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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1305/89

of 11 May 1989

amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 51 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Regulations (EEC) No 1408/71 ⁽⁴⁾ and (EEC) No 574/72 ⁽⁵⁾, as updated by Regulation (EEC) No 2001/83 ⁽⁶⁾ and as last amended by Regulation (EEC) No 3811/86 ⁽⁷⁾, are subject to the technical adaptations set out in Chapter VIII (1) and (2) of Annex I to the Act of Accession of Spain and Portugal;

Whereas, as a result of the accession of Spain and Portugal, other adjustments to the said Regulations should be made, in particular to take account of the guidelines set out in Annex II to the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1408/71 is amended as follows:

1. Article 95 is hereby replaced by the following:

Article 95

Transitional provisions for self-employed persons

1. No right shall be acquired under this Regulation in respect of a period prior to 1 July 1982 or to the

date of its implementation in the territory of the Member State concerned.

2. All insurance periods and, where appropriate, all periods of employment, of self-employment or of residence completed under the legislation of a Member State before 1 July 1982 or before the date of implementation of this Regulation in the territory of that Member State shall be taken into consideration for the determination of rights acquired under this Regulation.

3. Subject to paragraph 1, a right shall be acquired under this Regulation even though it relates to a contingency which materialized prior to 1 July 1982 or to the date of implementation of this Regulation in the territory of the Member States concerned.

4. Any benefit which has not been awarded or which has been suspended by reason of the nationality or place of residence of the person concerned shall, on the application of the person concerned, be awarded or resumed with effect from 1 July 1982 or from the date of implementation of this Regulation in the territory of the Member State concerned provided that the rights previously determined have not given rise to a lump-sum payment.

5. The rights of a person to whom a pension was awarded prior to 1 July 1982 or to the date of implementation of this Regulation in the territory of the Member State concerned may, on the application of the person concerned, be reviewed, taking into account this Regulation. This provision shall also apply to the other benefits referred to in Article 78.

6. If an application referred to in paragraph 4 or 5 is submitted within two years of 1 July 1982 or of the date of implementation of this Regulation in the territory of the Member State concerned, the rights acquired under this Regulation shall have effect from that date, and the provisions of the legislation of any Member State concerning the forfeiture or limitation of rights may not be invoked against the persons concerned.

⁽¹⁾ OJ No C 71, 26. 3. 1986, p. 8.

⁽²⁾ OJ No C 148, 16. 6. 1986, p. 124.

⁽³⁾ OJ No C 263, 20. 10. 1986, p. 37.

⁽⁴⁾ OJ No L 149, 5. 7. 1971, p. 2.

⁽⁵⁾ OJ No L 74, 27. 3. 1972, p. 1.

⁽⁶⁾ OJ No L 230, 22. 8. 1983, p. 6.

⁽⁷⁾ OJ No L 355, 16. 12. 1986, p. 5.

7. If an application referred to in paragraph 4 or 5 is submitted after the expiry of the two-year period from 1 July 1982 or following the date of implementation of this Regulation in the territory of the Member State concerned, rights which have not been forfeited or are not barred by limitation shall have effect from the date on which the application was submitted, except where more favourable provisions of the legislation of any Member State apply.

2. In Annex III, Sections A and B, under 22. GERMANY — SPAIN, 'none' is replaced by the following:

'Articles 4 (1) and 45 (2) of the Social Security Convention of 4 December 1973.'

3. In Annex VII, point 7 shall be replaced by the following:

'7. For the pension insurance scheme for self-employed persons: where he is self-employed in Greece and gainfully employed in any other Member State.'

Article 2

Regulation (EEC) No 574/72 is hereby amended as follows:

1. Article 118 is replaced by the following:

Article 118

Transitional provisions relating to pensions for employed persons

1. Where the contingency arises before 1 October 1972 or before the date of implementation of the implementing Regulation in the territory of the Member State concerned and the claim for pension has not been awarded before that date, such claim shall give rise to a double award, in as much as benefits must be granted, pursuant to such contingency, for a period prior to that date:

- (a) for the period prior to 1 October 1972 or to the date of implementation of the implementing Regulation in the territory of the Member State concerned, in accordance with Regulation No 3 or the agreements in force between the Member States concerned;
- (b) for the period commencing on 1 October 1972 or on the date of implementation of the implementing Regulation in the territory of the Member State concerned, in accordance with the Regulation.

However, if the amount calculated pursuant to the provisions referred to under (a) is greater than that calculated pursuant to the provisions referred to under (b), the person concerned shall continue to be entitled to the amount calculated pursuant to the provisions referred to under (a).

2. A claim for invalidity, old age or survivors' benefits submitted to an institution of a Member State from 1 October 1972 or from the date of implemen-

tation of the implementing Regulation in the territory of the Member State concerned shall automatically necessitate the reassessment of the benefits which have been awarded for the same contingency prior to that date by the institution or institutions of one or more of the other Member States, in accordance with the Regulation; such reassessment may not give rise to any reduction in the amount of the benefit awarded.'

2. Article 119 is replaced by the following:

Article 119

Transitional provisions relating to pensions for self-employed persons.

1. Where the contingency arises before 1 July 1982 or before the date of implementation of the implementing Regulation in the territory of the Member State concerned and the claim for pension has not been awarded before that date, such claim shall give rise to a double award, in as much as benefits must be granted, pursuant to such contingency, for a period prior to that date:

- (a) for the period prior to 1 July 1982 or to the date of implementation of the implementing Regulation in the territory of the Member State concerned, in accordance with the Regulation or agreements in force between the Member States concerned before that date;
- (b) for the period commencing on 1 July 1982 or on the date of implementation of the implementing Regulation in the territory of the Member State concerned, in accordance with the Regulation.

However, if the amount calculated pursuant to the provisions referred to under (a) is greater than that calculated pursuant to the provisions referred to under (b), the person concerned shall continue to be entitled to the amount calculated pursuant to the provisions referred to under (a).

2. A claim for invalidity, old age or survivors' benefits submitted to the institution of a Member State from 1 July 1982 or from the date of implementation of the implementing Regulation in the territory of the Member State concerned shall automatically necessitate the reassessment of the benefits that have already been awarded for the same contingency prior to that date by the institution or institutions of one or more of the other Member States, in accordance with the Regulation; such reassessment may not give rise to any reduction in the amount of benefit awarded.'

Article 3

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

It shall apply with effect from 1 January 1986.

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

Done at Brussels, 11 May 1989.

For the Council

The President

C. ARANZADI

COUNCIL REGULATION (EEC) No 1306/89

of 11 May 1989

imposing a definitive anti-dumping duty on imports of light sodium carbonate originating in Bulgaria, the German Democratic Republic, Poland and Romania

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal from the Commission, presented after consultation within the Advisory Committee as provided for by that Regulation,

Whereas :

A. PROCEDURE

- (1) In February 1983 the Council adopted Regulation (EEC) No 273/83 imposing a definitive anti-dumping duty on imports of light sodium carbonate originating in Bulgaria, the German Democratic Republic, Poland, Romania and the Soviet Union⁽²⁾. In June 1986 it adopted Regulation (EEC) No 1946/86⁽³⁾ extending the scope of the initial Regulation. In November 1987⁽⁴⁾ the Commission gave notice of the impending expiry of the anti-dumping duty.
- (2) Following publication by the Commission in November 1987 of the notice of expiry of the measures in force, in January 1988 the Commission received a request for a review from Cefic (European Council of Chemical Manufacturers' Federations) accounting for almost all Community production of the product in question. The complaint contained evidence that the expiry of the measure would result in renewed injury; that evidence was judged sufficient to justify the initiation of an investigation. The Commission therefore gave notice in the *Official Journal of the European Communities*⁽⁵⁾.
- (3) The product in question is light sodium carbonate with a specific weight of less than 0,700 kg/dm³ in the form of powder or grains of less than 0,4 mm

in diameter, with or without added sand. It falls within CN codes ex 2836 20 00 and ex 3823 90 98.

- (4) The Commission officially advised the exporters and importers known to be concerned and the complainants, and gave interested parties the opportunity to make known their views in writing and to request a hearing.
- (5) The Community producers, the exporters and some importers made known their views in writing.
- (6) The exporters from Romania, Poland, the German Democratic Republic and Bulgaria as well as three importers asked for an opportunity to make known their views orally and their request was accepted.
- (7) The Commission gathered and verified all information it deemed to be necessary to establish whether there was dumping, injury or the threat of injury, and carried out investigations at the premises of all the Community producers :

— Solvay, Belgium,
 — Solvay, France,
 — Rhône-Poulenc, France,
 — Solvay, Italy,
 — Chemische Fabrik Kalk, Germany,
 — Matthes & Weber, Germany,
 — Deutsche Solvay, Germany,
 — Akzo, Netherlands,
 — ICI, United Kingdom,
 — Solvay, Spain,
 — Soda Povia, Portugal,

and of the main importers concerned :

— Brenntag UK Ltd, United Kingdom,
 — Helm AG, Germany,
 — Megachem, Germany.

- (8) The Commission also visited the premises of a producer in the reference country, viz. Alkali SA, Monterrey, Mexico.
- (9) The investigation into dumping and price differences covered the period from 1 January 1987 to 31 May 1988.

B. DUMPING

I. Normal value

- (10) In order to establish whether the imports from Bulgaria, the German Democratic Republic, Poland, Romania and the Soviet Union were being dumped, the Commission, in view of the fact that these countries do not have market economies, was

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 32, 3. 2. 1983, p. 1.

⁽³⁾ OJ No L 169, 26. 6. 1986, p. 1.

⁽⁴⁾ OJ No C 317, 28. 11. 1987, p. 5.

⁽⁵⁾ OJ No C 162, 21. 6. 1988, p. 9.

obliged to establish the normal value in a market-economy country. The complainants had suggested that it use the selling prices of the like product on the Japanese market.

(11) Some exporters argued against this suggestion on the grounds that certain essential cost factors, in particular the need to import raw materials, meant that prices on the Japanese domestic market were high. In any case, the four Japanese producers approached by the Commission refused to cooperate.

(12) The exporters also disagreed with the choice of Austria as a reference country because its only producer was protected by price controls and a system of import licensing which kept prices on the domestic market high.

(13) The Commission then approached a Canadian producer, which refused to cooperate.

(14) A number of exporters said normal value should be based on Community producers' prices. However, Article 2 (5) (c) of Regulation (EEC) No 2423/88 restricts this approach to cases where reference to a non-member country would fail to provide an adequate basis.

(15) In the end the Commission selected Mexico as reference country, in the light of:

- the availability of domestic raw materials,
- its use of a similar manufacturing method, the 'Solvay process', producing sodium carbonate by synthetic rather than natural means,
- the fact that its sodium carbonate is of a quality equivalent to that of the exporting/producing countries concerned in this investigation,
- the fact that production there is on a large scale,
- the state of competition on the domestic market, with two local producers and substantial imports from the United States, imports being free of quantitative restrictions and subject to a customs duty of 10 %, proportionally similar to that of the Community; Mexican prices are close to those of Community manufacturers and appear to allow profits to be made which do not appear to be excessive,
- the fact that sales on the Mexican market are large enough to use as a reference basis; the Mexican producers of sodium carbonate sell

virtually their entire output on the domestic market.

The Commission therefore concluded that it was appropriate and not unreasonable to use this as a basis for calculating normal value.

(16) Accordingly it established normal value on the basis of the average selling prices, net of all direct discounts and rebates charged in 1987 and the first five months of 1988 on the domestic market of Mexico for light sodium carbonate bagged or in bulk. Prices were calculated in US dollars in order to neutralize the inflationary effect of Mexico's currency.

II. Export price

(17) Wherever possible, export prices were determined on the basis of the prices actually paid by independent Community importers to the exporters concerned. The Commission checked over 70 % of Community imports.

Export prices were established in respect of consignments brought into the Community both for actual consumption and for inward processing. Regulation (EEC) No 2423/88 does not exclude consideration of goods exported to the Community under these arrangements. Inability to take imports for inward processing into account for the purpose of calculating export prices would leave the anti-dumping proceeding open to abuse in that the firms involved could easily decide subsequently to release the products for consumption in the Community, something which it would be difficult for the Commission or the Member States to prove. Furthermore, there is a possibility that Community producers could be injured by these imports on which customs duties have been temporarily suspended either because of their indirect effect on Community prices or because they reduce the outlets available to producers.

III. Comparison

(18) In comparing the normal value with the export prices, the Commission took account, where circumstances warranted it and sufficient evidence was available, of differences affecting price comparability; appropriate adjustments were made for payment and delivery terms, transport and insurance costs and different types of packing.

All comparisons were made at the ex works stage.

IV. Dumping margins

- (19) Comparisons of the normal value and the export prices for 1987 and 1988 showed that imports from the countries covered by the investigation were being dumped, the dumping margin being the difference between the normal value and the price of exports to the Community.

Expressed as a percentage of the free-at-Community-frontier price, the margins were: 58 % and upwards in the case of Poland, 67 % and upwards in the case of Bulgaria, 35 % and upwards for Romania and 64 % and upwards for the German Democratic Republic.

There was no evidence of any imports into the Community from the Soviet Union later than 1984.

C. INJURY

- (20) In the case under consideration, what the Commission had to decide was whether the expiry of dumping measures already in force would lead to renewed injury.

I. Present situation

- (21) Since the entry into force of the anti-dumping duties, exports to the Community from the countries in question have been limited. Before 1983 they had taken 17 % of the market. Since then, the market share has fallen to 4 % and remained steady at that level. These imports include transactions under the inward processing arrangements, which similarly have the effect of taking sales from Community producers and exercise downward pressure on their prices.
- (22) Over the same period the Community sodium carbonate market experienced a marked contraction. Community consumption of light sodium carbonate, which stood at 1 800 000 tonnes in 1982, fell by almost 20 % in the three years after that. This prompted a major restructuring and rationalization of the Community industry, including reduction of total (dense and light) sodium carbonate production capacity, which fell from 7 300 000 tonnes in 1982 to 6 700 000 tonnes in 1988 with the closure of several production units, whereas the East European countries' output appears to have remained constant over the period 1983 to 1988. The Community market has continued to shrink since 1985, albeit more slowly.

- (23) The contraction of the market is due among other things to restrictions imposed on the use of light sodium carbonate in the manufacture of other products. Community consumption of light sodium carbonate fell from 1 600 000 tonnes in 1985 to 1 460 000 tonnes in 1987, resulting in a decline in the Community industry's sales from 1 500 000 tonnes to 1 250 000 tonnes and a fall in output from 1 754 000 tonnes to 1 500 000 tonnes.

- (24) The Commission has established that the import prices were on average from 6 to 20 % lower than those of the Community industry over the period covered by the investigation, i.e. from 15 to 40 % net of the anti-dumping duties.

The volume of imports being modest, this undercutting has only a limited effect on the general level of prices. In a number of specific instances, however, particularly on the British and German markets, Community producers have been obliged to match the lower prices of East European goods on the Community market, which barely enables them to cover their production costs.

- (25) The financial situation of the Community industry has improved but remains uncertain. Part of the industry is achieving fairly satisfactory results, but some firms are operating at only a small profit or a loss. The relative improvement is attributable partly to restructuring, which has kept capacity utilization at about 80 % — the minimum required for continuous production, given the difficulty of storing the product — and partly by the effect of the anti-dumping duty on imports, but above all by the currently low level of energy prices, the major factor affecting production costs; it should be noted that the rate of depreciation of the plant is often low, which discourages the investment necessary for continued efficiency, a particularly serious problem in this capital-intensive industry.

To sum up, while the industry's situation has improved since the duties were imposed, it remains precarious and dependent on the trend of raw material prices.

II. Threat of injury

- (26) In order to see whether, in these circumstances, the expiry of the anti-dumping measures might lead to the renewed occurrence of material injury to Community producers, the following factors were considered:
- (a) The exporting countries under consideration together account for 11 million tonnes of production capacity, a substantial proportion of

the world total. At the moment their aggregate output is around 9 million tonnes, with domestic consumption around 8 million tonnes. With consumption tending to fall, larger amounts are becoming available for export. Unlike the Community countries, Eastern Europe is keeping production capacity and exports at a very high level; according to the information available, Bulgaria's exports in recent years have averaged around 70 % of its annual production of one million tonnes, with Romanian exports over the same period running at about 50 % of production, Poland around 40 % and East Germany 30 %. The Soviet Union produces 5 million tonnes, much of which is used to meet domestic demand, but it has considerable export capacity. With the opening of new production units throughout the world, East European countries could lose some of their traditional outlets. Realistically, therefore, we can foresee the possibility of substantial additional exports from these countries to the Community even if, as some of them claim, trade among Comecon members in stepped up. They could also expand production by using existing plant more intensively.

- (b) As to the possibility that these countries might adopt a more aggressive export policy in the event of expiry of the anti-dumping duties, we would point out that the Community is a nearby market with attractive prices. Moreover, East European countries have been dumping this product for many years, as the high dumping margins found in the course of the initial investigations in 1979 and the review in 1982 show. By this means these countries had gained a sizeable share of the market prior to 1983. The present investigation has shown that the exporters concerned have continued dumping.

In this connection it is significant that these exporters have markedly increased sales to the Community of dense sodium carbonate a product not subject to an anti-dumping duty, at the same price as light, despite the higher production costs. The way in which these countries have acted to evade anti-dumping duties by selling dense sodium carbonate at the price of light for uses where the two products are interchangeable, and switching their marketing policy to the dense product, is an indication of their intention to retain a place on

the Community market for this class of products.

- (c) An increase in dumped imports would affect the Community industry (mainly located near its outlets, for reasons noted below) in a number of ways.

As the Community market is shrinking, such a development would be bound to cut into domestic sales. This could not be offset by increased sales on third country markets, since the Community industry's scope is restricted by the incidence of transport costs for this high-bulk, low-value product. The drop in sales would result in a decline in production and the utilization of existing capacity.

This would seriously jeopardize the results of the recent restructuring and would inevitably be detrimental to profits and employment in the industry.

Here it should be noted that due to the continuous manufacturing process in use in the industry and the problems of storing the product, sodium carbonate is generally sold to dealers or end users in bulk, under contracts covering a whole year. For a Community producer to lose a single contract, therefore, can amount to a substantial loss of market share.

- (27) The Council has accordingly concluded that elimination of the anti-dumping duty could lead to the recurrence of material injury to Community producers.

D. COMMUNITY INTEREST

- (28) Since the repercussions of any reasonable increase in the price of light sodium carbonate on the price of goods incorporating or using the product would be negligible, users' interests would not be significantly affected by the imposition of anti-dumping duties. There have in any case been no comments from users.

- (29) In view of that fact, given the damaging effects a renewed surge of dumped imports would have on the still vulnerable state of the industry, the Council considers it is in the Community's interest that the duties should remain in force.

E. UNDERTAKINGS

- (30) Two exporters of the product, on being informed of the main findings of the investigation, offered undertakings in respect of exports to the Community of light sodium carbonate.

Following consultations within the Advisory Committee the Commission declined to accept the undertakings, informing the exporters of the reason for its decision.

F. NATURE AND LEVEL OF DUTY

- (31) In order to prevent evasion of the anti-dumping measures as far as possible, they should take the form of a variable duty based on a minimum price. Different rates of duty should apply according to whether the product is sold loose or in bags.
- (32) The duty should be less than the dumping margin, provided a lower rate is sufficient to eliminate injury. Thus the threshold would be equal to a weighted average of Community producers' production costs plus a reasonable profit sufficient to finance the necessary level of investment. In the light of the capital invested by Community producers, the normal rate of return and the risk involved, the Council has concluded that an appropriate profit margin would be 8 %.

On the basis of the above considerations the variable duty will be set at the following rate:

- for light sodium carbonate in bulk, the difference between a net price of ECU 143 per tonne and the net price free-at-the frontier of the importing Member State, not cleared through customs, payable by the first importer,
- for light sodium carbonate in bags of a unit weight of less than 500 kilograms, the difference between a net price of ECU 159 per tonne and the net price free at the frontier of the importing Member State, not cleared through customs, payable by the first importer.

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

Done at Brussels, 11 May 1989.

Since the Soviet Union has exported no sodium carbonate to the Community since 1984, its industry should not be subject to the variable duty,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of light sodium carbonate falling within CN codes ex 2836 20 00 and ex 3823 90 98, originating in Bulgaria, Romania, the German Democratic Republic or Poland.
2. The amount of the duty shall be:
 - for all imports in bulk, the difference between the net price per tonne, free at Community frontier, not cleared through customs, and the sum of ECU 143,
 - for all imports in bags of a unit weight of less 500 kilograms, the difference between the net price per tonne, free at Community frontier, not cleared through customs, and the sum of ECU 159.
3. The free at Community frontier prices shall be net if the conditions of sale provide for payment within 30 days of the date of shipment. They shall be increased or reduced by 0,70 % for each month's increase or decrease in the period for payment.
4. For the purposes of this Regulation, 'light sodium carbonate' means non-compacted sodium carbonate with a specific weight of less than 0,7 kg/dm³, consisting of powder or grains less than 0,4 mm in diameter.
5. The provisions in force concerning customs duties shall apply.

Article 2

Regulation (EEC) No 273/83 is repealed.

Article 3

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

For the Council
The President
C. ARANZADI

COMMISSION REGULATION (EEC) No 1307/89

of 12 May 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 11 May 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 13 May 1989.

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

Done at Brussels, 12 May 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 12 May 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	25,25	128,55
0712 90 19	25,25	128,55
1001 10 10	59,60	187,59 ⁽¹⁾ ⁽²⁾
1001 10 90	59,60	187,59 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	115,98
1001 90 99	35,73	115,98
1002 00 00	63,32	116,71 ⁽⁴⁾
1003 00 10	53,90	128,04
1003 00 90	53,90	128,04
1004 00 10	44,96	89,45
1004 00 90	44,96	89,45
1005 10 90	25,25	128,55 ⁽²⁾ ⁽³⁾
1005 90 00	25,25	128,55 ⁽²⁾ ⁽³⁾
1007 00 90	48,56	137,55 ⁽⁴⁾
1008 10 00	53,90	21,64
1008 20 00	53,90	11,93 ⁽⁴⁾
1008 30 00	53,90	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	53,90	0,00
1101 00 00	64,72	176,12
1102 10 00	103,35	178,09
1103 11 10	106,02	304,40
1103 11 90	68,09	188,40

⁽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 1308/89

of 12 May 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 11 May 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 13 May 1989.

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

Done at Brussels, 12 May 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 12 May 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 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	4,53	4,53	4,53
1001 10 90	0	4,53	4,53	4,53
1001 90 91	0	1,24	1,24	7,91
1001 90 99	0	1,24	1,24	7,91
1002 00 00	0	0	0	0
1003 00 10	0	1,24	1,24	7,21
1003 00 90	0	1,24	1,24	7,21
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	1,72	1,72	11,06

B. Malt

CN code	(ECU/tonne)				
	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	2,21	2,21	14,08	14,08
1107 10 19	0	1,65	1,65	10,52	10,52
1107 10 91	0	2,21	2,21	12,83	12,83
1107 10 99	0	1,65	1,65	9,59	9,59
1107 20 00	0	1,92	1,92	11,18	11,18

COMMISSION REGULATION (EEC) No 1309/89**of 12 May 1989****fixing the import levies on rice and broken rice**

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1219/89⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88⁽⁵⁾, as last amended by Regulation (EEC) No 1194/89⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2699/88 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 May 1989.

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

Done at Brussels, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.

⁽⁶⁾ OJ No L 123, 4. 5. 1989, p. 7.

ANNEX

to the Commission Regulation of 12 May 1989 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT ⁽¹⁾ ⁽²⁾	Third countries (except ACP or OCT) ⁽³⁾
1006 10 21	—	—	147,34	301,89
1006 10 23	—	210,24	136,56	280,32
1006 10 25	—	210,24	136,56	280,32
1006 10 27	—	210,24	136,56	280,32
1006 10 92	—	—	147,34	301,89
1006 10 94	—	210,24	136,56	280,32
1006 10 96	—	210,24	136,56	280,32
1006 10 98	—	210,24	136,56	280,32
1006 20 11	—	—	185,08	377,36
1006 20 13	—	262,80	171,60	350,40
1006 20 15	—	262,80	171,60	350,40
1006 20 17	—	262,80	171,60	350,40
1006 20 92	—	—	185,08	377,36
1006 20 94	—	262,80	171,60	350,40
1006 20 96	—	262,80	171,60	350,40
1006 20 98	—	262,80	171,60	350,40
1006 30 21	13,05	—	239,23	502,31
1006 30 23	12,97	419,31	267,65	559,08
1006 30 25	12,97	419,31	267,65	559,08
1006 30 27	12,97	419,31	267,65	559,08
1006 30 42	13,05	—	239,23	502,31
1006 30 44	12,97	419,31	267,65	559,08
1006 30 46	12,97	419,31	267,65	559,08
1006 30 48	12,97	419,31	267,65	559,08
1006 30 61	13,90	—	255,13	534,96
1006 30 63	13,90	449,51	287,32	599,34
1006 30 65	13,90	449,51	287,32	599,34
1006 30 67	13,90	449,51	287,32	599,34
1006 30 92	13,90	—	255,13	534,96
1006 30 94	13,90	449,51	287,32	599,34
1006 30 96	13,90	449,51	287,32	599,34
1006 30 98	13,90	449,51	287,32	599,34
1006 40 00	0	—	38,63	83,26

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

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

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

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

COMMISSION REGULATION (EEC) No 1310/89

of 12 May 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1219/89⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88⁽³⁾, as last amended by Regulation (EEC) No 1195/89⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:—

Article 1

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

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

Article 2

This Regulation shall enter into force on 15 May 1989.

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

Done at Brussels, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 128, 11. 5. 1989, p. 9.⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.⁽⁴⁾ OJ No L 123, 4. 5. 1989, p. 9.

ANNEX

to the Commission Regulation of 12 May 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1311/89

of 11 May 1989

fixing the export refunds on milk and milk products and amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

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 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 17 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade;
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination;
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas, for products falling within subheadings ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93 of the combined nomenclature, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within headings 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾;
- 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 the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than 140 ECU/100 kg;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas

those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas Commission Regulation (EEC) No 3846/87⁽⁶⁾, as last amended by Regulation (EEC) No 96/89⁽⁷⁾, establishes an agricultural product nomenclature for export refunds;

Whereas certain processed cheeses produced in the Community do not appear in the list of descriptions of goods in sector 10 of the Annex to Regulation (EEC) No 3846/87; whereas, in order to fix a refund for such processed cheeses, the relevant code numbers must be inserted in sector 10 of the Annex to that Regulation;

Whereas footnote 10 on butter exported pursuant to Commission Regulation (EEC) No 765/86⁽⁸⁾ in Chapter 10 of the Annex to Regulation (EEC) No 3846/87 should be deleted since the export operation has been completed;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 for unprocessed products shall be those indicated in Annex I hereto. The export refunds for headings 0405 00 and 0406 30 of the agricultural product nomenclature in sector 10 of the Annex to Regulation (EEC) No 3846/87 are hereby replaced by those in Annex II hereto.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.
⁽⁷⁾ OJ No L 14, 18. 1. 1989, p. 7.
⁽⁸⁾ OJ No L 72, 15. 3. 1986, p. 11.

2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk

This Regulation shall enter into force on 13 May 1989.

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

Done at Brussels, 11 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

to the Commission Regulation of 11 May 1989 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0401 10 10 000		5,00
0401 10 90 000		5,00
0401 20 11 100		5,00
0401 20 11 500		8,17
0401 20 19 100		5,00
0401 20 19 500		8,17
0401 20 91 100		11,14
0401 20 91 500		13,12
0401 20 99 100		11,14
0401 20 99 500		13,12
0401 30 11 100		17,08
0401 30 11 400		26,78
0401 30 11 700		40,64
0401 30 19 100		17,08
0401 30 19 400		26,78
0401 30 19 700		40,64
0401 30 31 100		48,56
0401 30 31 400		76,29
0401 30 31 700		84,21
0401 30 39 100		48,56
0401 30 39 400		76,29
0401 30 39 700		84,21
0401 30 91 100		96,09
0401 30 91 400		141,63
0401 30 91 700		165,39
0401 30 99 100		96,09
0401 30 99 400		141,63
0401 30 99 700		165,39
0402 10 11 000		55,00
0402 10 19 000		55,00
0402 10 91 000		0,5500
0402 10 99 000		0,5500
0402 21 11 200		55,00
0402 21 11 300		85,94
0402 21 11 500		91,77
0402 21 11 900		100,00
0402 21 17 000		55,00
0402 21 19 300		85,94
0402 21 19 500		91,77
0402 21 19 900		100,00
0402 21 91 100		100,88
0402 21 91 200		101,72
0402 21 91 300		103,26
0402 21 91 400		112,27
0402 21 91 500		115,34
0402 21 91 600		127,00
0402 21 91 700		134,08
0402 21 91 900		141,89
0402 21 99 100		100,88

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 21 99 200		101,72
0402 21 99 300		103,26
0402 21 99 400		112,27
0402 21 99 500		115,34
0402 21 99 600		127,00
0402 21 99 700		134,08
0402 21 99 900		141,89
0402 29 15 200		0,5500
0402 29 15 300		0,8594
0402 29 15 500		0,9177
0402 29 15 900		1,0000
0402 29 19 200		0,5500
0402 29 19 300		0,8594
0402 29 19 500		0,9177
0402 29 19 900		1,0000
0402 29 91 100		1,0088
0402 29 91 500		1,1227
0402 29 99 100		1,0088
0402 29 99 500		1,1227
0402 91 11 110		5,00
0402 91 11 120		11,14
0402 91 11 310		18,33
0402 91 11 350		23,16
0402 91 11 370		29,00
0402 91 19 110		5,00
0402 91 19 120		11,14
0402 91 19 310		18,33
0402 91 19 350		23,16
0402 91 19 370		29,00
0402 91 31 100		22,82
0402 91 31 300		34,27
0402 91 39 100		22,82
0402 91 39 300		34,27
0402 91 51 000		26,78
0402 91 59 000		26,78
0402 91 91 000		96,09
0402 91 99 000		96,09
0402 99 11 110		0,0500
0402 99 11 130		0,1114
0402 99 11 150		0,1897
0402 99 11 310		21,15
0402 99 11 330		26,07
0402 99 11 350		35,72
0402 99 19 110		0,0500
0402 99 19 130		0,1114
0402 99 19 150		0,1897
0402 99 19 310		21,15
0402 99 19 330		26,07
0402 99 19 350		35,72
0402 99 31 110		0,2480
0402 99 31 150		37,31
0402 99 31 300		0,4856
0402 99 31 500		0,8421
0402 99 39 110		0,2480
0402 99 39 150		37,31
0402 99 39 300		0,4856

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,8421
0402 99 91 000		0,9609
0402 99 99 000		0,9609
0403 10 11 100		5,00
0403 10 11 300		8,17
0403 10 13 000		11,14
0403 10 19 000		17,08
0403 10 31 100		0,0500
0403 10 31 300		0,0817
0403 10 33 000		0,1114
0403 10 39 000		0,1708
0403 90 11 000		55,00
0403 90 13 000		55,00
0403 90 19 000		100,88
0403 90 31 000		0,5500
0403 90 33 000		0,5500
0403 90 39 000		1,0088
0403 90 51 100		5,00
0403 90 51 300		8,17
0403 90 53 000		11,14
0403 90 59 110		17,08
0403 90 59 140		26,78
0403 90 59 170		40,64
0403 90 59 310		48,56
0403 90 59 340		76,29
0403 90 59 370		84,21
0403 90 59 510		96,09
0403 90 59 540		141,63
0403 90 59 570		165,39
0403 90 61 100		0,0500
0403 90 61 300		0,0817
0403 90 63 000		0,1114
0403 90 69 000		0,1708
0404 90 11 100		55,00
0404 90 11 910		5,00
0404 90 11 950		18,33
0404 90 13 120		55,00
0404 90 13 130		85,94
0404 90 13 140		91,77
0404 90 13 150		100,00
0404 90 13 911		5,00
0404 90 13 913		11,14
0404 90 13 915		17,08
0404 90 13 917		26,78
0404 90 13 919		40,64
0404 90 13 931		18,33
0404 90 13 933		23,16
0404 90 13 935		29,00
0404 90 13 937		34,27
0404 90 13 939		35,87
0404 90 19 110		100,88
0404 90 19 115		101,72
0404 90 19 120		103,26
0404 90 19 130		112,27
0404 90 19 135		115,34

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 19 150		127,00
0404 90 19 160		134,08
0404 90 19 180		141,89
0404 90 19 900		—
0404 90 31 100		55,00
0404 90 31 910		5,00
0404 90 31 950		18,33
0404 90 33 120		55,00
0404 90 33 130		85,94
0404 90 33 140		91,77
0404 90 33 150		100,00
0404 90 33 911		5,00
0404 90 33 913		11,14
0404 90 33 915		17,08
0404 90 33 917		26,78
0404 90 33 919		40,64
0404 90 33 931		18,33
0404 90 33 933		23,16
0404 90 33 935		29,00
0404 90 33 937		34,27
0404 90 33 939		35,87
0404 90 39 110		100,88
0404 90 39 115		101,72
0404 90 39 120		103,26
0404 90 39 130		112,27
0404 90 39 150		115,34
0404 90 39 900		—
0404 90 51 100		0,5500
0404 90 51 910		0,0500
0404 90 51 950		21,15
0404 90 53 110		0,5500
0404 90 53 130		0,8594
0404 90 53 150		0,9177
0404 90 53 170		1,0000
0404 90 53 911		0,0500
0404 90 53 913		0,1114
0404 90 53 915		0,1708
0404 90 53 917		0,2678
0404 90 53 919		0,4064
0404 90 53 931		21,15
0404 90 53 933		26,07
0404 90 53 935		35,72
0404 90 53 937		37,31
0404 90 53 939		—
0404 90 59 130		1,0088
0404 90 59 150		1,1227
0404 90 59 930		0,5846
0404 90 59 950		0,8421
0404 90 59 990		0,9609
0404 90 91 100		0,5500
0404 90 91 910		0,0500
0404 90 91 950		21,15
0404 90 93 110		0,5500
0404 90 93 130		0,8594
0404 90 93 150		0,9177

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,0000
0404 90 93 911		0,0500
0404 90 93 913		0,1114
0404 90 93 915		0,1708
0404 90 93 917		0,2678
0404 90 93 919		0,4064
0404 90 93 931		21,15
0404 90 93 933		26,07
0404 90 93 935		35,72
0404 90 93 937		37,31
0404 90 93 939		—
0404 90 99 130		1,0088
0404 90 99 150		1,1227
0404 90 99 930		0,5846
0404 90 99 950		0,8421
0404 90 99 990		0,9609
0405 00 10 100		—
0405 00 10 200		128,54
0405 00 10 300		161,71
0405 00 10 500		165,85
0405 00 10 700		170,00
0405 00 90 100		170,00
0405 00 90 900		214,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	...	87,74
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	...	116,99
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	...	124,30
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	...	138,92
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	23,26

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 10 200	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 10 250	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 10 300	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	74,16
0406 30 10 350	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 10 400	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	74,16
0406 30 10 450	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 10 500		—
0406 30 10 550	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	50,52

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 10 600	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	74,16
0406 30 10 650	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 10 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 10 750	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	131,82
0406 30 10 800	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	131,82
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	23,26
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,52
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	74,16
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	50,22
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	74,16
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	50,52
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	74,16

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	108,00
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	131,82
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	131,82
0406 40 00 100	—	—
0406 40 00 900	028	—
	032	—
	038	—
	400	120,00
	404	—
	...	131,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	164,34
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
0406 90 15 900	...	164,34
	—	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	164,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	732	144,68
	...	156,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	128,35
	...	140,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	128,35
	...	140,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	119,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	93,27

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	87,18
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	93,27
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	87,18
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	93,27
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	87,18
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
	...	190,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	217,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	170,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	170,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	91,15

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	100,50
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	114,22
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	140,35
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	156,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	65,00
	404	—
	...	130,96
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
	...	114,22

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	128,35
	...	140,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
	732	128,35
	...	140,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	119,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	39,03
	404	—
	...	50,97
0406 90 83 990	028	—
	032	—
	400	39,03
	404	—
	...	50,97
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	163,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	732	128,35
	...	140,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	91,15
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	100,50
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	114,22
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	156,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	135,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	732	128,35
	...	140,35
0406 90 89 972	028	—
	032	—
	400	39,03
	404	—
	...	50,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	732	128,35
	...	140,35
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
	...	21,46
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
	...	37,62
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
	...	45,81
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		—
2309 10 15 300		—
2309 10 15 400		—
2309 10 15 500		—
2309 10 15 700		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		—
2309 10 19 300		—
2309 10 19 400		—
2309 10 19 500		—
2309 10 19 600		—
2309 10 19 700		—
2309 10 19 800		—
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		16,50
2309 10 70 200		22,00
2309 10 70 300		27,50
2309 10 70 500		33,00
2309 10 70 600		38,50
2309 10 70 700		44,00
2309 10 70 800		48,40
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		—
2309 90 35 300		—
2309 90 35 400		—
2309 90 35 500		—
2309 90 35 700		—
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		—
2309 90 39 300		—
2309 90 39 400		—
2309 90 39 500		—
2309 90 39 600		—
2309 90 39 700		—
2309 90 39 800		—
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		16,50
2309 90 70 200		22,00
2309 90 70 300		27,50
2309 90 70 500		33,00
2309 90 70 600		38,50
2309 90 70 700		44,00
2309 90 70 800		48,40
2309 90 70 900		—

ANNEX II

to the Commission Regulation of 11 May 1989 amending Regulation (EEC) No 3846/87
establishing an agricultural product nomenclature for export refunds

CN code	Description	Product code
0405 00	Butter and other fats and oils derived from milk :	
0405 00 10	- Of a fat content, by weight, not exceeding 85 % :	
	- Of less than 62 %	0405 00 10 100
	- Of 62 % or more but less than 78 %	0405 00 10 200
	- Of 78 % or more but less than 80 %	0405 00 10 300
	- Of 80 % or more but less than 82 %	0405 00 10 500
	- Of 82 % or more	0405 00 10 700
0405 00 90	- Other :	
	- Of a fat content, by weight :	
	- Not exceeding 99,5 %	0405 00 90 100
	- Exceeding 99,5 %	0405 00 90 900
0406 30	- Processed cheese, not grated or powdered ⁽¹⁾ :	
0406 30 10	- - In the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger) ; put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 % :	
	- - - In the blending of which only Emmentaler and Gruyère have been used of a fat content by weight in the dry matter, not exceeding 56 % :	
	- - - - Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :	
	- - - - - Not exceeding 48 % :	
	- - - - - Of a dry matter content, by weight :	
	- - - - - Of less than 27 %	0406 30 10 100
	- - - - - Of 27 % or more but less than 33 %	0406 30 10 150
	- - - - - Of 33 % or more but less than 38 %	0406 30 10 200
	- - - - - Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :	
	- - - - - Of less than 20 %	0406 30 10 250
	- - - - - Of 20 % or more	0406 30 10 300
	- - - - - Of 43 % or more and of a fat content, by weight, in the dry matter :	
	- - - - - Of less than 20 %	0406 30 10 350
	- - - - - Of 20 % or more but less than 40 %	0406 30 10 400
	- - - - - Of 40 % or more	0406 30 10 450
	- - - - - Exceeding 48 % :	
	- - - - - Of a dry matter content, by weight :	
	- - - - - Of less than 33 %	0406 30 10 500
	- - - - - Of 33 % or more but less than 38 %	0406 30 10 550
	- - - - - Of 38 % or more but less than 43 %	0406 30 10 600
	- - - - - Of 43 % or more but less than 46 %	0406 30 10 650
	- - - - - Of 46 % or more and of a fat content, by weight, in the dry matter :	
	- - - - - Of less than 55 %	0406 30 10 700
	- - - - - Of 55 % or more	0406 30 10 750
	- - - - - Of a fat content, by weight, exceeding 36 %	0406 30 10 800
	- - - Other	0406 30 10 900
	- - Other :	
	- - - Of a fat content, by weight, not exceeding 36 % and of a fat content, by weight, in the dry matter :	

CN code	Description	Product code
0406 30 31	- - - - Not exceeding 48 % : - Of a dry matter content, by weight : - Of less than 27 % - Of 27 % or more but less than 33 % - Of 33 % or more but less than 38 % - Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : - Of less than 20 % - Of 20 % or more - Of 43 % or more and of a fat content, by weight, in the dry matter : - Of less than 20 % - Of 20 % or more but less than 40 % - Of 40 % or more	0406 30 31 100 0406 30 31 300 0406 30 31 500 0406 30 31 710 0406 30 31 730 0406 30 31 910 0406 30 31 930 0406 30 31 950
0406 30 39	- - - - Exceeding 48 % : - Of a dry matter content, by weight : - Of less than 33 % - Of 33 % or more but less than 38 % - Of 38 % or more but less than 43 % - Of 43 % or more but less than 46 % - Of 46 % or more and of a fat content, by weight, in the dry matter : - Of less than 55 % - Of 55 % or more	0406 30 39 100 0406 30 39 300 0406 30 39 500 0406 30 39 700 0406 30 39 930 0406 30 39 950
0406 30 90	- - - Of a fat content, by weight, exceeding 36 %	0406 30 90 000

- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

- (2) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the added whey and/or added casein and/or added caseinates shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

- (3) When the product contains casein and/or caseinates that were added before or at the time of processing, no refund shall be granted.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added.

- (4) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation the fat content, by weight.

The refund per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68 (OJ No L 184, 29. 7. 1968, p. 10).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case ;

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

- (5) The refund on 100 kilograms of product falling within this subheading is equal of the sum of the following elements :

- (a) the amount per 100 kilograms shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be :

- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
- divided by the weight of the lactic part contained in 100 kilograms of product ;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kilograms of finished product, and, in particular,
- the lactose content of the added whey.

- (6) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund and the monetary compensatory amount, in the exporting Member State, is less than ECU 140 per 100 kilograms. This limitation to ECU per 100 kilograms does not apply to cheeses falling within subheadings 0406 90 91 and 93.

- (7) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.

- (8) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the skimmed-milk-powder content, by weight,
- whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
 - the content by weight of the added whey and/or added lactose and/or added casein and/or added caseinates, and
 - the lactose content of the added whey per 100 kilograms of finished product.

- (9) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 grams of iron and/or more than 1,2 grams of copper in 100 kilograms of product.

- (10) The content by weight of added casein and/or added caseinates will not be taken into account for the purpose of calculating the fat content by weight. Where the product contains casein and/or caseinates, the part corresponding to the added casein and/or the added caseinates will not be taken into account for the purpose of calculating the refund.

When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.

COMMISSION REGULATION (EEC) No 1312/89
of 12 May 1989
fixing the import levies on milk and milk 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 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 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1167/89 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1167/89 to the prices

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

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.
2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 16 May 1989.

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

Done at Brussels, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 121, 29. 4. 1989, p. 20.

ANNEX

to the Commission Regulation of 12 May 1989 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		12,32
0401 10 90		11,11
0401 20 11		17,75
0401 20 19		16,54
0401 20 91		23,33
0401 20 99		22,12
0401 30 11		62,04
0401 30 19		60,83
0401 30 31		121,69
0401 30 39		120,48
0401 30 91		206,82
0401 30 99		205,61
0402 10 11		72,96
0402 10 19		65,71
0402 10 91	(¹)	0,6571/kg + 26,88
0402 10 99	(¹)	0,6571/kg + 19,63
0402 21 11		143,62
0402 21 17		136,37
0402 21 19		136,37
0402 21 91		187,75
0402 21 99		180,50
0402 29 11	(¹) (²)	1,3637/kg + 26,88
0402 29 15	(¹)	1,3637/kg + 26,88
0402 29 19	(¹)	1,3637/kg + 19,63
0402 29 91	(¹)	1,8050/kg + 26,88
0402 29 99	(¹)	1,8050/kg + 19,63
0402 91 11		31,42
0402 91 19		31,42
0402 91 31		39,27
0402 91 39		39,27
0402 91 51		121,69
0402 91 59		120,48
0402 91 91		206,82
0402 91 99		205,61
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,1806/kg + 23,26
0402 99 39	(¹)	1,1806/kg + 22,05
0402 99 91	(¹)	2,0319/kg + 23,26
0402 99 99	(¹)	2,0319/kg + 22,05

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 11		20,16
0403 10 13		25,74
0403 10 19		64,45
0403 10 31	(¹)	0,1412/kg + 25,67
0403 10 33	(¹)	0,1970/kg + 25,67
0403 10 39	(¹)	0,5841/kg + 25,67
0403 90 11		72,96
0403 90 13		143,62
0403 90 19		187,75
0403 90 31	(¹)	0,6571/kg + 26,88
0403 90 33	(¹)	1,3637/kg + 26,88
0403 90 39	(¹)	1,8050/kg + 26,88
0403 90 51		20,16
0403 90 53		25,74
0403 90 59		64,45
0403 90 61	(¹)	0,1412/kg + 25,67
0403 90 63	(¹)	0,1970/kg + 25,67
0403 90 69	(¹)	0,5841/kg + 25,67
0404 10 11		14,18
0404 10 19	(¹)	0,1418/kg + 19,63
0404 10 91	(²)	0,1418/kg
0404 10 99	(²)	0,1418/kg + 19,63
0404 90 11		72,96
0404 90 13		143,62
0404 90 19		187,75
0404 90 31		72,96
0404 90 33		143,62
0404 90 39		187,75
0404 90 51	(¹)	0,6571/kg + 26,88
0404 90 53	(¹)	1,3637/kg + 26,88
0404 90 59	(¹)	1,8050/kg + 26,88
0404 90 91	(¹)	0,6571/kg + 26,88
0404 90 93	(¹)	1,3637/kg + 26,88
0404 90 99	(¹)	1,8050/kg + 26,88
0405 00 10		212,68
0405 00 90		259,47
0406 10 10		245,84
0406 10 90		304,28
0406 20 10	(³)	373,66
0406 20 90		373,66
0406 30 10	(³)	187,67
0406 30 31	(³)	188,77
0406 30 39	(³)	187,67
0406 30 90	(³)	284,39
0406 40 00	(³)	158,11
0406 90 11	(³)	239,36

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 90 13	(³)	238,89
0406 90 15	(³)	238,89
0406 90 17	(³)	238,89
0406 90 19	(³)	373,66
0406 90 21	(³)	239,36
0406 90 23	(³)	207,56
0406 90 25	(³)	207,56
0406 90 27	(³)	207,56
0406 90 29	(³)	207,56
0406 90 31	(³)	207,56
0406 90 33		207,56
0406 90 35	(³)	207,56
0406 90 37	(³)	207,56
0406 90 39	(³)	207,56
0406 90 50	(³)	207,56
0406 90 61		373,66
0406 90 63		373,66
0406 90 69		373,66
0406 90 71		245,84
0406 90 73		207,56
0406 90 75		207,56
0406 90 77		207,56
0406 90 79		207,56
0406 90 81		207,56
0406 90 83		207,56
0406 90 85		207,56
0406 90 89	(³)	207,56
0406 90 91		245,84
0406 90 93		245,84
0406 90 97		304,28
0406 90 99		304,28
1702 10 10		33,60
1702 10 90		33,60
2106 90 51		33,60
2309 10 15		51,70
2309 10 19		66,82
2309 10 39		63,66
2309 10 59		54,97
2309 10 70		66,82
2309 90 35		51,70
2309 90 39		66,82
2309 90 49		63,66
2309 90 59		54,97
2309 90 70		66,82

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- (1) The levy on 100 kg of product falling within this subheading is equal to the sum of the following:
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
- (2) The levy on 100 kg of product falling within this subheading is equal to:
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (3) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
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COMMISSION REGULATION (EEC) No 1313/89

of 12 May 1989

applying a special intervention measure for maize at the end of the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 8 (3) thereof,Whereas Council Regulation (EEC) No 1582/86 of 23 May 1986 on particular intervention measures for cereals⁽³⁾ lays down the general rules applicable to such measures;

Whereas the intervention period for maize ends on 31 May; whereas this time limit, in particular in view of the agreement with the United States on imports of maize and grain sorghum into Spain at a reduced levy, is likely to encourage operators to offer substantial quantities of maize for intervention at the end of May, although certain market outlets may still be found after that date; whereas this situation may be remedied by opening a possibility for the buying-in of that cereal in June 1989 for which the production is limited to certain regions of the Community;

Whereas the conditions for the buying-in of cereals are laid down in Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽⁴⁾, as amended by Regulation (EEC) No 195/89⁽⁵⁾, Commission Regulation (EEC) No 1569/77 of 11 July 1977 fixing the procedure and conditions for the taking over of cereals by intervention agencies⁽⁶⁾, as last amended by Regulation (EEC) No 3495/88⁽⁷⁾, and Commission Regulation (EEC) No 1570/77 of 11 July1977 on price increases and reductions applicable to intervention in cereals⁽⁸⁾, as last amended by Regulation (EEC) No 2258/87⁽⁹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In accordance with Article 2 of Regulation (EEC) No 1582/86, the intervention agencies shall buy in quantities of maize offered to them between 1 and 30 June 1989.
2. The price to be paid shall be the intervention price provided for in Article 7 (3) of Regulation (EEC) No 2727/75, as fixed for the 1988/89 marketing year, plus seven monthly increases, expressed in national currency using the representative rate applicable on 31 May 1989.
3. The quantities offered must be delivered by 15 August 1989 at the latest.
4. Subject to paragraph 2, buying-in shall be carried out in accordance with the provisions of Regulation (EEC) No 1581/86 and Regulations (EEC) No 1569/77 and (EEC) No 1570/77.

*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, 12 May 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 139, 24. 5. 1986, p. 38.⁽⁴⁾ OJ No L 139, 24. 5. 1986, p. 36.⁽⁵⁾ OJ No L 25, 28. 1. 1989, p. 22.⁽⁶⁾ OJ No L 174, 14. 7. 1977, p. 15.⁽⁷⁾ OJ No L 306, 11. 11. 1988, p. 26.⁽⁸⁾ OJ No L 174, 14. 7. 1977, p. 18.⁽⁹⁾ OJ No L 208, 30. 7. 1987, p. 11.

COMMISSION REGULATION (EEC) No 1314/89
of 12 May 1989

authorizing Greece not to apply in certain areas the measures provided for in Council Regulation (EEC) No 1442/88 as regards the granting of permanent abandonment premium in respect of wine-growing areas for the 1989/90 to 1995/96 wine years

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

Having regard to Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas⁽¹⁾, and in particular Article 12 (1) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2729/88 of 31 August 1988 laying down detailed rules for the application of Regulation (EEC) No 1442/88 on the granting for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums of wine-growing areas⁽²⁾, as last amended by Regulation (EEC) No 678/89⁽³⁾, before 1 April 1989 Greece lodged a request with supporting documents for exclusion from the scope of the measures provided for in Regulation (EEC) n° 1442/88 from the 1989/90 wine year;

Whereas areas planted within a quality wine for production area with wine varieties recognized as suitable for the production of quality wines psr in the area concerned for a series of designations of origin are covered by this Regulation in order not to all into question the quality policy; whereas this Regulation also covers areas planted with vine varieties suitable for the production of currants in the region of Egialia in the nomos of Akhaia with view to avoiding calling into

question the quality policy; whereas vines located in general on slpes which cannot be replaced by other crops are involved; whereas the criteria selected correspond to those laid down in Article 12 (1) and (2) of Regulation (EEC) No 1442/88; whereas the wine-growing potential of those areas as a whole is less than 10 % of the national wine-growing potential;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 12 (1) and (2) of Regulation (EEC) No 1442/88, Greece is hereby authorized not to apply the measures for the permanent abandonment of wine-growing areas provided for in that Regulation in all areas under vines indicated in the Annex hereto from the 1989/90 wine year.

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, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 132, 28. 5. 1988, p. 3.

⁽²⁾ OJ No L 241, 1. 9. 1988, p. 108.

⁽³⁾ OJ No L 73, 17. 3. 1989, p. 23.

ANNEX

Wine-growing areas in respect of which Greece is authorized not to apply the measures provided for in Regulation (EEC) No 1442/88

- I. Areas planted within a quality wine psr production area with vine varieties recognized suitable for the production of quality wines psr in the area concerned, located in the following areas in respect of the following designations of origin :

<i>Region</i>	<i>Designation</i>
A. Western and Central Macedonia	
1. Imathia	Naoussa
2. Chalkidiki	Côtes de Meliton
3. Kilkis	Goumenissa
B. Epirus	
1. Ioannina	Zitsa
C. Thessaly	
1. Larissa	Rapsani
2. Magnissia	Nea Anchialos
D. Peloponnese-western mainland Greece	
1. Arcadia	Mantinia
E. Attiki — Aegean Islands	
1. Anatoliti	Kantza
2. Dodekanissa	Rhodes
3. Kiklades	Paros, Santorini
4. Lesbos	Limos
5. Samos	Samos
F. Crete	
1. Iraklion	Archanes, Dafnes, Peza
2. Lassithi	Sitia

- II. Areas planted with varieties recognized as suitable for the production of currants in the region of Egialia, nomos of Akhaia.
-

COMMISSION REGULATION (EEC) No 1315/89
of 12 May 1989
amending Regulation (EEC) No 1031/78 laying down detailed rules for imports
of rice to Réunion

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 11 a (6) thereof,

Whereas subsidy applications for supplies of rice to Réunion involving abnormal quantities have been lodged in recent weeks; whereas such applications, far from being justified by Réunion's supply requirements, are likely to jeopardize the interests of the rice processing industry in that region and seen to have been lodged with speculative aims with a view to an amendment to the arrangements on the subsidy in question as provided for in the Commission's proposal in this respect;

Whereas in view of this situation suitable measures should be taken to curb such speculation by amending certain provisions of Commission Regulation (EEC) No 1031/78 ⁽³⁾, as last amended by Regulation (EEC) No 1533/86 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1031/78 is hereby amended as follows:

1. Article 3 (8) is replaced by the following:

'8. The subsidy document shall be valid from its date of issue within the meaning of Article 21 of Commission Regulation (EEC) No 3719/88 ^(*) until the end of the third following working day.

^(*) OJ No L 331, 2. 12. 1988, p. 1.'

2. Article 6 is deleted.

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, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No L 132, 20. 5. 1978, p. 72.

⁽⁴⁾ OJ No L 135, 22. 5. 1986, p. 16.

COMMISSION REGULATION (EEC) No 1316/89

of 12 May 1989

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 3870/88⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1105/88⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1988/89 marketing year was fixed by Council Regulation (EEC) No 2255/88⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Regulation (EEC) No 2258/88⁽⁸⁾;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89⁽⁹⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1247/89⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽¹⁵⁾,
- 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 correcting factor;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 110, 29. 4. 1988, p. 18.

⁽⁷⁾ OJ No L 199, 26. 7. 1988, p. 1.

⁽⁸⁾ OJ No L 199, 26. 7. 1988, p. 5.

⁽⁹⁾ OJ No L 129, 11. 5. 1989.

⁽¹⁰⁾ OJ No L 129, 11. 5. 1989.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1911/88⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87⁽²⁾ for the 1988/1989 market year and by Council Regulation (EEC) No 1247/89 for the 1989/1990 marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecu that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed

quantities for the 1988/89 marketing year, has been fixed by Commission Regulation (EEC) No 2731/88⁽³⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has not, to date, been fixed; whereas the amount of the subsidy for the 1989/90 marketing year has been provisionally calculated on the basis of the abatement for the 1988/89 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.
2. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 16 May 1989 to take into account the application of the arrangements for that marketing year.

Article 2

This Regulation shall enter into force on 16 May 1989.

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

Done at Brussels, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 168, 1. 7. 1988, p. 112.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 116.

ANNEX I

Gross aid

Products intended for human consumption :

(in ECU per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Peas used :							
— in Spain	6,943	6,943	5,503	5,503	5,661	5,819	5,977
— in Portugal	6,985	6,985	5,545	5,545	5,703	5,861	6,019
— in another Member State	7,300	7,300	5,860	5,860	6,018	6,176	6,334
Field beans used :							
— in Spain	7,300	7,300	5,860	5,860	6,018	6,176	6,334
— in Portugal	6,985	6,985	5,545	5,545	5,703	5,861	6,019
— in another Member State	7,300	7,300	5,860	5,860	6,018	6,176	6,334

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

Products used in animal feed :

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
A. Peas used :							
— in Spain	8,914	9,346	8,294	8,294	8,451	8,609	8,766
— in Portugal	8,587	9,032	7,993	7,993	8,151	8,308	8,466
— in another Member State	9,027	9,454	8,398	8,398	8,555	8,713	8,870
B. Field beans used :							
— in Spain	10,161	10,290	8,294	8,294	8,451	8,609	8,766
— in Portugal	9,874	10,008	7,993	7,993	8,151	8,308	8,466
— in another Member State	10,260	10,388	8,398	8,398	8,555	8,713	8,870
C. Sweet lupins harvested in Spain and used :							
— in Spain	8,396	8,971	10,749	10,749	10,749	10,749	10,749
— in Portugal	7,960	8,554	10,349	10,349	10,349	10,349	10,349
— in another Member State	8,547	9,116	10,888	10,888	10,888	10,888	10,888
D. Sweet lupins harvested in another Member State and used :							
— in Spain	9,546	10,121	10,639	10,639	10,639	10,639	10,639
— in Portugal	9,110	9,704	10,239	10,239	10,239	10,239	10,239
— in another Member State	9,697	10,266	10,778	10,778	10,778	10,778	10,778

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	352,49	352,49	282,96	282,96	290,59	298,22	305,85
— Denmark (Dkr)	64,54	64,54	52,33	52,33	53,74	55,15	56,56
— Federal Republic of Germany (DM)	17,24	17,24	13,84	13,84	14,21	14,58	14,96
— Greece (Dr)	492,18	492,18	861,13	861,13	889,57	918,00	946,44
— Spain (Pta)	1 145,68	1 145,68	923,70	923,70	948,06	972,41	996,77
— France (FF)	55,32	55,32	45,07	45,07	46,28	47,50	48,72
— Ireland (£ Irl)	6,141	6,141	5,002	5,002	5,137	5,272	5,408
— Italy (Lit)	12 060	12 060	9 857	9 857	10 122	10 388	10 654
— Netherlands (Fl)	19,32	19,32	15,46	15,46	15,87	16,29	16,71
— Portugal (Esc)	1 372,45	1 372,45	1 125,13	1 125,13	1 155,47	1 185,80	1 216,14
— United Kingdom (£)	4,613	4,613	4,110	4,110	4,221	4,332	4,443

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

Amounts to be deducted in the case of :

- Peas used in Spain (Pta): 55,05,
- Peas, and field beans used in Portugal (Esc): 59,22.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	435,89	456,50	405,51	405,51	413,09	420,72	428,30
— Denmark (Dkr)	79,81	83,59	74,99	74,99	76,40	77,81	79,21
— Federal Republic of Germany (DM)	21,31	22,32	19,83	19,83	20,20	20,57	20,94
— Greece (Dr)	819,49	900,42	1 341,30	1 341,40	1 369,54	1 397,98	1 426,23
— Spain (Pta)	1 410,22	1 475,63	1 312,48	1 312,48	1 336,68	1 361,03	1 385,24
— France (FF)	68,42	71,66	64,61	64,61	65,82	67,03	68,24
— Ireland (£ Irl)	7,600	7,961	7,179	7,179	7,313	7,448	7,583
— Italy (Lit)	14 913	15 618	14 125	14 125	14 390	14 655	14 919
— Netherlands (Fl)	23,89	25,03	22,15	22,15	22,57	22,98	23,40
— Portugal (Esc)	1 697,14	1 777,42	1 612,43	1 612,43	1 642,58	1 672,91	1 703,06
— United Kingdom (£)	5,807	6,102	5,890	5,890	6,000	6,111	6,221
Amounts to be deducted in the case of use :							
— Spain (Pta)	17,43	16,66	16,04	16,04	16,04	16,04	16,04
— Portugal (Esc)	82,72	79,34	77,76	77,76	77,57	77,76	77,57

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	80,04	3,05	0,13	0,52	0,00	0,00	0,00	10,70
— Denmark (Dkr)	0,00	0,00	0,00	14,66	0,56	0,02	0,10	0,00	0,00	0,00	1,96
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,91	0,15	0,01	0,03	0,00	0,00	0,00	0,52
— Greece (Dr)	0,00	0,00	0,00	314,17	11,98	0,52	2,04	0,00	0,00	0,00	41,98
— Spain (Pta)	0,00	0,00	0,00	253,92	9,68	0,42	1,65	0,00	0,00	0,00	33,93
— France (FF)	0,00	0,00	0,00	12,58	0,48	0,02	0,08	0,00	0,00	0,00	1,68
— Ireland (£ Irl)	0,000	0,000	0,000	1,400	0,053	0,002	0,009	0,000	0,000	0,000	0,187
— Italy (Lit)	0	0	0	2738	104	4	18	0	0	0	366
— Netherlands (Fl)	0,00	0,00	0,00	4,39	0,17	0,01	0,03	0,00	0,00	0,00	0,59
— Portugal (Esc)	0,00	0,00	0,00	311,64	11,88	0,51	2,02	0,00	0,00	0,00	41,64
— United Kingdom (£)	0,000	0,000	0,000	1,146	0,044	0,002	0,007	0,000	0,000	0,000	0,153

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (')	3rd period 8 (')	4th period 9 (')	5th period 10 (')	6th period 11 (')
Products harvested in :							
— BLEU (Bfrs/Lfrs)	495,42	501,60	405,51	405,51	413,09	420,72	428,30
— Denmark (Dkr)	90,72	91,85	74,99	74,99	76,40	77,81	79,21
— Federal Republic of Germany (DM)	24,22	24,53	19,83	19,83	20,20	20,57	20,94
— Greece (Dr)	1 053,18	1 077,44	1 341,30	1 341,30	1 369,54	1 397,98	1 426,23
— Spain (Pta)	1 599,10	1 618,70	1 312,48	1 312,48	1 336,68	1 361,03	1 385,24
— France (FF)	77,78	78,75	64,61	64,61	65,82	67,03	68,24
— Ireland (£ Irl)	8,642	8,750	7,179	7,179	7,313	7,448	7,583
— Italy (Lit)	16 950	17 161	14 125	14 125	14 390	14 655	14 919
— Netherlands (Fl)	27,16	27,50	22,15	22,15	22,57	22,98	23,40
— Portugal (Esc)	1 928,95	1 953,02	1 612,43	1 612,43	1 642,58	1 672,91	1 703,06
— United Kingdom (£)	6,659	6,748	5,890	5,890	6,000	6,111	6,221
Amounts to be deducted in the case of use :							
— Spain (Pta)	15,27	15,11	16,04	16,04	16,04	16,04	16,04
— Portugal (Esc)	72,57	71,44	77,76	77,76	77,57	77,76	77,57

(') Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	80,04	3,05	0,13	0,52	0,00	0,00	0,00	10,70
— Denmark (Dkr)	0,00	0,00	0,00	14,66	0,56	0,02	0,10	0,00	0,00	0,00	1,96
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,91	0,15	0,01	0,03	0,00	0,00	0,00	0,52
— Greece (Dr)	0,00	0,00	0,00	314,17	11,98	0,52	2,04	0,00	0,00	0,00	41,98
— Spain (Pta)	0,00	0,00	0,00	253,92	9,68	0,42	1,65	0,00	0,00	0,00	33,93
— France (FF)	0,00	0,00	0,00	12,58	0,48	0,02	0,08	0,00	0,00	0,00	1,68
— Ireland (£ Irl)	0,000	0,000	0,000	1,400	0,053	0,002	0,009	0,000	0,000	0,000	0,187
— Italy (Lit)	0	0	0	2 738	104	4	18	0	0	0	366
— Netherlands (Fl)	0,00	0,00	0,00	4,39	0,17	0,01	0,03	0,00	0,00	0,00	0,59
— Portugal (Esc)	0,00	0,00	0,00	311,64	11,88	0,51	2,02	0,00	0,00	0,00	41,64
— United Kingdom (£)	0,000	0,000	0,000	1,146	0,044	0,002	0,007	0,000	0,000	0,000	0,153

ANNEX VII

Partial aid

Sweet lupins intended for used in animal feed :

(in national currency per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)	6th period 11 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	468,24	495,71	520,44	520,44	520,44	520,44	520,44
— Denmark (Dkr)	85,74	90,77	96,25	96,25	96,25	96,25	96,25
— Federal Republic of Germany (DM)	22,90	24,24	25,45	25,45	25,45	25,45	25,45
— Greece (Dr)	902,06	1 009,90	1 765,31	1 765,31	1 765,31	1 765,31	1 765,31
— Spain (Pta)	1 514,22	1 601,38	1 679,81	1 679,81	1 679,81	1 679,81	1 679,81
— France (FF)	73,50	77,82	82,93	82,93	82,93	82,93	82,93
— Ireland (£ Irl)	8,165	8,645	9,217	9,217	9,217	9,217	9,217
— Italy (Lit)	16 019	16 959	18 129	18 129	18 129	18 129	18 129
— Netherlands (Fl)	25,67	27,17	28,43	28,43	28,43	28,43	28,43
— Portugal (Esc)	1 823,10	1 930,08	2 069,40	2 069,40	2 069,40	2 069,40	2 069,40
— United Kingdom (£)	6,248	6,642	7,560	7,560	7,560	7,560	7,560
Amounts to be deducted in the case of use in :							
— Spain (Pta)	23,29	22,36	21,44	21,44	21,44	21,44	21,44
— Portugal (Esc)	110,36	105,66	103,49	103,49	103,49	103,49	103,49

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products:	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in:											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	58,21	2,22	0,10	0,38	0,00	0,00	0,00	7,78
— Denmark (Dkr)	0,00	0,00	0,00	10,66	0,41	0,02	0,07	0,00	0,00	0,00	1,42
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,85	0,11	0,00	0,02	0,00	0,00	0,00	0,38
— Greece (Dr)	0,00	0,00	0,00	228,48	8,71	0,37	1,48	0,00	0,00	0,00	30,53
— Spain (Pta)	0,00	0,00	0,00	184,67	7,04	0,30	1,20	0,00	0,00	0,00	24,68
— France (FF)	0,00	0,00	0,00	9,15	0,35	0,01	0,06	0,00	0,00	0,00	1,22
— Ireland (£ Irl)	0,000	0,000	0,000	1,018	0,039	0,002	0,007	0,000	0,000	0,000	0,136
— Italy (Lit)	0	0	0	1 992	76	3	13	0	0	0	266
— Netherlands (Fl)	0,00	0,00	0,00	3,19	0,12	0,01	0,02	0,00	0,00	0,00	0,43
— Portugal (Esc)	0,00	0,00	0,00	226,65	8,64	0,37	1,47	0,00	0,00	0,00	30,29
— United Kingdom (£)	0,000	0,000	0,000	0,834	0,032	0,001	0,005	0,000	0,000	0,000	0,111

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4582	7,85212	2,05853	174,240	126,844	6,90403	0,768411	1 497,19	2,31943	168,825	0,642310

COMMISSION REGULATION (EEC) No 1317/89

of 12 May 1989

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

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

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

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

Whereas the rates of the refunds applicable from 1 May 1989 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 1170/89 ⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 1170/89 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 1170/89 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1989.

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

Done at Brussels, 12 May 1989.

For the Commission

Christiane SCRIVENER

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 121, 29. 4. 1989, p. 34.

ANNEX

to the Commission Regulation of 12 May 1989 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar :	30,14	
Raw sugar :	27,72	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$30,14 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :		
The rate fixed above for 100 kg of white or raw sugar used for the dissolution		
Molasses :	—	
Isoglucose ⁽²⁾ :	30,14 ⁽³⁾	

(¹) 'S' represents per 100 kilograms of syrup

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

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

(³) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1318/89
of 12 May 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 1069/89 ⁽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 1290/89 ⁽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 13 May 1989.

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

Done at Brussels, 12 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 127, 11. 5. 1989, p. 42.

ANNEX

to the Commission Regulation of 12 May 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	30,96 ⁽¹⁾
1701 11 90	30,96 ⁽¹⁾
1701 12 10	30,96 ⁽¹⁾
1701 12 90	30,96 ⁽¹⁾
1701 91 00	36,75
1701 99 10	36,75
1701 99 90	36,75 ⁽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 1319/89**of 12 May 1989****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1289/89 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1289/89 to the information known to the Commission that the export refunds

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 1289/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1989.

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

Done at Brussels, 12 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 127, 11. 5. 1989, p. 40.

ANNEX

to the Commission Regulation of 12 May 1989 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	27,72 ⁽¹⁾	
1701 11 90 910	27,10 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	27,72 ⁽¹⁾	
1701 12 90 910	27,10 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3014
1701 99 10 100	30,14	
1701 99 10 910	29,46	
1701 99 10 950	29,46	
1701 99 90 100		0,3014

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

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

COMMISSION REGULATION (EEC) No 1320/89

of 12 May 1989

altering the export refunds on syrups and certain other sugar sector products
exported in the natural state

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

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

Having regard to Council Regulation (EEC) No 1785/81
of 18 June 1981 on the common organization of the
markets in the sugar sector⁽¹⁾, as last amended by Regula-
tion (EEC) No 1069/89⁽²⁾, and in particular Article 19 (4)
thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No 1142/89⁽³⁾;

Whereas it follows from applying the rules, criteria and
other provisions contained in Regulation (EEC) No
1142/89 to the information at present available to the

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 1142/89 are hereby
altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1989.

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

Done at Brussels, 12 May 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 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 119, 29. 4. 1989, p. 54.

ANNEX

to the Commission Regulation of 12 May 1989 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		30,14
1702 60 10 000		30,14
1702 60 90 000	0,3014	
1702 90 30 000		30,14
1702 90 60 000	0,3014	
1702 90 71 000	0,3014	
1702 90 90 900	0,3014	
2106 90 30 000		30,14
2106 90 59 000	0,3014	

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

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

COMMISSION REGULATION (EEC) No 1321/89

of 12 May 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 166/89 ⁽²⁾, and in particular Article 14 (4) thereof,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1081/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 1267/89 ⁽⁸⁾;

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

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

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

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

Whereas these exchange rates being those recorded on 11 May 1989;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1081/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 13 May 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 20, 25. 1. 1989, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 114, 27. 4. 1989, p. 24.

⁽⁸⁾ OJ No L 126, 9. 5. 1989, p. 27.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 12 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 12 May 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 ⁽¹⁾	56,64	129,60	124,77
0714 10 91	53,62	126,58	124,77
0714 10 99	56,64	129,60	124,77
0714 90 11	53,62	126,58	124,77 ⁽²⁾
0714 90 19	56,64	129,60	124,77 ⁽²⁾
1102 90 10	102,56	233,88	227,84
1103 19 10	119,55	214,28	208,24
1103 19 30	102,56	233,88	227,84
1103 29 10	119,55	214,28	208,24
1103 29 20	102,56	233,88	227,84
1104 11 10	57,71	132,13	129,11
1104 11 90	113,28	259,20	253,16
1104 19 30	119,55	214,28	208,24
1104 21 10	88,81	205,55	202,53
1104 21 30	88,81	205,55	202,53
1104 21 50	140,09	322,49	316,45
1104 21 90	57,71	132,13	129,11
1104 29 10*20 ⁽³⁾	86,89	156,89	153,87
1104 29 30*20 ⁽³⁾	103,92	188,12	185,10
1104 29 95	67,34	121,02	118,00
1106 20 10	56,64	129,60	122,95 ⁽²⁾
1107 10 91	106,32	236,19 ⁽²⁾	225,31
1107 10 99	82,19	179,23	168,35
1107 20 00	93,99	207,08 ⁽²⁾	196,20

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

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

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

⁽⁴⁾ TARIC code: rye.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 April 1989

on improving the efficiency of agricultural structures in Belgium (Walloon Region) pursuant to Council Regulation (EEC) No 797/85

(Only the French and Dutch texts are authentic)

(89/313/EEC)

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

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾, as last amended by Regulation (EEC) No 1137/88 ⁽²⁾, and in particular Article 25 (3) thereof,

Whereas the Belgian Government, pursuant to Article 24 (4) of Regulation (EEC) No 797/85, forwarded the Order of 1 December 1988 amending the Order of the Executive of the Walloon Region of 20 November 1986 on the grant of an additional premium on first installation to farmers and horticulturists;

Whereas, pursuant to Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution from the Community are satisfied in the light of the compatibility of the abovementioned provisions with the aforementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas the additional premium on first installation provided for by the Walloon Region satisfies the conditions and the objectives of Article 7 of Regulation (EEC) No 797/85;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

In view of the Order of the Executive of the Walloon Region of 20 November 1986, as amended by the Order of 1 December 1988, the measures adopted in Belgium pursuant to Regulation (EEC) No 797/85 continue to satisfy the conditions for a Community financial contribution to the common measure referred to in Article 1 of the said Regulation.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 27 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

COMMISSION DECISION

of 27 April 1989

on improving the efficiency of agricultural structures in Luxembourg pursuant
to Council Regulation (EEC) No 797/85

(Only the French text is authentic)

(89/314/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽¹⁾, as last amended by Regulation (EEC) No 1137/88⁽²⁾, and in particular Article 25 (3) thereof,

Whereas the Luxembourg Government forwarded the following provisions pursuant to Article 24 (4) of Regulation (EEC) No 797/85:

Grand-Ducal Regulation of 13 December 1988 establishing the reference income for 1988;

Whereas, pursuant to Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution from the Community are satisfied in the light of the compatibility of the abovementioned provisions with the aforementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas the abovementioned provisions satisfy the conditions and the objectives of Regulation (EEC) No 797/85;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

In view of the Grand-Ducal Regulation of 13 December 1988, the measures adopted in Luxembourg pursuant to Regulation (EEC) No 797/85 continue to satisfy the conditions for a Community financial contribution to the common measure provided for in Article 1 of the said Regulation.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 27 April 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

COMMISSION DECISION

of 2 May 1989

on improving the efficiency of agricultural structures in Italy pursuant to
Council Regulation (EEC) No 797/85

(Only the Italian text is authentic)

(89/315/EEC)

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

Having regard to Council Regulation (EEC) No 797/85 of
12 March 1985 on improving the efficiency of agricultural
structures ⁽¹⁾, as last amended by Regulation (EEC) No
1137/88 ⁽²⁾, and in particular Article 25 (3) thereof,

Having regard to Commission Regulation (EEC) No
1272/88 of 29 April 1988 laying down detailed rules for
applying the set-aside incentive scheme for arable land ⁽³⁾,

Whereas on 17 February 1989 the Italian Government
forwarded the following provisions pursuant to Article 24
(4) of Regulation (EEC) No 797/85: Decree No 34 of 16
January 1989 implementing the set-aside scheme for
arable land;

Whereas, pursuant to Article 25 (3) of Regulation (EEC)
No 797/85, the Commission has to decide whether the
conditions for a financial contribution from the
Community are satisfied in the light of the compatibility
of the abovementioned provisions with the aforemen-
tioned Regulation and bearing in mind the objectives of
the latter and the need to ensure that the various
measures are properly related;

Whereas this Decision does not relate to the authorization
provided for in Article 32a of Regulation (EEC) No
797/85 with respect to regions or areas which may be
exempt from the set-aside scheme for arable land;

Whereas, subject to the foregoing comments, the
abovementioned provisions satisfy the conditions and the
objectives of Title 01 of Regulation (EEC) No 797/85 and
are compatible with Regulation (EEC) No 1272/88;

Whereas, however, given that the set-aside scheme has
been newly introduced, the Commission reserves the right

to review the provisions notified, especially with respect
to the amount of the aid, on the basis of a report on the
application of those provisions, to be submitted by Italy
pursuant to Article 29 of Regulation (EEC) No 797/85
and Article 16 (2) of Regulation (EEC) No 1272/88;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Committee on
Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

1. Decree No 34 of 16 January 1989 implementing the
set-aside scheme for arable land, forwarded by the Italian
Government pursuant to Article 24 (4) of Regulation
(EEC) No 797/85, satisfies the conditions for a
Community financial contribution to the common
measure provided for in Title 01 of the said Regulation.

2. The Commission reserves the right, until 31
December 1989, to revise this Decision with effect from
that date.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 2 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 108, 29. 4. 1988, p. 1.

⁽³⁾ OJ No L 121, 11. 5. 1988, p. 36.

COMMISSION DECISION**of 3 May 1989****adjusting the weightings applicable from 1 May 1989 to the remuneration of officials of the European Communities serving in non-member countries****(89/316/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 (Euratom, ECSC, EEC) No 3982/88 ⁽²⁾, and in particular the second subparagraph of Article 13 of Annex X thereto,

Whereas, pursuant to the first subparagraph 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, pursuant to the second paragraph of Article 13 of Annex X to the Staff Regulations ⁽⁴⁾;

Whereas some of these weightings should be adjusted with effect from 1 May 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 May 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 May 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⁾ OJ No L 110, 21. 4. 1989, p. 50;

OJ No L 110, 21. 4. 1989, p. 52.

ANNEX

Country of employment	Weighting
Brazil	94,72
Chili	52,68
Gambia	75,60
Lesotho	57,91
Liberia	95,56
Malawi	70,94
Mauritania	89,80
Mauritius	57,73
Mozambique	20,18
Senegal	80,73
Sierra Leone	126,25
Somalia	61,09
Tanzania	46,80
Uganda	107,84
Uruguay	57,49
Vanuatu	111,67
Venezuela	40,66
Yugoslavia	32,14
Zaire	82,98

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 714/89 of 20 March 1989 laying down detailed rules applying to the special premium for beef producers

(Official Journal of the European Communities No L 78 of 21 March 1989)

On page 41 in the third line of paragraph 6 of Article 9:

for: '... or through negligence...,'

read: '... or through serious negligence...'

Corrigendum to Commission Regulation (EEC) No 1098/89 of 27 April 1989 amending for the fourth time Regulation (EEC) No 2310/88 fixing countervailing charges on seeds

(Official Journal of the European Communities No L 116 of 28 April 1989)

On page 22, in the Annex, in footnote (2), in code 3, the term 'Canada' is deleted.
