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and Malta⁽¹⁾ provides, in an Exchange of Letters annexed to the said Protocol, that beer made from malt falling within CN code 2203 00, originating in Malta, may be imported into the Community free of duty within the limits of an annual Community tariff quota of 5 000 hectolitres; whereas the tariff quota in question should therefore be opened for the period from 1 April to 31 December 1989 amounting, by virtue of the *pro rata temporis* clause included in the said Protocol, to 3 750 hectolitres, for the period in question; whereas in the context of the said quota, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the said Protocol to the Agreement establishing an Association between the European Economic Community and Malta consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾;

Wheres equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to

all imports of the product in question into all the Member States until the quota is exhausted; whereas it is appropriate not to provide for allocation among Member States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the tariff quota is used and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota shares levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 April to 31 December 1989, the customs duty applicable to imports into the Community of beer made from malt originating in Malta shall be suspended at the levels indicated below and within the limits of Community tariff quotas as shown below:

Order No	CN code	Description	Amount of quota (hl)	Quota duty (%)
09.1451	2203 00	Beer made from malt	3 750	Exemption

⁽¹⁾ OJ No L 81, 23. 3. 1989, p. 2.

⁽²⁾ OJ No L 81, 23. 3. 1989, p. 11.

Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and Malta consequent on the accession of Spain and Portugal.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry into free circulation including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, allocation shall be made on a *pro rata* basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 enable imports to be charged without interruption against their shares of the Community quota.
2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such times as the balance of the tariff quota so permits.
3. Member States shall charge imports of the said product against their drawings as and when such product is entered with the customs authorities under cover of declarations of entry into free circulation.
4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

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 April 1989.

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. SOLCHAGA CATALAN

COMMISSION REGULATION (EEC) No 1024/89

of 20 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⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 19 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 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

ANNEX

to the Commission Regulation of 20 April 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	23,43	128,12
0712 90 19	23,43	128,12
1001 10 10	57,12	190,07 ⁽¹⁾ ⁽²⁾
1001 10 90	57,12	190,07 ⁽¹⁾ ⁽²⁾
1001 90 91	33,89	121,27
1001 90 99	33,89	121,27
1002 00 00	61,56	116,82 ⁽⁴⁾
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 ⁽²⁾ ⁽³⁾
1005 90 00	23,43	128,12 ⁽²⁾ ⁽³⁾
1007 00 90	46,77	136,43 ⁽⁴⁾
1008 10 00	52,12	25,90
1008 20 00	52,12	16,77 ⁽⁴⁾
1008 30 00	52,12	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	52,12	0,00
1101 00 00	61,97	184,31
1102 10 00	100,71	178,08
1103 11 10	102,11	307,42
1103 11 90	65,30	197,42

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1025/89

of 20 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 ⁽¹⁾, as last amended by Regulation (EEC) No 166/89 ⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 19 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 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 20 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 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	4,41	4,41	4,41
1001 10 90	0	4,41	4,41	4,41
1001 90 91	0	0	0	4,14
1001 90 99	0	0	0	4,14
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	5,79

B. Malt

CN code	(ECU/tonne)				
	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
1107 10 11	0	0	0	7,37	7,37
1107 10 19	0	0	0	5,51	5,51
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 1026/89

of 20 April 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

Whereas by Regulation (EEC) No 3131/78 ⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender ⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 17 and 18 April 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 21 April 1989.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 20 April 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

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

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

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

⁽²⁾ For imports of oil falling within this CN code :

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

⁽³⁾ For imports of oil falling within this CN code :

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

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

COMMISSION REGULATION (EEC) No 1027/89

of 19 April 1989

opening an invitation to tender for the sale of olive oil held by the Spanish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78⁽³⁾, provides that olive oil held by the intervention agencies shall be put up for sale by tender;

Whereas, pursuant to Article 1 (2) of Commission Regulation (EEC) No 629/86⁽⁴⁾, the Spanish intervention agency holds in stock large quantities of olive oil;

Whereas Commission Regulation (EEC) No 2960/77⁽⁵⁾, as last amended by Regulation (EEC) No 3818/85⁽⁶⁾, laid down the conditions for the sale by tender on the Community market and for export of olive oil; whereas the state of the market in olive oil is at present favourable for the sale of part of the said oil;

Whereas in the present situation of the market in lampante virgin olive oils where supply is low compared with demand and in order to provide the greatest possible number of operators with a minimum supply for their immediate needs, it should be stipulated that each operator may only submit tenders for a maximum quantity; whereas in order to avoid any misuse of this provision and therefore prevent a limited number of operators from monopolizing the quantities put up for sale, it should be stipulated that only recognized operators may submit tenders in response to this invitation;

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

The Spanish intervention agency 'Servicio Nacional de Productos Agrarios', hereinafter referred to as 'Senpa', shall open an invitation to tender in accordance with the

provisions of this Regulation and of Regulation (EEC) No 2960/77 for the sale on the Community market of approximately 12 500 tonnes of lampant virgin olive oil.

By way of derogation from Article 5 (2) of Regulation (EEC) No 2960/77, Senpa shall, where the quantity of oil in a container exceeds 500 tonnes, be authorized to establish several lots with part only of that oil.

Article 2

The invitation to tender shall be published on 28 April 1989.

Particulars of the lots of oil offered for sale and of the places where they are stored shall be displayed at the central office of Senpa, calle Beneficencia, 8, Madrid 28004, Spain.

A copy of the invitation to tender shall be sent without delay to the Commission.

Article 3

The tenders must reach Senpa, calle Beneficencia, 8, Madrid 28004, Spain, not later than 2 p.m. (local time) on 11 May 1989. Tenders shall be admissible only if submitted by a natural or legal person who exercises an activity in the olive oil sector and is registered as at 31 December 1988 in a public register of a Member State.

Furthermore, no tenderer may submit a tender for a quantity in excess of 1 500 tonnes.

Article 4

1. Tenders shall be submitted for an oil of 3° acidity.
2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to be paid shall be equal to the price tendered, increased or reduced in accordance with the scale below:
 - up to 3° acidity:
 - increase of Pta 49,35 for each tenth of a degree of acidity below 3°;
 - above 3° up to 8° acidity:
 - reduction of Pta 49,35 for each tenth of a degree of acidity above 3°;
 - above 8°:
 - additional reduction of Pta 53,98 for each tenth of a degree above 8°.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 60, 1. 3. 1986, p. 8.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 20.

Article 5

Not later than one day after the expiry of the time limit laid down for the submission of tenders, Senpa shall send the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 6

The minimum selling price per 100 kilograms of oil shall be fixed, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, on the basis of the tenders received, not later than the 10th working day after the expiry of each final date laid down for the submission of tenders. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

Article 7

The olive oil shall be sold by Senpa not later than the fifth working day after the date of notification of the decision referred to in Article 6.

Senpa shall supply the agencies responsible for storage with a list of the lots remaining unsold.

Article 8

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be Pta 3 000 per 100 kilograms.

Article 9

The storage charge referred to in Article 15 of Regulation (EEC) No 2960/77 shall be Pta 400 per 100 kilograms.

Article 10

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

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

Done at Brussels, 19 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1028/89

of 19 April 1989

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export, amending Regulation (EEC) No 569/88 and repealing Regulation (EEC) No 148/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 1809/87⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold substantial stocks of bone-in intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question; whereas it is appropriate therefore to offer this meat for sale in accordance with Regulation (EEC) No 2539/84;

Whereas forequarters and hindquarters from intervention stocks may in certain cases have been handled a number of times; whereas, in order to help with the presentation and marketing of such meat, its repackaging should be authorized, subject to the observance of precise conditions;

Whereas it is necessary to lay down a time-limit for export of the said meat; whereas this time-limit should be fixed by taking into account Article (5) (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁵⁾, as last amended by Regulation (EEC) No 3182/88⁽⁶⁾;

Whereas in order to ensure that beef sold is exported the lodging of security, as specified at (a) of Article 5 (2) of Regulation (EEC) No 2539/84, should be required;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 569/88⁽⁷⁾, as last amended by Regulation (EEC) No 486/89⁽⁸⁾; whereas, however, the Annex of the said Regulation setting out the entries to be made should be expanded;

Whereas Commission Regulation (EEC) No 148/89⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Part of the stocks of bone-in intervention beef held by certain intervention agencies shall be sold.

This meat shall be for export.

Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulation (EEC) No 2539/84.

The provisions of Commission Regulation (EEC) No 985/81⁽¹⁰⁾ shall not apply to this sale. However, the competent authorities may allow bone-in forequarters and hindquarters the packaging material of which is torn or soiled, to be placed in new packaging of the same type under their supervision before presentation for consignment at the customs office of departure.

2. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁸⁾ OJ No L 57, 28. 2. 1989, p. 5.

⁽⁹⁾ OJ No L 17, 21. 1. 1989, p. 33.

⁽¹⁰⁾ OJ No L 99, 10. 4. 1981, p. 38.

3. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 24 April 1989.

4. Particulars of the qualities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The products referred to in Article 1 must be exported within five months from the date of conclusion of the contract of sale.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 160 per 100 kilograms.

Article 4

In part I of the Annex to Regulation (EEC) No 569/88, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

'41. Commission Regulation (EEC) No 1028/89 of 19 April 1989 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of bone-in beef held by certain intervention agencies and intended for export⁽¹⁾.'

⁽¹⁾ OJ No L 110, 21. 4. 1989, p. 12.

Article 5

Regulation (EEC) No 148/89 is hereby repealed.

Article 6

This Regulation shall enter into force on 24 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

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I —
ALLEGATO I — BIJLAGE I — ANEXO I

- Categoría A: Canales de animales jóvenes sin castrar de menos de dos años,
Categoría C: Canales de animales machos castrados.
Kategori A: Slagtekroppe af unge ikke kastrerede handyr på under to år,
Kategori C: Slagtekroppe af kastrerede handyr.
Kategorie A: Schlachtkörper von jungen männlichen nichtkastrierten Tieren von weniger als 2 Jahren,
Kategorie C: Schlachtkörper von männlichen kastrierten Tieren.
Κατηγορία Α: Σφάγια νεαρών μη συνουχισμένων αρρένων ζώων κάτω των 2 ετών,
Κατηγορία C: Σφάγια συνουχισμένων αρρένων ζώων.
Category A: Carcasses of uncastrated young male animals of less than two years of age,
Category C: Carcasses of castrated male animals.
Catégorie A: Carcasses de jeunes animaux mâles non castrés de moins de 2 ans,
Catégorie C: Carcasses d'animaux mâles castrés.
Categoria A: Carcasse di giovani animali maschi non castrati di età inferiore a 2 anni,
Categoria C: Carcasse di animali maschi castrati.
Categorie A: Geslachte niet-gecastreerde jonge mannelijke dieren van minder dan 2 jaar oud,
Categorie C: Geslachte gecastreerde mannelijke dieren.
Categoria A: Carcaças de jovens animais machos não castrados de menos de dois anos,
Categoria C: Carcaças de animais machos castrados.

Precio mínimo expresado en ecus por 100 kg ⁽¹⁾ — Mindestpreise in ECU/100 kg ⁽¹⁾ — Mindestpreise,
ausgedrückt in ECU/100 kg ⁽¹⁾ — Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu ανά 100 kg ⁽¹⁾ —
Minimum prices expressed in ecus per 100 kg ⁽¹⁾ — Prix minimaux exprimés en écus par 100 kg ⁽¹⁾ —
Prezzi minimi espressi in ECU per 100 kg ⁽¹⁾ — Minimumprijzen uitgedrukt in ecu per 100 kg ⁽¹⁾ —
Preço mínimo expresso em ECU por 100 kg ⁽¹⁾

BELGIQUE/BELGIË

- Quartiers avant, découpe droite à 8 côtes, provenant des :
— Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :
Catégorie A, classes U, R et O / Catégorie A, klassen U, R en O / Catégorie C, classes R
et O / Catégorie C, klassen R en O 115,00
— Quartiers arrière, découpe droite à 5 côtes, provenant des :
— Achtervoeten, recht afgesneden op 5 ribben, afkomstig van :
Catégorie A, classes U, R et O / Catégorie A, klassen U, R en O / Catégorie C, classes R
et O / Catégorie C, klassen R en O 190,00
— Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des :
— Achtervoeten, afgesneden op 8 ribben (pistola), afkomstig van :
Catégorie A, classes U, R et O / Catégorie A, klassen U, R en O / Catégorie C, classes R
et O / Catégorie C, klassen R en O 190,00

⁽¹⁾ En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención poseedor, estos precios se ajustarán con arreglo a lo dispuesto en el Reglamento (CEE) n° 1805/77.

⁽²⁾ Såfremt produkterne er oplagrede uden for den medlemsstat, hvor det interventionsorgan, der ligger inde med produkterne, er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽³⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽⁴⁾ Στην περίπτωση που τα προϊόντα αποθηκευτούν εκτός του κράτους μέλους στο οποίο υπάρχει ο οργανισμός παρεμβάσεως που τα κατέχει, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

⁽⁵⁾ Where the products are stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with Regulation (EEC) No 1805/77.

⁽⁶⁾ Au cas où les produits sont stockés en dehors de l'Etat membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽⁷⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo d'intervento detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽⁸⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽⁹⁾ No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.

DANMARK

- *Forfjerdinger, udskåret med 5 ribben, idet slag og bryst bliver siddende på forfjerdinger, af:*
Kategori A, klasse R og O / Kategori C, klasse R og O 115,00
- *Bagfjerdinger, udskåret med 8 ribben, såkaldte »pistoler«, af:*
Kategori A, klasse R og O / Kategori C, klasse R og O 190,00
- *Forfjerdinger, lige udskåret med 8 ribben, af:*
Kategori A, klasse R og O, Kategori C, klasse R og O 115,00
- *Bagfjerdinger, lige udskåret med 5 ribben af:*
Kategori A, klasse R og O / Kategori C, klasse R og O 190,00

BUNDESREPUBLIK DEUTSCHLAND

- *Vorderviertel, auf 8 Rippen geschnitten, stammend von:*
Kategorie A, Klassen U und R / Kategorie C, Klassen U und R 115,00
- *Hinterviertel, auf 5 Rippen geschnitten, stammend von:*
Kategorie A, Klassen U und R / Kategorie C, Klassen U und R 190,00
- *Vorderviertel, auf 5 Rippen geschnitten, mit Dünung am Vorderviertel eingeschlossen, stammend von:*
Kategorie A, Klassen U und R / Kategorie C, Klassen U und R 115,00
- *Hinterviertel, auf 8 Rippen geschnitten (Pistola), ohne Dünung, stammend von:*
Kategorie A, Klassen U und R / Kategorie C, Klassen U und R 190,00

ESPAÑA

- *Cuartos traseros, corte recto a 5 costillas, provenientes de:*
Categoría A, clases U, R y O 190,00
- *Cuartos traseros, corte « pistola » a 8 costillas, provenientes de:*
Categoría A, clases U, R y O 190,00
- *Cuartos delanteros, corte recto a 8 costillas, provenientes de:*
Categoría A, clases U, R y O 115,00
- *Cuartos delanteros, corte recto a 5 costillas, incluida la falda, provenientes de:*
Categoría A, clases U, R y O 115,00

FRANCE

- *Quartiers avant, découpe à 5 côtes, caparaçons faisant partie du quartier avant, provenant des:*
Catégorie A, classes U, R et O / Catégorie C, classes U, R et O 115,00
- *Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des:*
Catégorie A, classes U, R et O / Catégorie C, classes U, R et O 190,00
- *Quartiers avant, découpe droite à 10 côtes, provenant des:*
Catégorie A, classes U, R et O 115,00
- *Quartiers arrière, découpe à 3 côtes, provenant des:*
Catégorie A, classes U, R et O / Catégorie C, classes U, R et O 190,00

IRELAND

- *Forequarters, straight cut at 10th rib, from:*
Category C, classes U, R and O 115,00
- *Hindquarters, straight cut at third rib, from:*
Category C, classes U, R and O 190,00
- *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:*
Category C, classes U, R and O 115,00
- *Hindquarters, 'pistola' cut at eighth rib, from:*
Category C, classes U, R and O 190,00

ITALIA

- *Quarti anteriori, taglio a 5 costole, il pancettone fa parte del quarto anteriore, provenienti da:*
Categoria A, classi U, R e O 115,00
- *Quarti posteriori, taglio a 8 costole, detto pistola, provenienti da:*
Categoria A, classi U, R e O 190,00
- *Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti da:*
Categoria A, classi U, R e O 115,00
- *Quarti posteriori, taglio a 5 costole, detto pistola, provenienti da:*
Categoria A, classi U, R e O 190,00

NEDERLAND

- *Voorvoeten, afgesneden op 5 ribben, waarbij de flank, de platte ribben en de naborst aan de voorvoet vastzitten, afkomstig van:*
Categorie A, klasse R 115,00
- *Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:*
Categorie A, klasse R 115,00
- *Achtersvoeten, recht afgesneden op 5 ribben, afkomstig van:*
Categorie A, klasse R 190,00

UNITED KINGDOM

A. Great Britain

- *Forequarters, straight cut at 10th rib, from:*
Category C, classes U and R 115,00
- *Hindquarters, straight cut at third rib, from:*
Category C, classes U and R 190,00
- *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:*
Category C, classes U and R 115,00
- *Hindquarters, 'pistola' cut at eighth rib, from:*
Category C, classes U and R 190,00

B. Northern Ireland

- *Forequarters, straight cut at 10th rib, from:*
Category C, classes U, R and O 115,00
- *Hindquarters, straight cut at third rib, from:*
Category C, classes U, R and O 190,00
- *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:*
Category C, classes U, R and O 115,00
- *Hindquarters, 'pistola' cut at eighth rib, from:*
Category C, classes U, R and O 190,00

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção

- BELGIQUE/BELGIË :** Office belge de l'économie et Belgische Dienst voor Bedrijfs-
de l'agriculture leven en Landbouw
rue de Trèves 82 Trierstraat 82
1040 Bruxelles 1040 Brussel
Tél. 02 / 230 17 40, télex 24076 OBEA BRU B, 65567 OBEA BRU B, telefax
02 / 230 25 33
- BUNDESREPUBLIK
DEUTSCHLAND** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Referat 313 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 11) 55 04 61 / 55 05 41, Telex 411 156 / 411 727
Tel. 0 69 / 15 64 (0) 7 04 / 7 05, Telefax 069-1 564 651, Teletext 6 990 732
- DANMARK :** Direktoratet for Markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
tlf. (01) 15 41 30, telex 15137 DK, telefax 01 926 948
- ESPAÑA :** SENPA (Servicio Nacional de Productos Agrarios)
Calle Beneficencia 8
28004 Madrid
Teléfonos : 2 22 29 61, 2 22 91 20, 2 21 65 30.
- FRANCE :** OFIVAL
Tour Montparnasse
33, avenue du Maine
75755 Paris Cedex 15
Tél. 45 38 84 00, Téléc 26 06 43
- IRELAND :** Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118
- ITALIA :** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
via Palestro 81
I-00185 Roma
Tel. 47 49 91
Telex 61 30 03
- NEDERLAND :** Ministerie van Landbouw en Visserij
Voedselvoorzienings- en verkoopbureau (VIB)
Burg. Kessenplein 3
Postbus 960
6430 AZ Hoensbroek
Tel. 045 / 23 83 83, telefax 045 / 22 27 35, telex 56396
- UNITED KINGDOM :** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 1029/89
of 20 April 1989

laying down to what extent applications for issue of export licences submitted during April 1989 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country⁽¹⁾, and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EEC) No 571/89⁽³⁾,

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁴⁾, as last amended by Regulation (EEC) No 3182/88⁽⁵⁾, lays down, in Articles 14 and 15, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79⁽⁶⁾, as last amended by Regulation (EEC) No 3434/87⁽⁷⁾; whereas Article 15 (6) (c) of Regulation (EEC) No 2377/80 requires the Commission, where the quantities in respect of which licences are applied for exceed the quantities available, to reduce the quantities requested by a fixed percentage;

Whereas Commission Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the second quarter of 1989;

Whereas the quantities for which licence applications have been lodged for the second quarter of 1989 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the second quarter of 1989 shall be met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Articles 14 and 15 of Regulation (EEC) No 2377/80 during the first 10 days of the third quarter of 1989, the total quantity available being 2 500 tonnes.

Article 3

This Regulation shall enter into force on 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.
⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.
⁽³⁾ OJ No L 61, 4. 3. 1989, p. 43.
⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.
⁽⁵⁾ OJ No L 283, 18. 10. 1988, p. 13.
⁽⁶⁾ OJ No L 336, 29. 12. 1979, p. 44.
⁽⁷⁾ OJ No L 327, 18. 11. 1987, p. 7.

COMMISSION REGULATION (EEC) No 1030/89

of 20 April 1989

on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

Having regard to Council Regulation (EEC) No 4075/88 of 19 December 1988 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 4148/88 of 23 December 1988 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 4075/88 and (EEC) No 4077/88 in the beef and veal sector⁽²⁾ provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 4148/88 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1989 at 10 000 tonnes;

Whereas Article 15 (6) (d) of Regulation (EEC) No 2377/80 lays down that the quantities applied for may be reduced; whereas the applications lodged relate to total quantities which exceed the quantities available; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of the second quarter of 1989 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 4148/88 are hereby met to the extent of 3,2146 % of the quantity requested.

Article 2

This Regulation shall enter into force on 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 359, 28. 12. 1988, p. 4.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 42.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

**COMMISSION REGULATION (EEC) No 1031/89
of 20 April 1989**

**on the sale at prices fixed at a standard rate in advance of certain beef from
intervention stocks for processing in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created large stocks in certain Member States;

Whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas such sales should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79⁽³⁾, as amended by Regulation (EEC) No 1809/87⁽⁴⁾, should also be governed by the rules laid down by Commission Regulation (EEC) No 569/88⁽⁵⁾, as last amended by Regulation (EEC) No 1028/89⁽⁶⁾, and by those laid down by Commission Regulation (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EEC) No 3988/87⁽⁸⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas it seems appropriate to waive the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, taking into account the administrative difficulties which the application of this rule raises in certain Member States;

Whereas Commission Regulation (EEC) No 469/89⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

(a) bone-in forequarters:

- 500 tonnes held by the Spanish intervention agency and bought in before 1 August 1988,
- 2 000 tonnes held by the German intervention agency and bought in before 1 July 1988,
- 500 tonnes held by the Irish intervention agency and bought in before 1 September 1988,
- 1 000 tonnes held by the the Italian intervention agency and bought in before 1 September 1987,
- 1 500 tonnes held by the Dutch intervention agency and bought in before 1 July 1988,
- 500 tonnes held by the Belgian intervention agency and bought in before 1 September 1988,
- 1 000 tonnes held by the French intervention agency and bought in before 1 July 1988,
- 160 tonnes held by the Danish intervention agency and bought in before 1 September 1988,

(b) boned beef:

- 1 500 tonnes held by the French intervention agency and bought in before 1 August 1988;
- 1 450 tonnes held by the United Kingdom intervention agency and bought in before 1 September 1988,
- 1 000 tonnes held by the Irish intervention agency and bought in before 1 August 1988,
- 500 tonnes held by the Italian intervention agency and bought in before 1 January 1988,
- 1 000 tonnes held by the Danish intervention agency and bought in before 1 August 1988.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The prices, quality and quantities of this meat are set out in Annex I hereto.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁶⁾ See page 12 of this Official Journal.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁹⁾ OJ No L 53, 25. 2. 1989, p. 18.

4. The sales shall be conducted in accordance with Regulation (EEC) No 2173/79 together with Regulations (EEC) No 569/88, (EEC) No 2182/77 and this Regulation.

5. Notwithstanding the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, purchase applications shall not name the coldstore or stores where the products applied for are stored.

6. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the addresses listed in Annex II hereto.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, applications to purchase :

(a) shall be valid only if presented by a natural or legal person who for at least 12 months has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;

(b) must be accompanied by :

— a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,

— a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

The security provided for in Article 4 (1) of Regulation (EEC) No 2182/77 shall be :

— 100 ECU per 100 kilograms for unboned forequarters,
— 140 ECU per 100 kilograms for boned meat.

Article 4

Regulation (EEC) No 469/89 is hereby repealed.

Article 5

This Regulation shall enter into force on 26 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio de venta (ecus/100 kg) ⁽¹⁾ Salgspris (ECU/100 kg) ⁽¹⁾ Verkaufspreise (ECU/100 kg) ⁽¹⁾ Τιμές πώλησεως (Ecu/100 kg) ⁽¹⁾ Selling prices (ECU/100 kg) ⁽¹⁾ Prix de vente (écus/100 kg) ⁽¹⁾ Prezzi di vendita (ECU/100 kg) ⁽¹⁾ Verkoopprijzen (ecu/100 kg) ⁽¹⁾ Preço de venda (ECU/100 kg) ⁽¹⁾
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a) Carne sin deshuesar — Ikke-udbenet kød — Fleisch mit Knochen — Κρέας μη αποσπώμενο — Bone-in beef — Viande avec os — Carni con osso — Vlees met been — Carne com osso

Bundesrepublik Deutschland	— <i>Vorderviertel</i> , stammend von : Kategorien A/C, Klassen U, R, O	2 000	155
Belgique/België	— <i>Quartiers avant</i> , provenant de : <i>Voorvoeten</i> , afkomstig van : Cat. A Classe/Klasse U, R, O	500	155
Ireland	— <i>Forequarters</i> , from : Category C, class U, R, O	500	155
Italia	— <i>Quarti anteriori</i> provenienti da : Categoria A, classe U, R, O	1 000	140
España	— <i>Cuartos delanteros</i> , procedentes de : Categoría A, clases U, R, O	500	155
Nederland	— <i>Voorvoeten</i> , afkomstig van : Categorie A, klasse R	1 500	155
France	— <i>Quartiers avant</i> , provenant de : catégories A / C, classes U, R, O	1 000	155
Danmark	— <i>Forfjerdinger</i> fra : Kategori A, klasse R og O, Kategori C, klasse R og O	160	155

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Αποσπώμενο κρέας — Boned beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada

France	— <i>Catégorie A / Catégorie C</i> : Caisse A Caisse B	800 700	240 160
Ireland	— <i>Category C</i> : Forequarters Briskets	700 300	240 180
United Kingdom	— <i>Category C, class U, R, O</i> : Clod and sticking Shins and shanks Thin flanks Flanks (Plate) Briskets Pony	300 100 100 200 300 450	240 210 140 140 210 240
Danmark	— <i>Kategori A / Kategori C</i> : Bryst og slag Skank og muskel Øvrigt kød af forfjerdinger	500 50 450	170 180 240
Italia	— <i>Categoria A</i> : Pancia Petto	400 100	130 150

⁽¹⁾ Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.⁽¹⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.⁽¹⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.⁽¹⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.⁽¹⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.⁽¹⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.⁽¹⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.⁽¹⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.⁽¹⁾ Estes preços aplicam-se a peso líquido conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργάνισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos
de intervenção

- BELGIQUE/BELGIË:** Office belge de l'économie et de l'agriculture
rue de Trèves 82
1040 Bruxelles
Tél. 02 / 230 17 40, télex 24076 OBEA BRU B, 65567 OBEA BRU B, téléfax
02 / 230 25 33
Belgische Dienst voor Bedrijfs-
leven en Landbouw
Trierstraat 82
1040 Brussel
- BUNDESREPUBLIK
DEUTSCHLAND** Bundesanstalt für landwirtschaftliche Markttordnung (BALM)
Referat 313 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 11) 55 04 61 / 55 05 41, Telex 411 156 / 411 727
Tel. 0 69 / 15 64(0) 7 04 / 7 05, Telefax 069-1 564 651, Teletext 6 990 732
- DANMARK:** Direktoratet for Markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
tlf. 01 15 41 30, telex 15137 DK, telefax 01 926 948
- ESPAÑA:** SENPA (Servicio Nacional de Productos Agrarios)
Calle Beneficencia 8
28004 Madrid
Teléfonos: 2 22 29 61, 2 22 91 20, 2 21 65 30.
- FRANCE:** OFIVAL
Tour Montparnasse
33, avenue du Maine
75755 Paris Cedex 15
Tél. 45 38 84 00, télex 26 06 43
- IRELAND:** Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118
- ITALIA:** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
via Palestro 81
I-Roma
Tel. 47 49 91
Telex 61 30 03
- NEDERLAND:** Ministerie van Landbouw en Visserij
Voedselvoorzienings In- en Verkoopbureau (VIB)
Burg. Kessenplein 3
Postbus 960
6430 AZ Hoensbroek
Tel. 045 / 23 83 83, telefax 045 / 22 27 35, telex 56396
- UNITED KINGDOM:** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 1032/89

of 20 April 1989

establishing the detailed rules for administering Community export quotas for certain types of non-ferrous metal waste and scrap

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽¹⁾ and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 4249/88 of 21 December 1988 on export arrangements for certain types of non-ferrous metal waste and scrap⁽²⁾ sets Community quantitative export quotas for copper ash and residues and copper waste and scrap for 1989;

Whereas detailed rules must be established for administering these arrangements;

Whereas there seems to be no imperative technical, administrative or economic reason justifying the long-term allocation of Community export quotas of non-ferrous metal waste and scrap between the Member States; whereas provision could therefore be made for the arrangements to be administered at Community level; whereas, however, technical necessities require the entry into force of new rules for administering quotas to be postponed to allow enough time for them to be prepared in detail;

Whereas, for these reasons, the arrangements should continue to be administered at Member State level provisionally with any adjustments needed to ensure the smooth transition to Community administration of the arrangements;

Whereas, in accordance with Article 3 of Regulation (EEC) No 4249/88, the allocation of quotas must take account of estimated requirements; whereas in order better to estimate these requirements, any export opportunities that already exist for the products in question, have to be taken into account;

Whereas an adaptable and flexible method of administration must be provided for the Community reserve, ensuring all exporters equal and continuous access to the quotas until they are used up;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the quantities allocated to that economic union may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee set up by Regulation (EEC) No 1023/70,

HAS ADOPTED THIS REGULATION:

Article 1

1. Between 1 January and 30 June 1989 export licences for the products referred to in Article 2 of Regulation (EEC) No 4249/88 shall be issued by the appropriate authorities of the Member States.
2. Each Member State shall inform the Commission within the first 20 days of each month of:
 - (a) the quantities in tonnes and the prices of the products for which export licences have been issued during the previous month;
 - (b) the quantities in tonnes of products which have been exported during the month preceding that referred to under point (a);
 - (c) the quantities in tonnes authorized for export or exported under outward processing arrangements;
 - (d) the third country of destination.

Article 2

Member States shall inform the Commission whether licences are issued as and when requests are received or once all requests have been examined together and shall pass on to the Commission the information referred to in Article 4 of Regulation (EEC) No 1023/70.

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1988, p. 53.

Article 3

1. The licences referred to in Article 1 shall be issued up to the following quantities :

(tonnes)		
CN code	Description	Quantity
ex 2620	Ash and residues of copper and copper alloys	Germany 6 000
		France 1 650
		Italy 1 175
		Benelux 425
		United Kingdom 800
		Denmark 700
		Ireland —
		Greece 350
		Spain 100
		Portugal 50
ex 7404 00	Waste and scrap of copper alloys	Germany 9 620
		France 2 000
		Italy 500
		Benelux 2 480
		United Kingdom 1 100
		Denmark 625
		Ireland 340
		Greece 100
		Spain 100
		Portugal 50

2. The remainder of the quotas fixed by Regulation (EEC) No 4249/88, i.e. 17 250 tonnes for ash and residues of copper and copper alloys and 24 515 tonnes for waste and scrap of copper and copper alloys, shall constitute the Community reserve.

Article 4

1. Member States shall notify the Commission immediately whenever the threshold of 70 % of the quantities referred to in Article 3 is exceeded and shall provide an estimate of any requirements over and above these quantities which are liable to appear before 30 June 1989. The Commission shall determine the supplementary quantities it may use from the reserve, taking account of export requirements which might appear over the year as a whole and inform the Member State concerned. It shall also inform the Member States of the extent to which the reserve has been used up.

2. For the implementation of paragraph 1, the Commission may request Member States to submit supplementary information.

Article 5

1. Member States shall take all measures necessary to ensure that the opening of supplementary quantities does not provoke any interruption in the charging of exports against the Community quantitative quota.

2. Member States shall ensure that exporters of the said goods established in their territory have free access to the quantities allocated to them.

3. Member States shall charge exports of the said goods against their quantities as and when such goods are presented to the customs authorities under cover of export licences or customs export documents.

4. The extent to which a Member State has used up its quantities shall be determined on the basis of exports charged in accordance with paragraph 3.

Article 6

The Commission shall decide in good time, and in any case before 30 June 1989, on the administration arrangements to apply from 1 July to 31 December 1989.

Article 7

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

It shall be applicable until 30 June 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1033/89

of 20 April 1989

amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Council Regulation (EEC) No 804/68

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Article 5c (7) thereof,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector⁽³⁾, as last amended by Regulation (EEC) No 764/89⁽⁴⁾, and in particular the second subparagraph of Article 3a (4) and Articles 7 (5) and 11 (c) thereof,

Whereas Article 3a of Regulation (EEC) No 857/84 lays down the conditions under which special reference quantities are granted to producers who as a result of an undertaking given pursuant to Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁵⁾, as last amended by Regulation (EEC) No 1300/84⁽⁶⁾, have been unable to obtain quantities under the general additional levy scheme; whereas amendments should be made accordingly to Commission Regulation (EEC) No 1546/88⁽⁷⁾, as last amended by Regulation (EEC) No 215/89⁽⁸⁾;

Whereas Council Regulation (EEC) No 766/89⁽⁹⁾ fixes the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 at 1 043 000 tonnes; whereas 443 000 tonnes of this should be granted to the same Member States as during previous periods of application of this scheme and under the same conditions, the reasons for the original allocation

continuing to be identical; whereas the second part of the Community reserve, of 600 000 tonnes, is intended for producers whose entitlement to a special reference quantity is recognized pursuant to Article 3a of Regulation (EEC) No 857/84 and, within the limits of that entitlement, in proportion to the requests submitted;

Whereas it should be stipulated that applications may be submitted solely by producers in a position to operate at least in part the same production units as those they operated when applying for the premium for the non-marketing milk or for the conversion of dairy herds; whereas, where producers no longer operate the same holdings, they have thereby demonstrated, according to the logic of the premium scheme, their intention of ceasing milk production and are therefore not affected by the special arrangements laid down as a result of the judgments handed down by the Court of Justice on 28 April 1988 pursuant to Article 3a of Regulation (EEC) No 857/84; whereas these special arrangements only concern producers who could not obtain the allocation of a reference quantity for their holdings since their holdings were subject to an obligation in the reference year selected by the Member State; whereas the aim of these arrangements may be to rectify the consequences arising from this situation only to the extent that it turns out to be unchanged;

Whereas rules of procedure, including the fixing of time limits, should be laid down so that Article 3a of Regulation (EEC) No 857/84 can be implemented in circumstances that guarantee compliance with the rights and obligations of all the parties concerned;

Whereas Article 12 of Regulation (EEC) No 1546/88 determines the characteristics of the milk which are considered to be representative for drawing up the final levy account; whereas, in spite of the numerous amendments made to this provision, it has proved difficult to implement; whereas, from the sixth period of application, it should be simplified and made less coercive by drawing the consequences for the producer of a negative difference in the average fat content of the milk supplied compared with that recorded during the reference period;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁴⁾ OJ No L 84, 29. 3. 1989, p. 2.

⁽⁵⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁶⁾ OJ No L 125, 12. 5. 1984, p. 3.

⁽⁷⁾ OJ No L 139, 4. 6. 1988, p. 12.

⁽⁸⁾ OJ No L 25, 27. 1. 1989, p. 72.

⁽⁹⁾ OJ No L 84, 29. 3. 1989, p. 6.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1546/88 is hereby amended as follows:

1. The following subparagraph is added to Article 1:

'For the period 1 April 1989 to 31 March 1990, the Community reserve referred to in Article 5c (4) of Regulation (EEC) No 804/68 shall be distributed as follows:

(a) 443 000 tonnes distributed as follows:

- Spain 50 000 tonnes
- Ireland 303 000 tonnes
- Luxembourg 25 000 tonnes
- United Kingdom (for the region of Northern Ireland) 65 000 tonnes

(b) 600 000 tonnes are to be distributed pursuant to Article 3a of Regulation (EEC) No 857/84 in proportion to the requests notified to the Commission pursuant to Article 19 (4) and recognized as being in conformity with Article 3a of Regulation (EEC) No 857/84 and Article 3a of this Regulation.'

2. The following Article 3a is inserted:

'Article 3a

1. The requests referred to in Article 3a (1) of Regulation (EEC) No 857/84 shall be made by the producers concerned to the competent authority designated by the Member State, in accordance with the procedure laid down by it and provided that the producers can prove that they still operate, in whole or in part, the same holdings as those they operated at the time of the approval, referred to in Article 5 (2) of Commission Regulation (EEC) No 1391/78 (*), of their premium applications.

The competent authority shall acknowledge receipt of the request, verify compliance with the conditions laid down in the abovementioned Article 3a (1) and record the written undertakings given by the producer.

Evidence of the producer's ability to produce a quantity equal to the reference quantity requested may involve in particular:

- direct sales and/or deliveries of milk already made since the end of the non-marketing or conversion period,
- the dairy herd, within the meaning of Article 1 (1) (b) of Regulation (EEC) No 1391/78, kept on the holding,
- the holding's permanent grazing area and/or area under forage resulting from the rotation and sowing plan implemented,

— the investments referred to in the second subparagraph of point 1 of Article 3 of Regulation (EEC) No 857/84.

2. The quantities referred to in the first and third subparagraphs of Article 3a (2) of Regulation (EEC) No 857/84 for which entitlement to the premium has been retained or acquired shall be those determined pursuant to Article 9 of Regulation (EEC) No 1391/78.

Before 29 August 1989 the competent authority shall notify the producer of his special reference quantity determined in accordance with Article 3a (2) of Regulation (EEC) No 857/84.

3. In accordance with rules to be laid down by the Member State, the producer shall supply evidence to the competent authority, before 29 March 1991, that he has resumed direct sales and/or deliveries of milk for at least 12 months.

The level of direct sales of milk or milk products and/or the level of milk deliveries during the 12 months preceding the supply of evidence shall be determined by the competent authority taking into consideration the trend in the rate of production on the producer's holding, seasonal conditions and any exceptional circumstances, in accordance with rules similar to those referred to in the first part-sentence in Article 5 (4) (b).

(*) OJ No L 167, 24. 6. 1978, p. 45.'

3. The following Article 7a is inserted:

'Article 7a

The special reference quantity granted under the conditions laid down in Article 3a of Regulation (EEC) No 857/84 shall, in the event of the transfer of the holding by inheritance or by any similar transaction, be transferred in accordance with the first and third subparagraphs of Article 7 provided that the producer to whom the holding is transferred in whole or in part undertakes in writing to comply with the undertakings of his predecessor. Article 3a (4) of Regulation (EEC) No 857/84 shall continue to apply to the special reference quantity thus transferred.

Where the second subparagraph of Article 3a (4) of Regulation (EEC) No 857/84 applies, the producer shall notify his intentions in advance to the competent authority, which shall issue him with an acknowledgement of receipt. Within one month from the date of acknowledgement of receipt, the competent authority shall determine the quantity which is to return to the Community reserve and, where appropriate, notify the producer of the special reference quantity which will continue to be granted to him.

In the latter case, the part which is to return to the Community reserve shall be calculated on the basis of the area under forage within the meaning of Article 1 (1) (d) of Regulation (EEC) No 1391/78 sold or leased.'

4. In Article 9 (1) (a), 'Articles 3 and 4' is replaced by 'Articles 3, 3a and 4'.

5. Article 12 is replaced by the following:

Article 12

1. For the purposes of Article 11 (c) of Regulation (EEC) No 857/84, the characteristics of the milk considered to be representative shall be those recorded for the milk delivered during the second period of application of the additional levy arrangements.

However,

- in the case of producers for whom, as regards the period mentioned in the first subparagraph, the quantity of milk serving as a basis for the calculation of the levy has been increased as a result of an increase in the fat content of the milk delivered, the fat content of the milk delivered that is to be considered representative shall be the average content recorded for the 1983 calendar year,
- in the case of producers whose deliveries of milk were interrupted, or the fat content of whose delivered milk fell during the period referred to in the preceding subparagraph, the Member State may decide, at the request of the party concerned, that the fat content considered to be representative is to be the average content recorded during the first period of application of the additional levy arrangements. The Member States shall notify the Commission of the measures which they adopt for the application of the abovementioned provisions,
- in the case of producers who commence delivery of milk for the first time after the beginning of the second period of the additional levy arrangements, the fat content of the milk that is to be considered representative shall be the average content recorded during the first 12 months of their operations.

2. In order to draw up the final account of the levy for each producer or purchaser in accordance with Article 9 (1) of Regulation (EEC) No 857/84, the average fat content of milk delivered during the period concerned shall be established for each producer:

- if a positive difference is noted with respect to the average content recorded during the period referred to in paragraph 1, the quantity of milk delivered shall be increased by 0,18 % per 0,1 gram of additional fat per kilogram of milk,
- if a negative difference is noted with respect to the average content recorded during the period referred

to in paragraph 1, the quantity of milk delivered shall be reduced by 0,18 % for each 0,1 gram reduction in fat per kilogram of milk.

Where the quantity of milk delivered is expressed in litres, the 0,18 % adjustment per 0,1 gram of fat shall be multiplied by the coefficient 0,971.

3. The application of paragraph 2 in each Member State may not result in the additional levy not being paid in respect of any quantity exceeding the guaranteed total quantity indicated in Article 5c (3) of Regulation (EEC) No 804/68.

6. In Article 14 (1) (b), 'Articles 2, 3, 4 and 7' is replaced by 'Articles 2, 3, 3a, 4 and 7'.

7. In Article 19, the following paragraph 4 is added:

'4. For the purposes of Article 3a of Regulation (EEC) No 857/84, Member States shall notify the Commission:

- before 29 June 1989, of the competent authority designated and the procedure referred to in Article 3a (1) of this Regulation, including the evidence for establishing the producer's ability to produce,
- before 29 September 1989, of the number of requests, the quantities for which entitlement to the premium has been retained or acquired and the special reference quantities granted temporarily, broken down by month during which the applications under Articles 2 and 3, individually, of Regulation (EEC) No 1078/77 were approved,
- before 29 March 1990, of the rules referred to in Article 3a (3) of this Regulation,
- before 29 June 1991, of the special reference quantities granted definitively under the conditions laid down in Article 3a (3) of this Regulation and the quantities which are to return to the Community reserve,
- on 1 April each year in respect of the preceding year and for the first time on 1 April 1990, of the quantities which are to return to the Community reserve pursuant to the second paragraph of Article 7a of this Regulation.'

Article 2

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

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1034/89
of 20 April 1989
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2210/88 ⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 957/89 ⁽⁴⁾,

Having regard to Regulation (EEC) No 1569/72 of the Council of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88 ⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 682/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 964/89 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 682/89 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto;

Whereas, in the absence of the target price for the 1989/90 marketing year for colza, rape and sunflower seed, the abatement of the subsidy from the system of

maximum guaranteed quantities, the amount of the subsidy in the case of advance fixing for this period for colza, rape and sunflower seed has been obtainable only provisionally on the basis of the latest proposals from the Commission to the Council on price and abatement; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced to take account of indicative prices for the 1989/1990 marketing year and the application of the system of maximum guaranteed quantities,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza, rape and sunflower seed will be confirmed or replaced as from 21 April 1989 to take into account the target price, and where appropriate, the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 21 April 1989.

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 102, 14. 4. 1989, p. 26.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 73, 17. 3. 1989, p. 32.

⁽⁸⁾ OJ No L 102, 14. 4. 1989, p. 45.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

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

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,522	20,533	20,327	16,351	15,664	15,301
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	48,85	48,88	48,40	39,00	37,39	36,75
— Netherlands (Fl)	54,50	54,54	53,99	43,46	41,65	40,84
— BLEU (Bfrs/Lfrs)	990,94	991,47	981,53	789,54	756,37	738,84
— France (FF)	150,37	150,38	148,76	118,70	113,31	110,46
— Denmark (Dkr)	179,71	179,78	177,94	142,82	136,68	133,44
— Ireland (£ Irl)	16,724	16,725	16,545	13,201	12,601	12,283
— United Kingdom (£)	12,796	12,788	12,638	9,952	9,451	9,087
— Italy (Lit)	32 181	32 180	31 761	25 168	23 991	23 010
— Greece (Dr)	2 387,97	2 361,27	2 293,41	1 670,01	1 532,29	1 388,20
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	180,43	180,43	180,43
— in another Member State (Pta)	3 241,63	3 246,02	3 215,16	2 679,68	2 579,90	2 495,34
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 427,34	4 428,25	4 371,85	3 607,91	3 474,74	3 355,38

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

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	23,022	23,033	22,827	18,851	18,164	17,801
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	54,75	54,78	54,30	44,90	43,30	42,66
— Netherlands (Fl)	61,12	61,15	60,61	50,08	48,27	47,46
— BLEU (Bfrs/Lfrs)	1 111,66	1 112,19	1 102,25	910,26	877,08	859,56
— France (FF)	169,33	169,34	167,72	137,66	132,27	129,42
— Denmark (Dkr)	201,81	201,88	200,04	164,92	158,79	155,54
— Ireland (£ Irl)	18,834	18,834	18,654	15,310	14,710	14,393
— United Kingdom (£)	14,483	14,476	14,326	11,640	11,139	10,775
— Italy (Lit)	36 269	36 267	35 849	29 256	28 078	27 098
— Greece (Dr)	2 777,92	2 751,32	2 683,46	2 060,06	1 922,34	1 778,25
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	565,96	565,96	565,96
— in another Member State (Pta)	3 627,16	3 631,55	3 600,69	3 065,21	2 965,43	2 880,87
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	470,02	470,02	470,02	470,02	470,02
— in another Member State (Esc)	4 897,35	4 898,26	4 841,86	4 077,92	3 944,76	3 825,40

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

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8 (1)
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	22,892	23,395	23,308	23,308	18,550
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	54,50	55,68	55,48	55,48	44,24
— Netherlands (Fl)	60,80	62,13	61,90	61,90	49,31
— BLEU (Bfrs/Lfrs)	1 105,38	1 129,67	1 125,47	1 125,47	895,72
— France (FF)	167,60	171,45	170,77	170,77	134,75
— Denmark (Dkr)	200,41	204,87	204,10	204,10	162,05
— Ireland (£ Irl)	18,640	19,069	18,993	18,993	14,986
— United Kingdom (£)	14,246	14,594	14,530	14,506	11,309
— Italy (Lit)	35 862	36 695	36 472	36 337	28 579
— Greece (Dr)	2 642,33	2 708,55	2 661,29	2 639,62	1 908,99
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	1 062,53
— in another Member State (Pta)	3 664,36	3 740,47	3 726,71	3 716,00	3 243,38
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 555,52	6 653,16	6 617,32	6 595,47	5 682,99
— in another Member State (Esc)	6 388,93	6 484,08	6 449,15	6 427,86	5 538,56
3. Compensatory aids:					
— in Spain (Pta)	3 612,79	3 690,34	3 677,55	3 666,83	3 194,22
4. Special aid:					
— in Portugal (Esc)	6 388,93	6 484,08	6 449,15	6 427,86	5 538,56

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

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0260760.

ANNEX IV

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
DM	2,079800	2,076380	2,072940	2,069820	2,069820	2,060540
Fl	2,347430	2,344110	2,341490	2,338850	2,338850	2,329290
Bfrs/Lfrs	43,557900	43,551400	43,539900	43,524200	43,524200	43,454100
FF	7,036320	7,038200	7,039740	7,040970	7,040970	7,046360
Dkr	8,096840	8,099310	8,101060	8,102410	8,102410	8,109480
£ Irl	0,780274	0,779891	0,779671	0,779240	0,779240	0,779371
£	0,653992	0,655543	0,656932	0,658298	0,658298	0,662881
Lit	1 526,48	1 531,51	1 537,21	1 542,82	1 542,82	1 558,85
Dr	177,03200	178,86100	180,38000	181,47600	181,47600	185,35300
Esc	171,95700	172,81800	173,59100	174,49400	174,49400	176,68800
Pta	129,29300	129,59300	129,98300	130,38300	130,38300	131,66100

COMMISSION REGULATION (EEC) No 1035/89
of 20 April 1989
fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 1006/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 107, 19. 4. 1989, p. 19.

ANNEX

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

(ECU/100 kg)

CN code	Levy
1701 11 10	31,32 ⁽¹⁾
1701 11 90	31,32 ⁽¹⁾
1701 12 10	31,32 ⁽¹⁾
1701 12 90	31,32 ⁽¹⁾
1701 91 00	38,26
1701 99 10	38,26
1701 99 90	38,26 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

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

COMMISSION REGULATION (EEC) No 1036/89

of 20 April 1989

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 838/89⁽³⁾, as last amended by Regulation (EEC) No 933/89⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 838/89 to the informa-

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 838/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 89, 1. 4. 1989, p. 30.

⁽⁴⁾ OJ No L 99, 12. 4. 1989, p. 20.

ANNEX

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

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3826	—
1702 20 90	0,3826	—
1702 30 10	—	50,30
1702 40 10	—	50,30
1702 60 10	—	50,30
1702 60 90	0,3826	—
1702 90 30	—	50,30
1702 90 60	0,3826	—
1702 90 71	0,3826	—
1702 90 90	0,3826	—
2106 90 30	—	50,30
2106 90 59	0,3826	—

COMMISSION REGULATION (EEC) No 1037/89

of 20 April 1989

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 166/89⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Regulation (EEC) No 2746/75 of the Council of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 21 April 1989.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 April 1989 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	04	21,00 (?)
	02	20,00 (?)
1001 90 91 000	01	0
1001 90 99 000	05	44,00
	06	49,00
	07	22,00
	08	21,00
	09	19,00
	02	20,00
1002 00 00 000	06	49,00
	02	20,00
1003 00 10 000	01	0
1003 00 90 000	05	48,00
	07	22,00
	02	20,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	62,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	82,00
1101 00 00 120	01	82,00
1101 00 00 130	01	74,00
1101 00 00 150	01	64,00
1101 00 00 170	01	54,00
1101 00 00 180	01	44,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	82,00
1102 10 00 200	01	82,00
1102 10 00 300	01	82,00
1102 10 00 500	01	82,00
1102 10 00 900	—	—
1103 11 10 100	01	205,00
1103 11 10 200	01	194,00
1103 11 10 500	01	173,00
1103 11 10 900	01	163,00
1103 11 90 100	01	82,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

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

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

NB : The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

COMMISSION REGULATION (EEC) No 1038/89

of 20 April 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1010/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 674/89 of 16 March 1989 fixing for the 1989 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at ECU 197,27 per 100 kilograms net for the month of April 1989;

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

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

Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in Article 1 (2) (a), first indent, of Regulation (EEC) No 674/89;

Whereas, for tomatoes originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 19,51 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 22 April 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 109, 20. 4. 1989, p. 3.

⁽³⁾ OJ No L 73, 17. 3. 1989, p. 14.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1039/89

of 20 April 1989

introducing a countervailing charge on apples originating in Chile

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1010/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 1789/88 of 24 June 1988 fixing for the 1988/89 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I at ECU 54,00 per 100 kilograms net for the month of April 1989;

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

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

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

Whereas for apples originating in Chile the entry prices calculated in this way have for six consecutive market days been alternatively above and below the reference price; whereas three of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these apples;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 0,63 per 100 kilograms net is applied to apples (CN codes 0808 10 91, 0808 10 93 and 0808 10 99) originating in Chile.

Article 2

This Regulation shall enter into force on 22 April 1989.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 27 April 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 109, 20. 4. 1989, p. 3.

⁽³⁾ OJ No L 158, 25. 6. 1988, p. 18.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 20 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 March 1989

authorizing certain Member States provisionally to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Juniperus* L. originating in Japan

(89/279/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 89/83/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by the Member States concerned,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Juniperus* L., other than fruit and seeds, originating in non-European countries, may in principle no longer be introduced into the Community;

Whereas, however, Article 14 (3) of the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas certain Member States had requested to be authorized to permit the importation of *Juniperus* plants of the bonsai type, originating in Japan;

Whereas it was necessary to check the inspection and surveillance measures taken by the Japanese authorities in order to prevent the spread of harmful organisms;

Whereas this checking was recently achieved;

Whereas the Commission has established that on the basis of available information the results of the aforementioned checking there is no risk of spreading harmful organisms, provided that certain technical conditions are satisfied;

Whereas the Member States should therefore be authorized to provide for derogations in respect of certain *Juniperus* plants under those technical conditions; whereas this authorization should be granted for an appropriate period, subject to its revision in the light of further experience to be gained;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Belgium, Denmark, the Federal Republic of Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom are hereby authorized to provide under the conditions laid down in paragraph 2 for derogations from Article 4 (1) of Directive 77/93/EEC, with regard to Annex III (A) (4a), for plants of *Juniperus* L. of the bonsai type, other than fruit and seeds, originating in Japan.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 32, 3. 2. 1989, p. 29.

2. For the purposes of paragraph 1, the following conditions shall be satisfied:

- (a) the total number of plants shall not exceed quantities which have been determined by the importing Member State, having regard to available quarantine facilities;
- (b) the plants shall have been grown and trained for at least two subsequent years in nurseries, which obtain official registration by the end of the two-year period at the latest. The annual lists of the registered bonsai nurseries shall be made available to the Commission, at the latest by November of each year. These lists shall include the number of plants grown in each of these nurseries, as far as they are deemed suitable for dispatch to the Community in the following year, under the conditions laid down in this Decision;
- (c) the plants of the genera *Crataegus* L., *Cydonia* Mill., *Juniperus* L., *Malus* Mill., *Photinia* Ldl. and *Pyrus* L., which have been grown in the two last years prior to dispatch in the abovementioned bonsai nurseries or their immediate vicinity shall have been officially inspected at least six times per year of vegetation and at appropriate times, for presence of harmful organisms of concern.

The inspections shall be carried out at least by visual examination of each field row and by visual examination of all parts above growing medium of at least 10 % of the individual plants being selected at random.

The harmful organisms of concern are:

- *Aschistonyx eppoi* Inouye,
- *Gymnosporangium* spp.,
- *Popillia japonica* Newman,
- any other harmful organism which is not known to occur in the Community.

The plants shall have been found free, in these inspections, from the harmful organisms of concern. Infested plants shall be removed. The remaining plants shall be effectively treated, where appropriate;

- (d) any detection of harmful organisms of concern in the inspections carried out pursuant to (c) shall be officially recorded, and the records shall be kept available to the Commission, upon its request. Any detection of any of the harmful organisms of concern, which are specified in (c) by their scientific names, shall disqualify the nursery from its status under (b). In such case, the registration can be renewed only in the following year;
- (e) the plants intended for the Community shall:
 - have been grown, at least during the two last years prior to dispatch, in either an artificial growing medium or in a natural growing medium which

has been treated by fumigation or by appropriate heat treatment to ensure freedom from harmful organisms,

- be potted, at least during the same period, in pots which are placed on shelves at least 20 cm in height above ground,
 - be made recognizable with a marking, exclusive for each individual plant and notified to the official plant protection organization of Japan, enabling the identification of the registered nursery and the year of potting,
 - be found free, in the inspections referred to in (c), from harmful organisms of concern and not be affected by the measures referred to in (d),
 - be free from other plant debris;
 - (f) the official plant protection organization of Japan shall ensure the identity of the plants from the time of their removal from the nursery until the time of loading for export, through sealing of transport vehicles or appropriate alternatives;
 - (g) the plants and the adhering or associated growing medium (hereinafter referred to as 'the material') shall be accompanied by a phytosanitary certificate issued in Japan in accordance with Article 7 of Directive 77/93/EEC, on the basis of the examination laid down in Article 6 of the said Directive relating to the conditions laid down therein, in particular freedom from the harmful organisms of concern, as well as to the requirements specified in (a) to (f).
- The certificate shall indicate:
- the name or the names of the registered nursery or nurseries,
 - the markings referred to in (e), as far as they enable identification of the registered nursery and the year of potting,
 - the specification of the last treatment applied, prior to dispatch,
 - under 'Additional Declaration', the statement 'This consignment meets the conditions laid down in Decision 89/279/EEC';
 - (h) the material shall be packed in closed containers which have been officially sealed and bear a distinguishing mark to be reproduced on the phytosanitary certificate, enabling the consignments to be identified;
 - (i) the material shall be subjected, before it is released, to official post-entry quarantine for a period including the active growth season from 1 April until 30 June and must be found free, during this quarantine period, from any harmful organism of concern;
 - (k) the post-entry quarantine mentioned under (i) shall:

- be supervised by the official plant protection organization of the Member State concerned and executed by officially approved and trained staff,

- be performed at an officially approved site provided with appropriate facilities sufficient to contain harmful organisms and treat the material in such a way as to eliminate any risk of spreading harmful organisms,
- be performed for each item of material :
 - (i) by visual examination upon arrival and at regular intervals thereafter, having regard to the type of material and its state of development during the quarantine period, for harmful organisms or symptoms caused by any harmful organism,
 - (iii) by appropriate testing on any symptom observed in the visual examination in order to identify the harmful organisms having caused such symptoms ;
- (l) any lot in which material which has not been found free, during the post-entry quarantine specified under (i) from harmful organisms of concern shall be immediately destroyed, unless special permission for official scientific research has been granted ;
- (m) Member States shall notify, to the Commission and to the other Member States, any contamination by harmful organisms of concern which has been confirmed during the post-entry quarantine specified under (i).
- (n) prior to introduction from outside the Community into a Member State, the importer or his agents shall notify each introduction sufficiently in advance to the authority responsible in the Member States concerned, indicating :
 - the type of material,
 - the quantity,
 - the declared date of import,
 - the place or places of first storage after the material has been released.
 They shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (m) ;
- (o) any material which has been subjected to the post-entry quarantine specified under (i) in one Member State and has been found free, during that quarantine period, from harmful organisms of concern and which has been maintained under appropriate conditions shall be exempted, for its introduction into one of the other Member States concerned, from the requirement laid down under (i). However, in such

case it may be introduced only where the following conditions are satisfied :

- the required phytosanitary certificates shall indicate the site of the quarantine as well as the dates thereof,
- copies of the certificates shall be sent to the plant protection organization of the introducing Member State, prior to dispatch of the material,
- in the introducing Member State, the material shall be subject to conditions which that Member State may lay down to enable adequate phytosanitary monitoring, without affecting the movement of the consignment to the place of destination.

Article 2

The Member States listed in Article 1 (1) shall inform the other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 October of each year, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (k).

Article 3

The authorization granted in Article 1 shall apply in the period between 1 November and 31 March each year and shall expire on 31 March 1991. It shall be revoked earlier, if it is established that the conditions laid down under Article 1 (2) are not sufficient to prevent the introduction of harmful organisms, or have not been complied with.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 31 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION**of 3 April 1989****adjusting the weightings applicable from 1 February 1989 to the remuneration of officials of the European Communities serving in non-member countries****(89/280/EEC, Euratom, ECSC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of the officials of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (ECSC, EEC, Euratom) No 3982/88 ⁽²⁾, and in particular the second paragraph of Article 13 of Annex X thereto,Whereas pursuant to the first paragraph of Article 13 of Annex X to the Staff Regulations, Council Regulation (EEC, Euratom, ECSC) No 702/89 ⁽³⁾ laid down the weightings to be applied from 1 January 1989 to the remuneration of officials serving in non-member countries payable in the currency of their country of employment;

Whereas, some of these weightings should be adjusted with effect from 1 February 1989 given that the statistics available to the Commission show that in certain non-member countries the variation in the cost of living measured on the basis of the weighting and the corresponding exchange rate has exceeded 5 % since weightings were last laid down,

HAS DECIDED AS FOLLOWS:

Sole Article

With effect from 1 February 1989 the weightings applicable to the remuneration of officials serving in non-member countries payable in the currency of their country of employment are adjusted as shown in the Annex.

The exchange rates for the payment of such remuneration shall be those used for implementation of the budget of the European Communities during the month preceding the date on which this Decision takes effect.

Done at Brussels, 3 April 1989.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.⁽²⁾ OJ No L 354, 22. 12. 1988, p. 1.⁽³⁾ OJ No L 78, 21. 3. 1989, p. 1.

ANNEX

Country of employment	Weighting
Brazil	60,29
Egypt	50,86
Israel	96,68
Lebanon	19,30
Uganda	99,63
Sierra Leone	110,14
Somalia	50,26
Sudan	102,13
Syria	163,66
Uruguay	55,47
Yugoslavia	35,46
Zaire	87,50

COMMISSION DECISION**of 5 April 1989****adjusting the weightings applicable from 1 March 1989 to the remuneration of officials of the European Communities serving in non-member countries****(89/281/EEC, Euratom, ECSC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of officials of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (ECSC, EEC, Euratom) No 3982/88 ⁽²⁾, and in particular the second paragraph of Article 13 of Annex X thereto,

Whereas pursuant to the first paragraph of Article 13 of Annex X to the Staff Regulations, Council Regulation (EEC, Euratom, ECSC) No 702/89 ⁽³⁾ laid down the weightings to be applied from 1 January 1989 to the remuneration of officials serving in non-member countries payable in the currency of their country of employment;

Whereas the Commission has made a number of adjustments to these weightings in recent months ⁽⁴⁾, pursuant to the second paragraph of Article 13 of Annex X to the Staff Regulations;

Whereas some of these weightings should be adjusted with effect from 1 March 1989 given that the statistics available to the Commission show that in certain non-member countries the variation in the cost of living measured on the basis of the weighting and the corresponding exchange rate has exceeded 5 % since weightings were last laid down or adjusted,

HAS DECIDED AS FOLLOWS:

Sole Article

With effect from 1 March 1989 the weightings applicable to the remuneration of officials serving in non-member countries payable in the currency of their country of employment are adjusted as shown in the Annex.

The exchange rates for the payment of such remuneration shall be those used for implementation of the budget of the European Communities during the month preceding the date on which this Decision takes effect.

Done at Brussels, 5 April 1989.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 354, 22. 12. 1988, p. 1.

⁽³⁾ OJ No L 78, 21. 3. 1989, p. 1.

⁽⁴⁾ See page 50 of this Official Journal.

ANNEX

Country of employment	Weighting
Belize	91,91
Brazil	57,93
Gambia	99,56
Ghana	37,99
Grenada	94,76
Nigeria	56,41
Uganda	111,12
Pakistan	43,98
Sierra Leone	113,61
Somalia	54,47
Tanzania	44,16
Turkey	51,16
Uruguay	59,56
Yugoslavia	37,79

COMMISSION DECISION

of 7 April 1989

provisionally suspending approval of an establishment on the list of establishments in Brazil approved for the purpose of importing fresh meat into the Community

(89/282/EEC)

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

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by Directive 88/657/EEC ⁽²⁾, and in particular Article 5 thereof,

Whereas the list of establishments in Brazil approved for the purpose of importing fresh meat into the Community was originally established by Commission Decision 81/713/EEC ⁽³⁾, as last amended by Decision C(89) 145 ⁽⁴⁾;

Whereas, pursuant to Article 5 of Directive 72/462/EEC, an inspection was carried out in certain establishments in Brazil, which led to some doubts regarding the establishment 'Bon Beef Indústria e Comércio de Carnes SA, Vinhedo, São Paulo' (veterinary approval No SIF 1602), in particular as regards compliance with Article 4 (2) (c) of that Directive;

Whereas information and documents on that establishment have been brought to the notice of the Commission;

Whereas the information and documents show that meat from that establishment does not tally with the health certificate accompanying such meat; whereas, accordingly the origin of such meat, its status as regards the

foot-and-mouth disease virus and its suitability for human consumption is suspect;

Whereas this information constitutes serious facts within the meaning of Article 5 of Directive 72/462/EEC; whereas the Member States have been notified thereof in accordance with that provision;

Whereas Community approval of that establishment must be suspended provisionally until a final decision is taken in this respect,

HAS ADOPTED THIS DECISION:

Article 1

Approval of the Brazilian establishment Bon Beef Indústria e Comércio de Carnes SA, Vinhedo, São Paulo (veterinary approval No SIF 1602) on the list in the Annex to Decision 81/713/EEC is hereby suspended.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 382, 31. 12. 1988, p. 3.

⁽³⁾ OJ No L 257, 10. 9. 1981, p. 28.

⁽⁴⁾ OJ No C 26, 1. 2. 1989, p. 5.

COMMISSION DECISION

of 13 April 1989

authorizing the United Kingdom to apply intra-Community surveillance to imports of certain types of footwear originating in the People's Republic of China

(Only the English text is authentic)

(89/283/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 87/433/EEC of 22 July 1987 on surveillance and protective measures which Member States may be authorized to take pursuant to Article 115 of the EEC Treaty⁽¹⁾, and in particular Articles 1 and 2 thereof;

Whereas Decision 87/433/EEC requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of imports covered by that Decision;

Whereas, on 30 March 1989, a request was made under Article 2 of Decision 87/433/EEC by the Government of the United Kingdom to the Commission of the European Communities for authorization to introduce intra-Community surveillance for certain footwear falling within CN codes 6401, 6402, 6403 and 6404, originating in the People's Republic of China and put into free circulation in the Community;

Whereas, in conformity with Article 1 of Council Regulation (EEC) No 3420/83⁽²⁾, as last amended by Regulation (EEC) No 2273/87⁽³⁾, the United Kingdom applies a regime of quantitative restrictions to the importation of the products in question originating in the People's Republic of China;

Whereas the Commission has thoroughly examined the information supplied by the United Kingdom authorities to support their abovementioned request on the basis of the criteria defined by Decision 87/433/EEC;

Whereas the Commission has examined in particular whether, during the years of reference provided for in Decision 87/433/EEC, significant imports had been registered from the other Member States;

Whereas this examination has shown that the conditions for the application of surveillance measures in respect of the products in question do exist;

Whereas, therefore, the United Kingdom should be authorized to make the imports concerned subject to prior intra-Community surveillance until 31 December 1989,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is hereby authorized to introduce, until 31 December 1989, and in accordance with Decision 87/433/EEC, intra-Community surveillance of imports of the products mentioned below originating in the People's Republic of China.

CN code	Description
6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes.
6402	Other footwear with outer soles and uppers of rubber or plastics.
6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather.
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 April 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 238, 21. 8. 1987, p. 26.

⁽²⁾ OJ No L 346, 8. 12. 1983, p. 6.

⁽³⁾ OJ No L 217, 6. 8. 1987, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 983/89 of 14 April 1989 laying down implementing procedures for the import arrangements applicable to products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in third countries which are not Contracting Parties to the GATT, other than China, during 1989

(Official Journal of the European Communities No L 103 of 15 April 1989)

Page 36, Article 3 (3) and Article 4 (2) fourth indent:

for: '... Section 26 ...'

read: '... Section 20 ...'
