

Official Journal

of the European Communities

ISSN 0378-6978

L 156

Volume 32

8 June 1989

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- * **Council Regulation (EEC) No 1577/89 of 5 June 1989 opening and providing for the administration of Community tariff quotas for certain quality wines and sparkling wines, originating in Austria** 1
- * **Council Regulation (EEC) No 1578/89 of 5 June 1989 amending Regulation (EEC) No 3950/88, allocating, for 1989, Community catch quotas in Greenland waters** 3
- Commission Regulation (EEC) No 1579/89 of 7 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 4
- Commission Regulation (EEC) No 1580/89 of 7 June 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 6
- * **Commission Regulation (EEC) No 1581/89 of 6 June 1989 establishing unit values for the determination of the customs value of certain perishable goods** 8
- Commission Regulation (EEC) No 1582/89 of 7 June 1989 fixing the export refunds on white sugar and raw sugar exported in its unaltered state 11
- * **Commission Regulation (EEC) No 1583/89 of 7 June 1989 relating to the procedure for determining the meat and fat content of certain pigmeat products** 13
- * **Commission Regulation (EEC) No 1584/89 of 7 June 1989 concerning the classification of certain goods in the combined nomenclature** 15
- * **Commission Regulation (EEC) No 1585/89 of 7 June 1989 concerning the classification of certain goods in the combined nomenclature** 18
- * **Commission Regulation (EEC) No 1586/89 of 7 June 1989 concerning the classification of certain goods in the combined nomenclature** 20

Contents (continued)

- * **Commission Regulation (EEC) No 1587/89 of 7 June 1989 amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aid granted for skimmed milk and skimmed-milk powder for use as feed** 22
- * **Commission Regulation (EEC) No 1588/89 of 7 June 1989 fixing for the 1989/90 marketing year, the threshold prices for cereals and for certain classes of flour, groats and meal** 23
- Commission Regulation (EEC) No 1589/89 of 7 June 1989 fixing the maximum export refund for white sugar for the sixth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89 24
- * **Commission Regulation (EEC) No 1590/89 of 7 June 1989 laying down transitional measures for the support of the beef market in Spain** 25

II *Acts whose publication is not obligatory*

Commission

89/362/EEC :

- * **Commission Directive of 26 May 1989 on general conditions of hygiene in milk production holdings** 30

89/363/EEC :

- * **Commission Decision of 31 May 1989 amending the Commission decision of 30 January 1985 laying down the codes for the notification of animal diseases** 33

Corrigenda

- * **Corrigendum to Council Regulation (EEC) No 2503/88 of 25 July 1988 on customs warehouses (OJ No L 225 of 15.8.1988)** 40

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1577/89

of 5 June 1989

opening and providing for the administration of Community tariff quotas for certain quality wines and sparkling wines, originating in Austria

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, in accordance with the Agreement with Austria regarding reciprocal creation of tariff quotas for certain quality wines, the Community is committed to suspending in full the customs duties applicable to quality wines and sparkling wines, originating in Austria, which conform to the wine and viticulture law of 1985 of the Republic of Austria, presented in containers not exceeding two litres, within the limits of annual tariff quotas of 85 000 and 2 000 hectolitres respectively; whereas this Agreement also provides that the quota period is from 1 July of each year to 30 June of the next year and whereas the duties applicable in Spain and Portugal are equal to those applied by Member States with respect to the Community as constituted at 31 December 1985; whereas it is necessary therefore to open for the period 1 July 1989 to 30 June 1990 the Community tariff quotas in question at the amounts provided for in the Agreement;

Whereas it is in particular necessary to allow all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all

imports of the products concerned into all Member States until the quotas have been used up; whereas it is appropriate to take the necessary measures to ensure efficient Community administration of these tariff quotas while offering the Member States the opportunity to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quotas are being used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning, in particular, the administration of quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1989 to 30 June 1990 the customs duties applicable on importation of the following products originating in Austria shall, without prejudice to paragraph 3, be suspended at levels and within the limits of tariff quotas as indicated with respect to each product:

Order No	CN code	Description	Volume of quota (hl)	Quota duty (%)
09.0804	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39 ex 2204 21 49	Quality wines presented in containers of a capacity not exceeding two litres	85 000	0
09.0806	ex 2204 10 19 ex 2204 10 90	Sparkling quality wines, and presented in containers of a capacity not exceeding two litres	2 000	0

2. Within the limits of the tariff quotas referred to in paragraph 1, the Kingdom of Spain and the Portuguese Republic shall apply the same duties as those they apply to similar products of the Community as constituted at 31 December 1985.

3. Admission under the tariff quotas referred to in paragraph 1 shall be reserved to wines accompanied by a document VI 1 or an extract VI 2, completed in accordance with the provisions of Regulation (EEC) No 3590/85 ⁽¹⁾.

Document VI 1 must include in Box 15 one of the following endorsements, certified by the competent Austrian organization:

'This is to certify that the wines referred to in this document are quality wines ⁽¹⁾/quality sparkling wines ⁽¹⁾ originating in Austria and in conformity with the 1985 Wine Law of the Republic of Austria.

⁽¹⁾ Delete whichever entry is not applicable.'

Furthermore, the wines in question shall remain subject to observance of the free-at-frontier reference price. In order that these wines benefit from the tariff quotas, Article 54 of Regulation (EEC) No 822/87 ⁽²⁾, as last amended by Regulation (EEC) No 2964/88 ⁽³⁾, must be complied with.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

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

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

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into

free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

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

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

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 enable imports to be charged without interruption against their accumulated shares of the Community quotas.

2. Each Member State shall ensure that importers of the products concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the products concerned against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quotas have been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 5

At the request of the Commission, Member States shall inform it of imports actually charged against the quotas.

Article 6

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

Article 7

This Regulation shall enter into force on 1 July 1989.

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

Done at Luxembourg, 5 June 1989.

For the Council

The President

J. BARRIONUEVO PEÑA

⁽¹⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽²⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽³⁾ OJ No L 269, 29. 9. 1988, p. 5.

COUNCIL REGULATION (EEC) No 1578/89

of 5 June 1989

amending Regulation (EEC) No 3950/88, allocating, for 1989, Community catch quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other⁽²⁾, and the Protocol on the conditions relating to fishing between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of

Greenland on the other⁽²⁾, establish the fishing quotas allocated to the Community in Greenland waters;

Whereas catch quotas in Greenland waters for 1989 were allocated by Regulation (EEC) No 3950/88⁽³⁾;

Whereas the local Government of Greenland in a note dated 23 January 1989 has further offered to the Community for 1989 a quota of the western cod stock;

Whereas in accordance with the provisions of Article 8 of the abovementioned Agreement, the Community has accepted Greenland's offer of supplementary catch possibilities of 4 000 tonnes of cod from the western stock of Greenland;

Whereas this acceptance implies an adjustment of the financial compensation in proportion to this supplementary quota, in accordance with Article 3 (2) of the abovementioned Protocol;

Whereas, to ensure efficient management of the catch possibilities available, they should be shared out among the Member States by means of quotas in accordance with Article 4 of Regulation (EEC) No 170/83,

HAS ADOPTED THIS REGULATION:

Article 1

The data (columns 1 to 4) relating to cod in the Annex to Regulation (EEC) No 3950/88 are hereby replaced by the following:

1	2	3	4
Cod	NAFO 1	16 000	Germany 12 320
			United Kingdom 3 680
	ICES XIV/V	11 500	Germany 10 000
			United Kingdom 1 500

Article 2

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

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

Done at Luxembourg, 5 June 1989.

For the Council

The President

J. BARRIONUEVO PEÑA

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 29, 1. 2. 1985, p. 9.

⁽³⁾ OJ No L 29, 1. 2. 1985, p. 14.

⁽⁴⁾ OJ No L 352, 21. 12. 1988, p. 7.

COMMISSION REGULATION (EEC) No 1579/89

of 7 June 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 1213/89 ⁽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 6 June 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 8 June 1989.

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

Done at Brussels, 7 June 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 128, 11. 5. 1989, p. 1.

⁽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 7 June 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	125,26
0712 90 19	25,25	125,26
1001 10 10	60,64	189,75 ⁽¹⁾ ⁽²⁾
1001 10 90	60,64	189,75 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	119,64
1001 90 99	35,73	119,64
1002 00 00	63,32	113,36 ⁽³⁾
1003 00 10	53,90	120,21
1003 00 90	53,90	120,21
1004 00 10	44,96	89,86
1004 00 90	44,96	89,86
1005 10 90	25,25	125,26 ⁽³⁾ ⁽²⁾
1005 90 00	25,25	125,26 ⁽³⁾ ⁽²⁾
1007 00 90	48,56	132,45 ⁽⁴⁾
1008 10 00	53,90	13,42
1008 20 00	53,90	7,18 ⁽⁴⁾
1008 30 00	53,90	0,00 ⁽⁴⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	53,90	0,00
1101 00 00	65,71	182,19
1102 10 00	103,35	173,40
1103 11 10	107,63	307,75
1103 11 90	69,15	194,95

⁽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 1580/89

of 7 June 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 1213/89 ⁽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 6 June 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 8 June 1989.

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

Done at Brussels, 7 June 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 128, 11. 5. 1989, p. 1.

⁽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 7 June 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 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	2,65
0712 90 19	0	0	0	2,65
1001 10 10	0	0,85	0,85	0,85
1001 10 90	0	0,85	0,85	0,85
1001 90 91	0	7,06	7,06	0
1001 90 99	0	7,06	7,06	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0,86	0,86	0,86
1004 00 90	0	0,86	0,86	0,86
1005 10 90	0	0	0	2,65
1005 90 00	0	0	0	2,65
1007 00 90	0	0	0	0,60
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	9,89	9,89	0

B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	12,57	12,57	0	0
1107 10 19	0	9,39	9,39	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1581/89**of 6 June 1989****establishing unit values for the determination of the customs value of certain perishable goods**

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 Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3773/87 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 June 1989.

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

Done at Brussels, 6 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Ir1	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	24,45	1 063	197,71	50,76	172,28	4 354	18,98	36 833	57,19	16,27
1.20	0702 00 10 0702 00 90	Tomatoes	74,84	3 254	605,09	155,36	527,27	13 326	58,11	112 727	175,05	49,81
1.30	0703 10 19	Onions (other than sets)	33,30	1 448	269,26	69,13	234,63	5 930	25,86	50 163	77,89	22,16
1.40	0703 20 00	Garlic	262,53	11 414	2 122,40	544,96	1 849,43	46 744	203,84	395 397	614,00	174,71
1.50	ex 0703 90 00	Leeks	33,95	1 484	275,54	70,85	241,09	5 907	26,53	51 655	79,99	21,70
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	24,64	1 063	194,92	50,89	171,59	4 055	19,14	37 482	57,16	17,15
1.70	0704 20 00	Brussels sprouts	44,76	1 931	355,63	92,23	312,60	7 362	34,82	68 116	103,74	31,19
1.80	0704 90 10	White cabbages and red cabbages	38,06	1 659	308,56	79,12	269,72	6 651	29,67	58 324	89,33	24,62
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	47,63	2 071	385,09	98,87	335,56	8 481	36,98	71 741	111,40	31,70
1.100	ex 0704 90 90	Chinese cabbage	75,60	3 287	611,22	156,94	532,61	13 461	58,70	113 869	176,82	50,31
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	63,95	2 780	517,00	132,74	450,51	11 386	49,65	96 316	149,56	42,56
1.120	ex 0705 29 00	Endives	35,98	1 568	291,05	74,89	252,83	6 361	28,07	54 951	84,47	23,52
1.130	ex 0706 10 00	Carrots	23,86	1 037	192,96	49,54	168,14	4 249	18,53	35 948	55,82	15,88
1.140	ex 0706 90 90	Radishes	106,60	4 645	864,46	221,94	751,52	18 854	82,98	161 745	250,18	69,62
1.150	0707 00 11 0707 00 19	Cucumbers	38,22	1 661	309,03	79,35	269,29	6 806	29,68	57 572	89,40	25,44
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	156,79	6 816	1 267,58	325,47	1 104,55	27 917	121,74	236 146	366,70	104,34
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	92,00	3 999	743,75	190,97	648,10	16 380	71,43	138 559	215,16	61,22
1.180	ex 0708 90 00	Broad beans	31,11	1 355	251,99	64,78	218,65	5 512	24,26	47 309	73,04	20,38
1.190	0709 10 00	Globe artichokes	62,64	2 730	508,02	130,43	441,65	11 080	48,77	95 053	147,02	40,91
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	258,69	11 247	2 091,32	536,98	1 822,35	46 060	200,85	389 607	605,01	172,16
1.200.2	ex 0709 20 00	— other	226,83	9 862	1 833,82	470,86	1 597,97	40 388	176,12	341 635	530,52	150,96
1.210	0709 30 00	Aubergines (egg-plants)	73,81	3 209	596,74	153,22	519,99	13 142	57,31	111 171	172,63	49,12
1.220	ex 0709 40 00	Celery stalks and leaves	68,04	2 958	550,08	141,24	479,33	12 115	52,83	102 478	159,13	45,28
1.230	0709 51 30	Chantarelles	660,65	28 685	5 250,36	1 368,47	4 657,88	110 953	510,76	1 022 231	1 542,93	437,30
1.240	0709 60 10	Sweet peppers	91,51	3 978	739,80	189,95	644,65	16 293	71,05	137 822	214,02	60,90
1.250	0709 90 50	Fennel	22,39	976	182,01	46,65	157,86	3 933	17,46	34 299	52,61	14,50
1.260	0709 90 70	Courgettes	61,09	2 656	493,91	126,81	430,39	10 878	47,43	92 014	142,88	40,65
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	81,99	3 573	658,40	170,36	582,01	14 177	63,82	125 542	192,34	53,17
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	71,58	3 124	577,39	149,21	508,93	12 383	55,77	109 540	168,40	45,76
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	52,26	2 272	422,52	108,48	368,18	9 305	40,58	78 714	122,23	34,78
2.30	ex 0804 30 00	Pineapples, fresh	53,55	2 328	432,92	111,15	377,24	9 534	41,57	80 652	125,24	35,63
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	163,72	7 118	1 323,63	339,86	1 153,40	29 152	127,12	246 590	382,92	108,96
2.50	ex 0804 50 00	Guavas and mangoes, fresh	113,50	4 934	917,63	235,61	799,61	20 210	88,13	170 951	265,46	75,54
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	59,86	2 609	485,46	124,63	422,03	10 588	46,60	90 832	140,49	39,10

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	43,36	1 885	350,58	90,01	305,49	7 721	33,67	65 312	101,42	28,86
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	40,38	1 760	327,48	84,07	284,70	7 142	31,43	61 274	94,77	26,37
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	— Clementines	42,11	1 832	340,87	87,50	296,68	7 478	32,82	64 281	98,77	27,58
2.70.2	ex 0805 20 30	— Monreales and Satsumas	61,71	2 683	498,90	128,10	434,74	10 988	47,91	92 944	144,33	41,07
2.70.3	ex 0805 20 50	— Mandarins and Wilkings	101,79	4 436	825,47	211,93	717,63	18 004	79,24	154 451	238,90	66,49
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	38,80	1 687	313,75	80,56	273,39	6 910	30,13	58 450	90,76	25,82
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	44,31	1 926	358,28	91,99	312,20	7 891	34,41	66 747	103,65	29,49
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	162,65	7 071	1 314,94	337,63	1 145,82	28 960	126,29	244 969	380,41	108,24
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	39,23	1 705	317,15	81,43	276,36	6 985	30,46	59 085	91,75	26,10
2.90.2	ex 0805 40 00	— pink	72,19	3 138	583,62	149,85	508,56	12 854	56,05	108 728	168,84	48,04
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	163,08	7 090	1 318,40	338,52	1 148,84	29 037	126,62	245 614	381,41	108,53
2.110	0807 10 10	Water-melons	44,20	1 921	357,35	91,75	311,39	7 870	34,32	66 574	103,38	29,41
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	77,60	3 374	627,41	161,09	546,71	13 818	60,25	116 884	181,50	51,64
2.120.2	ex 0807 10 90	— Other	106,56	4 633	861,53	221,21	750,73	18 974	82,74	160 501	249,23	70,92
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	56,36	2 450	455,67	117,00	397,07	10 036	43,76	84 891	131,82	37,51
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	87,82	3 818	709,99	182,30	618,68	15 637	68,19	132 269	205,39	58,44
2.150	0809 10 00	Apricots	78,07	3 394	631,14	162,05	549,96	13 900	60,61	117 579	182,58	51,95
2.160	0809 20 10 0809 20 90	Cherries	114,10	4 960	922,42	236,84	803,78	20 315	88,59	171 844	266,85	75,93
2.170	ex 0809 30 00	Peaches	93,99	4 086	759,85	195,10	662,12	16 735	72,97	141 558	219,82	62,55
2.180	ex 0809 30 00	Nectarines	131,35	5 710	1 061,92	272,66	925,34	23 388	101,99	197 833	307,21	87,41
2.190	0809 40 11 0809 40 19	Plums	167,70	7 291	1 355,76	348,11	1 181,40	29 860	130,21	252 575	392,22	111,60
2.200	0810 10 10 0810 10 90	Strawberries	105,47	4 585	852,66	218,93	743,00	18 779	81,89	158 849	246,67	70,19
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	193,15	8 445	1 567,23	402,98	1 371,28	33 600	150,93	293 809	455,01	123,48
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	172,33	7 492	1 393,19	357,72	1 214,01	30 684	133,80	259 548	403,04	114,68
2.230	ex 0810 90 90	Pomegranates	64,94	2 834	523,88	135,38	461,76	11 235	50,60	99 388	152,79	41,52
2.240	ex 0810 90 90	Khakis	311,41	13 539	2 517,54	646,42	2 193,76	55 447	241,79	469 011	728,32	207,24
2.250	ex 0810 90 90	Lychees	333,12	14 517	2 701,33	693,55	2 348,43	58 917	259,33	505 433	781,78	217,58

COMMISSION REGULATION (EEC) No 1582/89

of 7 June 1989

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 766/68 of the Council of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Regulation (EEC) No 431/68 of the Council of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Regulation (EEC) No 394/70 of the Commission of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus

calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 June 1989.

(¹) OJ No L 177, 1. 7. 1981, p. 4.

(²) OJ No L 114, 27. 4. 1989, p. 1.

(³) OJ No L 143, 25. 6. 1968, p. 6.

(⁴) OJ No L 167, 26. 6. 1976, p. 13.

(⁵) OJ No L 89, 10. 4. 1968, p. 3.

(⁶) OJ No L 50, 4. 3. 1970, p. 1.

(⁷) OJ No L 152, 18. 6. 1988, p. 23.

(⁸) OJ No L 164, 24. 6. 1985, p. 1.

(⁹) OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 7 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 7 June 1989 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund (ECU)	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	26,71 ⁽¹⁾	
1701 11 90 910	29,11 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	26,71 ⁽¹⁾	
1701 12 90 910	29,11 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2904
1701 99 10 100	29,04	
1701 99 10 910	31,65	
1701 99 10 950	30,15	
1701 99 90 100		0,2904

⁽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 1583/89

of 7 June 1989

relating to the procedure for determining the meat and fat content of certain pigmeat products

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 1495/89⁽²⁾, and in particular Article 9 thereof,

Whereas provisions are needed in order to ensure uniform application of the nomenclature in the Annex to Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds⁽³⁾ for *inter alia* the swine sector, as last amended by Regulation (EEC) No 1311/89⁽⁴⁾, with a view to the classification of products under product codes 1602 41 10 210 and 290 and 1602 42 10 210 and 290;

Whereas, it is necessary to define a procedure for determining the percentage by weight of meat and fats;

Whereas, as a result of studies carried out, the procedure set out in the Annex to this Regulation provides the best safeguards;

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

HAS ADOPTED THIS REGULATION:

Article 1

The percentage by weight of meat and fat in products falling within product codes 1602 41 10 210 and 290 and 1602 42 10 210 and 290 of the nomenclature contained in the Annex to Regulation (EEC) No 3846/87 shall be determined in accordance with the procedure described in the Annex hereto.

Article 2

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 7 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 148, 1. 6. 1989, p. 1.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 131, 13. 5. 1989, p. 17.

ANNEX

ANALYTICAL PROCEDURE

The meat and fat content is determined as follows:

1. **Analytical methods:**

- 1.1. Homogeneous and representative samples of the meat product must be prepared for the purposes of analysis.
- 1.2. Analytical methods to be used are as follows:
 - 1.2.1. nitrogen: Determination of the nitrogen content — Kjeldahl method,
 - 1.2.2. moisture: Determination of the moisture content in meat and meat products — ISO 1442 — 1973,
 - 1.2.3. fats: Determination of the total fat content — extraction with light petroleum after hydrolysis with hydrochloric acid,
 - 1.2.4. ash: Determination of the ash content in meat and meat products — ISO 936 — 1978.
- 1.3. The abovementioned ISO standard requirements concerning sampling are not binding for the purposes of this Regulation.

2. **Calculation of the meat and fat content:**

$$\% \text{ of defatted meat} \quad DM = \frac{NT - N_x}{f} \times 100$$

$$\% \text{ meat and fat total} = DM + F$$

where

NT = nitrogen determined by analysis (% by weight)

N_x = nitrogen of non-meat origin (% by weight)

f = average nitrogen content (% by weight) in the meat contained in the product; the value of this factor is:

— 3,50 for hams and pieces thereof

— 3,35 for shoulder and pieces thereof

F = quantity of extractable fat (% by weight) determined by analysis

The total nitrogen and extractable fat content is determined by the methods mentioned in paragraphs 1.2.1 and 1.2.3. It is also possible to assess the ash (1.2.4) and moisture (1.2.2) content and to obtain, by deduction, the other ingredients.

In order to correct the value of nitrogen of non-meat origin (N_x factor), it would be necessary to know the quantity of each ingredient containing nitrogen as well as the nitrogen content of these ingredients.

The following table shows the nitrogen content of several typical ingredients of non-meat origin containing nitrogen, which may be found in meat products:

Non-meat products	% of nitrogen by weight
Casein	15,8
Sodium caseinate	14,8
Soya isolate	14,5
Textured soya	8,0
Soya flour	8,0
Monosodium glutamate (MSG)	8,3

As far as repeatability of analytical procedure is concerned, reference should be made to the relevant ISO standard.

The average result of at least two determinations must be taken into account.

COMMISSION REGULATION (EEC) No 1584/89

of 7 June 1989

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 1495/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to this

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas the Nomenclature Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 7 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

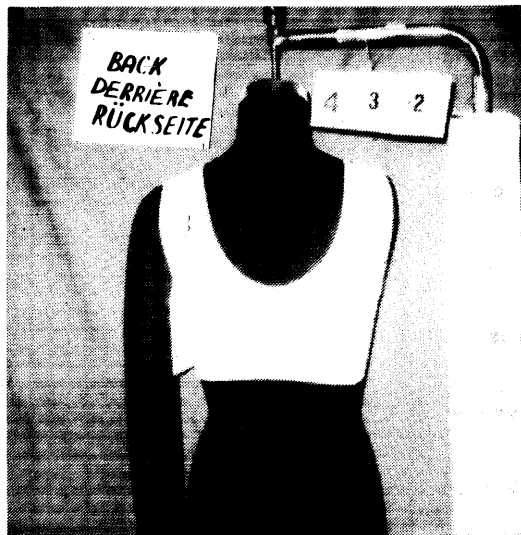
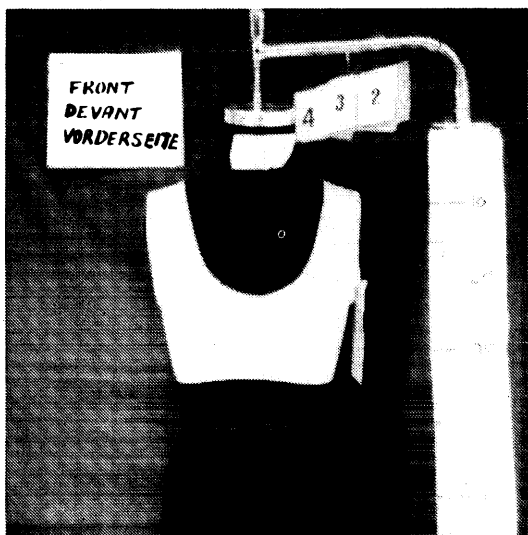
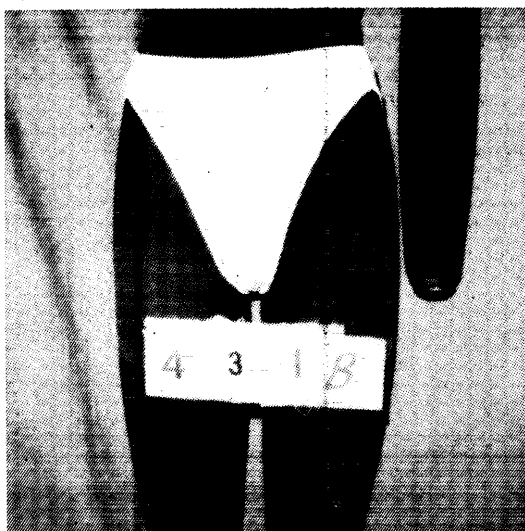
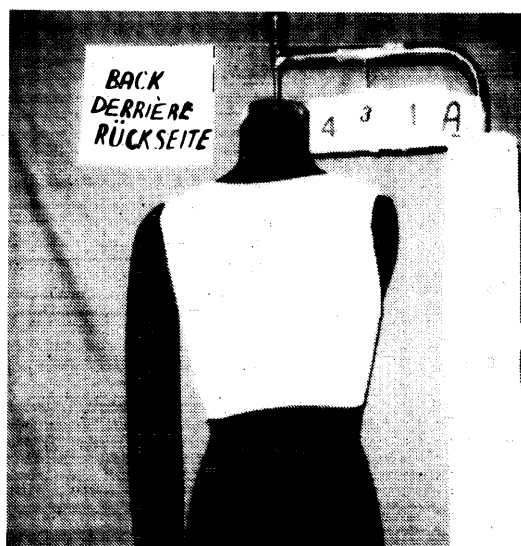
⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 148, 1. 6. 1989, p. 1.

ANNEX

Description of the goods	CN code classification	Reasons
(1)	(2)	(3)
1. Set of garments for women or girls put up for retail sale, consisting of: — a lightweight knitted garment (55 % man-made fibres and 45 % cotton) designed to be worn next to the body, which falls well short of the waist, covers the chest and the upper part of the back, has no sleeves and has a low-cut neckline at the front. This garment has an elastic band (2,5 cm in width) at the base. (See photo 431 A in the Appendix (")) — briefs of the same fabric, composition and colour as the upper garment. (See photo 431 B in the Appendix ("))	Upper garment : 6114 30 00 Briefs : 6108 22 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, by note 13 to Section XI, note 3 (b) to Chapter 61, the additional note to Chapter 61, as well as by the texts of CN codes 6108 and 6108 22 00, 6110 and 6110 30 99 and 6114 and 6114 30 00 The upper garment cannot be regarded as a body-supporting garment of CN code 6212 as it is not designed to perform this function
2. Lightweight, knitted, sleeveless garment (100 % cotton) for women or girls and designed to be worn next to the body, falling well short of the waist, covering the chest and with a low-cut neckline at the front and back. This garment has two darts at the front of approximately 5 cm extending from the base which is slightly gathered and has an elastic band (approximately 1,5 cm wide). (See photo 432 in the Appendix ("))	6114 20 00	The classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, by the additional note to Chapter 61 as well as by the texts of CN codes 6110 and 6110 20 99, 6114 and 6114 20 00 The characteristics of this garment are not sufficient to classify it under CN code 6212 given that it does not have a supporting function

(^o) The photographs are merely of an illustrative nature.

Appendix

COMMISSION REGULATION (EEC) No 1585/89

of 7 June 1989

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 1495/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the good referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to this

Regulation must be classified under the appropriate CN code indicated in column 2, by virtue of the reasons set out in column 3;

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

HAS ADOPTED THIS REGULATION:

Article 1

The good described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN code indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 7 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 148, 1. 6. 1989, p. 1.

ANNEX

Description of the goods	CN code classification	Reasons
(1)	(2)	(3)
Synthetic paraffin wax having a molecular weight of not less than 460 and not more than 1 560 containing by weight less than 0,75 % of oil	2712 20 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 2712 and 2712 20 00. (See also CN explanatory notes to code 2712 20 00)

COMMISSION REGULATION (EEC) No 1586/89

of 7 June 1989

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Regulation (EEC) No 1495/89⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation ;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods ;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to this

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 7 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 148, 1. 6. 1989, p. 1.

ANNEX

Description of the goods	CN code classification	Reasons
(1)	(2)	(3)
1. Lumpwood charcoal impregnated with a heavy (waxy) hydrocarbon, the hydrocarbon content being approximately 25 % by weight of the whole and 2. Briquettes of wood charcoal agglomerated with a binder and containing sodium nitrate These goods are used as barbecue fuel and put up in 2 to 10 kg bags	3606 90 90	Classification is determined by the provisions of general rules 1 and 6, note 2 (a) to Chapter 36 and the texts of CN codes 3606 and 3606 90 90 As prepared fuels in solid form, these products cannot be classified under CN code 4402 (see the HS explanatory notes to code 3606, part II (C))

COMMISSION REGULATION (EEC) No 1587/89

of 7 June 1989

amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aid granted for skimmed milk and skimmed-milk powder for use as feed

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

Having regard to Regulation (EEC) No 804/68 of the Council 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 10 (3) thereof,

Whereas Article 2a of Regulation (EEC) No 986/68 of the Council of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed ⁽³⁾, as last amended by Regulation (EEC) No 1115/89 ⁽⁴⁾, determines the factors required to fix that aid;

Whereas in view of recent developments on the market in skimmed milk and skimmed-milk powder and the large reduction in public stocks resulting, the aid can be reduced; whereas Article 1a (3) of Commission Regulation (EEC) No 1105/68 of 27 July 1968 on detailed rules for granting aid for skimmed milk for use as feed ⁽⁵⁾, as last amended by Regulation (EEC) No 3035/88 ⁽⁶⁾, and Article 1 of Commission Regulation (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed milk and skimmed-milk powder for use as feed ⁽⁷⁾, as

amended by Regulation (EEC) No 3035/88, should accordingly be amended;

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

In Article 1a (3) of Regulation (EEC) No 1105/68, 'ECU 52,8' is hereby replaced by 'ECU 48,7'.

Article 2

In Article 1 of Regulation (EEC) No 1634/85, 'ECU 5,28' is hereby replaced by 'ECU 4,87' and 'ECU 65' is replaced by 'ECU 60'.

Article 3

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, 7 June 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 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 7.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 24.

⁽⁶⁾ OJ No L 271, 1. 10. 1988, p. 92.

⁽⁷⁾ OJ No L 158, 18. 6. 1985, p. 7.

COMMISSION REGULATION (EEC) No 1588/89

of 7 June 1989

fixing for the 1989/90 marketing year, the threshold prices for cereals and for certain classes of flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1213/89 ⁽²⁾, and in particular Article 5 (5) and (6) thereof,

Whereas Article 5 (1) of Regulation (EEC) No 2727/75 provides that the threshold price for the principal cereals must be fixed in such a way that the selling price for imported products on the Duisburg market is the same as the target price; whereas this is achieved by deducting from the target price the most advantageous transport costs between Rotterdam and Duisburg, transshipment charges at Rotterdam and a trading margin; whereas the target prices have been fixed for the 1989/90 marketing year by Commission Regulation (EEC) No 1412/89 of 24 May 1989 reducing the prices fixed for cereals for the 1989/90 marketing year pursuant to the stabilizer arrangements ⁽³⁾;

Whereas the threshold prices for other cereals for which no target price is fixed must, in accordance with Article 5 (2) of Regulation (EEC) No 2727/75, be so determined that the target price for the principal cereals in competition with these products may be reached on the Duisburg market;

Whereas, pursuant to Article 5 (5) of the abovementioned Regulation, the threshold prices for wheat flour, meslin flour and rye flour and for wheat groats and meal must be fixed according to the rules and for the standard qualities laid down in Articles 5, 6 and 7 of Council Regulation (EEC) No 2226/88 ⁽⁴⁾; whereas the calculations made in accordance with those rules give the prices shown below;

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

Without prejudice to the last subparagraph of Article 5 (1) of Regulation (EEC) No 2727/75, the threshold prices for the 1989/90 marketing year for the products listed in Article 1 (a), (b) and (c) of the said Regulation shall be fixed as follows:

	(ECU/tonne)
Common wheat and meslin:	236,74,
Rye:	215,12,
Barley:	215,12,
Maize:	215,12,
Durum wheat:	302,32,
Oats:	206,52,
Buckwheat:	215,12,
Sorghum:	215,12,
Millet:	215,12,
Canary seed:	215,12,
Wheat and meslin flour:	358,19,
Rye flour:	330,17,
Common wheat groats and meal:	386,85,
Durum wheat groats and meal:	471,60.

Article 2

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

It shall apply from 1 July 1989.

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

Done at Brussels, 7 June 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 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 141, 25. 5. 1989, p. 15.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 23.

COMMISSION REGULATION (EEC) No 1589/89

of 7 June 1989

fixing the maximum export refund for white sugar for the sixth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89

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

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

Having regard to Council Regulation (EEC) No 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 first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 999/89 of 17 April 1989 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 1381/89⁽⁴⁾; requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 999/89, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the sixth partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 34,306 per 100 kilograms.

Article 2

This Regulation shall enter into force on 8 June 1989.

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

Done at Brussels, 7 June 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 107, 19. 4. 1989, p. 6.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

COMMISSION REGULATION (EEC) No 1590/89

of 7 June 1989

laying down transitional measures for the support of the beef market in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 90 thereof,

Whereas the period fixed in Article 90 of the Act of Accession has been extended until 31 December 1989 according to Council Regulation (EEC) No 4074/88⁽¹⁾;

Whereas, in the beef sector, part of the production of forequarters cannot be absorbed on the Spanish market due to low internal demand for such products at this time of the year and can be disposed of on other markets only with difficulty, taking into account the time which is necessary for the adjustment of the trade structures to the opening of the markets; whereas this situation has created economic difficulties for producers in Spain through the price deteriorations recorded since several weeks; whereas these difficulties are sufficiently serious to justify the introduction of transitional measures in order to improve the market situation for beef in Spain; whereas in order to be effective those transitional measures should take the form of aid for private storage to be granted on forequarters within an appropriate maximum of 5 000 tonnes;

Whereas aid for private storage shall be granted according to Regulation (EEC) No 805/68 of the Council of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EEC) No 571/89⁽³⁾, and, in particular, according to Regulation (EEC) No 989/68 of the Council of 15 July 1968 laying down general rules for granting private storage aid for beef and veal⁽⁴⁾, as amended by Regulation (EEC) No 428/77⁽⁵⁾, and Commission Regulation (EEC) No 1091/80 of 2 May 1980 laying down detailed rules for granting private storage aid for beef and veal⁽⁶⁾, as last amended by Regulation (EEC) No 3492/88⁽⁷⁾;

Whereas, in order to avoid any excess due to the application of these aids, provision should be made to restrict the aid to Spanish origin products;

Whereas provisions should be made to ensure that the animals involved be slaughtered exclusively in slaughterhouses which are approved and supervised in accordance with the provisions of Council Directive 64/433/EEC⁽⁸⁾, as last amended by Directive 88/288/EEC⁽⁹⁾;

Whereas Article 3 of Regulation (EEC) No 989/68 provides that, if the market situation so requires, the period of storage may be curtailed or extended; whereas it is therefore appropriate that, in addition to the amounts of aid granted for a specific storage period, amounts to be added or reduced in the event of that period being extended or curtailed should also be fixed;

Whereas, in order to prevent the financing of normal private storage, it appears desirable to fix high minimum quantities;

Whereas foreseeable market conditions make it necessary to provide for storage periods of between three and five months; whereas, in order to improve the efficiency of the scheme, provisions should be laid down enabling the applicants to benefit from an advance payment of the aid subject to a security;

Whereas provision should be made for the possibility of reducing the storage period where meat removed from storage is intended for export; whereas proof that the meat has been exported must be supplied as in the case of refunds, in accordance with Commission Regulation (EEC) No 3665/87⁽¹⁰⁾, as last amended by Regulation (EEC) No 3993/88⁽¹¹⁾;

Whereas it is appropriate to provide that, subject to certain conditions, a limited quantity may be withdrawn from store without subsequent export; whereas provisions should be made for the calculation of aid and the release of security where the storer has not respected certain obligations;

Whereas, in order for the Commission to closely monitor the effect of the private storage scheme, the Member State concerned shall communicate the necessary information;

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

⁽¹⁾ OJ No L 359, 28. 12. 1988, p. 3.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 10.

⁽⁵⁾ OJ No L 61, 5. 3. 1977, p. 17.

⁽⁶⁾ OJ No L 114, 3. 5. 1980, p. 18.

⁽⁷⁾ OJ No L 306, 11. 11. 1988, p. 20.

⁽⁸⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁹⁾ OJ No L 124, 18. 5. 1988, p. 28.

⁽¹⁰⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹¹⁾ OJ No L 354, 22. 12. 1988, p. 22.

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications may, subject to an overall limit of 5 000 tonnes, be submitted to the Spanish intervention agency until 23 June 1989 for aid for the private storage of forequarters of adult male bovine animals defined in Article 2 and originating in Spain.

Application submitted on or after the day following that on which the total quantity applied for exceeds 5 000 tonnes shall not be accepted. Quantities in respect of which applications are lodged on the day the overall limit is exceeded shall be reduced proportionally.

If the market situation make it advisable, the deadline for the submission of applications may be changed.

2. The amount of aid, by tonne of products, bone in, are fixed in the Annex hereto for each of these presentations, pursuant to Article 6 (1) of Regulation (EEC) No 1091/80.

The amount of aid shall be adjusted if the period of storage is extended or reduced. The supplements and deductions per day for each of the presentations referred to in Article 2 are fixed in the Annex hereto.

3. Subject to the provisions of this Regulation, the provisions of Regulation (EEC) No 1091/80 shall apply.

Article 2

1. Only meat produced in accordance with the provisions of Article 3 (1A) (a) to (e) of Directive 64/433/EEC shall be eligible for private storage aid.

2. Private storage can only be granted for meat classified in accordance with the Community scale for the carcase classification as laid down in Council Regulation (EEC) No 1208/81⁽¹⁾ and identified in accordance with Article 4 (3) (d) and (e) of Commission Regulation (EEC) No 859/89⁽²⁾.

3. For the purposes of this Regulation the forequarter shall mean:

- (a) the front part of the half-carcase cut, in the manner known as 'pistola' with a minimum of five ribs and a maximum of eight ribs and with a minimum average weight of 55 kilograms, the flank being attached to the forequarter; or
- (b) the front part of the half-carcase and in a manner known as 'straight' with a minimum of eight ribs and

a maximum of 10 ribs and with a minimum average weight of 55 kilograms.

Article 3

1. The minimum quantity per contract shall be 15 tonnes expressed as bone-in meat.

2. The contract may only cover unboned meat of one of the presentations listed in the Annex.

3. Placing in storage must be carried out within 28 days of the date of conclusion of the contract.

4. The security shall be declared forfeit if the application for a contract is withdrawn.

Article 4

1. Subject to the provisions laid down in paragraph 2, the contractor may, during the storage entry period cut or bone all or part of the products referred to in Article 2, provided that only the quantity for which the contract has been concluded is employed and that all the meat resulting from such operations is placed in store. Intention to make use of this facility shall be notified not later than the date of placing in storage.

2. If the quantity actually stored unboned or, if cut or boned, the quantity of unboned meat employed, is less than the quantity for the contract was concluded and:

- (a) not less than 90 % of that quantity, the amount of aid referred to in Article 1 (2) shall be reduced proportionally;
- (b) less than 90 % but more or equal to 80 % of that quantity, private storage aid is paid for half of the quantity actually stored;
- (c) less than 80 % of this quantity, private storage aid shall not be paid.

3. In the case of boning:

- (a) if the quantity actually stored does not exceed 67 kilograms of boned meat per 100 kilograms of unboned meat employed, private storage aid shall not be payable;
- (b) if the quantity actually stored exceeds 67 kilograms but is lower than 75 kilograms of boned meat per 100 kilograms of unboned meat employed, the aid referred to in Article 1 (2) shall be reduced proportionally.

4. The large tendons, cartilages, pieces of fat and other scraps left over from cutting for boning may not be stored.

5. No aid shall be granted:

- (a) for quantities stored unboned or, in case of cutting or boning, for quantities of unboned meat employed, in excess of quantities for which the contract was concluded; and

⁽¹⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽²⁾ OJ No L 91, 4. 4. 1989, p. 5.

- (b) in case of boning, for quantities in excess of 75 kilograms of boned meat per 100 kilograms of unboned meat employed.

Article 5

1. The actual storage period shall be chosen by the storer, but may not be less than three months nor exceed five months. If the storage period exceeds three months the aid shall be increased in accordance with Article 1 (2).

2. After two months of storage under contract, a single advance payment of the aid may be made, at the storer's request, on condition that he lodges a security equal to the advance payment plus 20 %.

The advance payment of the aid shall not exceed the amount of aid corresponding to a storage period of two months.

Where quantities under contract are exported in accordance with Article 6 prior to the advance payment, the actual storage period for those quantities shall be taken into account when calculating the amount of advance payment.

The advance payment of the aid shall be converted into national currency by applying the representative rate in force on the day of conclusion of the storage contract.

Article 6

1. After two months of storage under contract, meat may be fully or partly withdrawn from store, subject to a minimum quantity, provided that, within 60 days following its removal from store, it:

- has left the Community's territory,
- or
- has reached its destination in the cases referred to in Article 34 (1) of Regulation (EEC) No 3665/87,
- or
- has been placed in a victualling warehouse approved pursuant to Article 38 of Regulation (EEC) No 3665/87.

2. If the 60-day period is not complied with, the amount of aid for the quantity concerned, calculated in accordance with Article 7, shall be reduced:

- by 15 %,
- plus
- a further 5 % per day exceeding the 60-day period.

Moreover 15 % of the security referred to in Article 9, and a further 5 % per day exceeding the 60-day period, shall be declared forfeit in respect of the quantity concerned.

3. If, prior to the end of the minimum storage period, a minimum of 90 % of the meat actually stored under a contract has been exported in the sense of paragraph 1, the balance may be withdrawn from store prior to the end of the minimum storage period. If withdrawn:

- aid shall only be paid for the quantity having been exported,
- and
- the security referred to in Article 9 shall be released only in respect of the quantity having been exported.

4. For the purposes of the preceding paragraphs, proof shall be furnished as in the case of refunds.

Article 7

1. Where application has been made of Article 6, the amount of aid shall be reduced, in accordance with Article 1 (2).

2. The storage period shall terminate on the day before:

- the first day of removal from storage, or
- the day of acceptance of the export declaration, if the meat has not been moved.

3. Article 3 (4) of Council Regulation (EEC, Euratom) No 1182/71⁽¹⁾, shall not apply as regards the calculation of the storage period.

Article 8

1. The minimum quantity for each removal is fixed at 5 tonnes of product weight per store and per contractor. However, where the quantity left in a store is less than this quantity, one further withdrawal operation of the remaining quantity or part thereof shall be permitted.

Where the withdrawal conditions referred to in the preceding subparagraph are not complied with:

- the amount of aid for the quantity withdrawn shall be calculated in accordance with Article 5 (1) or Article 7, and
- 15 % of the security referred to in Article 9 shall be declared forfeit in respect of the quantity withdrawn.

2. The storer shall inform the intervention agency in good time before the commencement of withdrawal operations, stating the quantities he intends to withdraw.

The intervention agency may require that this notification be made at least two working days before commencement of operations.

Where this requirement is not complied with but where sufficient evidence has been furnished to the satisfaction of the competent authority, as to the date of withdrawal from store and the quantities concerned

- the amount of aid shall be calculated in accordance with Article 5 (1) or Article 7, and
- 15 % of the security referred to in Article 9 shall be declared forfeit in respect of the quantity concerned.

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

For all other cases where that requirement is not complied with:

- no aid shall be paid under the contract concerned, and
- the whole of the security referred to in Article 9 shall be declared forfeit in respect of the contract concerned.

Article 9

The amount of the security referred to in Article 4 (2) of Regulation (EEC) No 1091/80 shall be ECU 75 per tonne of beef under contracts.

Article 10

Except in cases of *force majeure* the application for payment of the aid and the supporting documents must be lodged with the competent authority within six

months of the end of the contracted storage period. If it has not been possible to produce them on time although the applicant has acted promptly to obtain them, an extra period of time for their production may be granted. Where Article 6 is applied the necessary proof must be produced within the time limits specified in Article 47 (2), (4), (6) and (7) of Regulation (EEC) No 3665/87.

Article 11

The Member State concerned shall communicate by telex to the Commission before Thursday of each week the results of the application of Articles 5 (2) and 6 of this Regulation.

Article 12

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, 7 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Forequarters from adult male bovine animals

Products in respect of which aid is granted	Amount of aid in ECU/tonne for a storage period of 3 months	Amount in ECU/tonne to be deducted or added per day
(a) Fresh or chilled forequarters cut in the manner known as 'pistola'	300	1,0
(b) Fresh or chilled forequarters cut in the manner known as 'straight'	310	1,0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 26 May 1989

on general conditions of hygiene in milk production holdings

(89/362/EEC)

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

Having regard to Council Directive 85/397/EEC of 5 August 1985 on health and animal-health problems affecting intra-Community trade in heat-treated milk⁽¹⁾, as amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 11 (4) thereof,

Whereas untreated milk must come from production holdings which meet the general hygiene conditions laid down in Chapter VI of Annex A to Directive 85/397/EEC;

Whereas the Member States must ensure that production holdings undergo periodic inspections in order to ensure that the hygiene requirements are fulfilled;

Whereas for the purpose of inspecting production holdings a general code of hygiene should be drawn up specifying the general conditions of hygiene to be complied with in production holdings, in particular the conditions for the upkeep of premises and those relating to milking operations;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Member States shall ensure that milk production holdings comply with the general code of hygiene laid down in the Annex.

Article 2

1. The Commission may formulate recommendations concerning the explanatory notes to the general code of hygiene.
2. The Commission shall publish the recommendations referred to in paragraph 1.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1990 at the latest. They shall forthwith inform the Commission thereof.

The provisions adopted pursuant to the first paragraph shall make express reference to this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 226, 24. 8. 1985, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

ANNEX**GENERAL CODE OF HYGIENE TO BE COMPLIED WITH IN PRODUCTION HOLDINGS****CHAPTER I****General conditions for the upkeep of premises**

1. The cowshed where the cows are housed and the premises belonging thereto must at all times be sufficiently clean, tidy and in good condition.
2. Access to the cowshed and the premises belonging thereto must be kept free of any accumulations of dung or offensive matter.
3. Manure must be cleared from dung channels as regularly as necessary.
4. The tie-up stalls must be kept dry, if necessary by the use of bedding.
5. The milking parlour, milk-room, cleaning and store rooms and equipment in these must at all times be kept clean, tidy and in good condition.
6. The disinfection of the cowshed and premises belonging thereto must be performed in a way that does not risk admixture of disinfectant to the milk or tainting of the milk.
7. Pigs and poultry must not be housed in the cowshed or premises where cows are milked.
8. Flies, rodents and other vermin must be controlled.
9. Chemicals, drugs and the like must be kept in a safe place.
10. Feedstuffs that can have an adverse effect on the milk must not be stored in the cowshed.

CHAPTER II**General conditions for the upkeep of equipment and utensils to be used for milking and the handling of milk**

1. The equipment and utensils used for milking and all their components must at all times be sufficiently clean and maintained in good physical condition.
2. After cleaning and disinfection, the equipment and utensils for milking, treatment, storage and transport of milk must be rinsed with potable water. Utensils and brushes must be stored hygienically.
3. Bulk tanks must, when emptied after cleaning and disinfection, be left with an open plug hole until the time they are used.

CHAPTER III**General hygiene conditions relating to milking operations**

1. The individual cows in the herd must be identifiable to the competent authority. They must be clean and well-kept.
2. Any work that might have an adverse effect on the milk must not be allowed immediately before and during the milking.
3. Before the milking of a cow is started the teats, udder and if necessary adjacent parts of the groin, thigh and abdomen of the cow must be clean.
4. Before the milking of the individual cow the milker must inspect the appearance of the milk. If any physical abnormality is detected, milk from the cow must be withheld from delivery.

Cows with clinical udder diseases must be milked last or by a separate machine or handstripped and the milk must be withheld from delivery.
5. Teat dips or sprays for lactating cows must only be used immediately after milking unless otherwise authorized by the official authorities. Components in teat dips or sprays must be acceptable to the official authorities.
6. Persons occupied with the milking and further treatment of the milk must wear suitable clean milking clothes.

7. Milkers must wash their hands immediately before the milking commences and keep them clean as far as practicable throughout the milking. For this purpose, near the place of milking, suitable facilities are required to enable persons engaged in milking or treatment of milk to wash their hands and arms.

Open cuts and abrasions must be covered with a waterproof dressing.

8. The milk must be stored until collection in the milk room or in a milk store room.
 9. Milk rooms must be used only for activities relating to the handling of milk and milking equipment.
 10. Buckets containing milk must be covered while placed in the cowshed or carried outside and transferred to milk rooms.
 11. If the milk is filtered, the filter used must, depending on the type, be changed or cleansed before its capacity for absorption is exhausted. In any case, the filter must be changed or cleansed before each milking. Filtering cloths must not be used.
-

COMMISSION DECISION

of 31 May 1989

amending the Commission decision of 30 January 1985 laying down the codes
for the notification of animal diseases

(89/363/EEC)

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

Having regard to Council Directive 82/894/EEC of 21
December 1982 on the notification of animal diseases
within the Community⁽¹⁾, as last amended by Decision
89/162/EEC⁽²⁾, and in particular Article 5 thereof,

Having regard to Commission Decision 84/90/EEC of 3
February 1984 laying down the codified form for the
notification of animal diseases pursuant to Directive
82/894/EEC⁽³⁾, as last amended by Decision
89/163/EEC⁽⁴⁾,

Whereas, by virtue of the amendment to Directive
82/894/EEC, certain additional diseases were added to the
list of those compulsorily notifiable within the
Community;

Whereas the standard telexes used for the notification of
these diseases as laid down in Decision 84/90/EEC were
subsequently amended by Decision 89/163/EEC;

Whereas, by decision of 30 January 1985, the
Commission has laid down codes for the notification of
animal diseases⁽⁵⁾, whereas this has made it possible to
preserve the confidential nature of the information by
using common code numbers;

Whereas it is now necessary to provide codes for the
additional diseases and the related data for use with the
standard telexes;

Whereas the decision of 30 January 1985 also laid down a
code for each Member State; whereas the codes already
allocated to Spain and Portugal after their accession to the
Community must be confirmed;

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

HAS ADOPTED THIS DECISION:

Article 1

As from 1 September 1989, the decision of 30 January
1985 is hereby amended as follows:

1. Annexes I, II, III and IV are replaced by Annexes I, II,
III and IV to this Decision;

2. the following is added to Annex V:

1	1	Spain
---	---	-------

1	2	Portugal'
---	---	-----------

3. the following is added to Annex VII:

2	1	Vesicular stomatitis
---	---	----------------------

2	2	Peste des petits ruminants
---	---	----------------------------

2	3	Lumpy skin disease
---	---	--------------------

2	4	Sheep and goat pox (Capripox)
---	---	-------------------------------

2	5	African horse sickness
---	---	------------------------

2	6	Rift valley fever
---	---	-------------------

2	7	Infectious haematopoietic necrosis'
---	---	-------------------------------------

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 May 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 378, 31. 12. 1982, p. 58.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 48.

⁽³⁾ OJ No L 50, 21. 2. 1984, p. 10.

⁽⁴⁾ OJ No L 61, 4. 3. 1989, p. 49.

⁽⁵⁾ Unpublished.

Information required		Text to be transmitted *
Commission reference number		DGVI/B.II.2/ADN1
Date of dispatch (*) (day/month/year) Time of dispatch (*) (24-hour clock) Country of origin (*) Disease (*)		___/___/___ _____ _____ _____
Serial number of outbreak (*) (year/number) Disease type/sub-type Region affected (*) If restrictions affect another region specify that region Type of outbreak (*) (primary '1' or secondary '2') Reference number of outbreak to which this outbreak relates Origin of disease		___/_____ _____ _____ _____ _____ ___/___/___/_____ _____
Control measures : (use one or more sequentially according to number of control measures to be specified)		_____ _____ _____ _____ _____
Date of suspicion of disease on holding (day/month/year) Number of susceptible animals on holding :	— Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species	___/___/___ _____ _____ _____ _____ _____ _____ _____ _____
Date of confirmation of disease on holding (*) (day/month/year) Number of animals clinically affected on holding :	— Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species	___/___/___ _____ _____ _____ _____ _____ _____ _____
Estimated date of first infection on holding (day/month/year) Number of animals that have died of the disease on holding :	— Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species	___/___/___ _____ _____ _____ _____ _____ _____ _____

Information required	Text to be transmitted
Commission reference number	DGVI/B.II.2/ADN1
(Estimated) date of completion of slaughter for human consumption (day/month/year) Number of animals slaughtered for human consumption : — Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species	____/____/____ _____ _____ _____ _____ _____ _____ _____
(Estimated) date of completion of slaughter and destruction (day/month/year) Numbers of animals killed and destroyed : — Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species	____/____/____ _____ _____ _____ _____ _____ _____ _____
Swine fever only — Distance from nearest pig holding (in metres): Number and type of pigs on the infected holding : — Breeding pigs — Piglets — Fattening pigs	_____ _____ _____ _____
Swine fever only — Method used for diagnosis Number and type of pigs clinically affected on the holding : — Breeding pigs — Piglets — Fattening pigs	____ _____ _____ _____
End of coded section	
Free text (if required)	

(¹) Secondary outbreaks need to be notified to the Commission only.

NB: Lines marked with an asterisk (*) must be completed, otherwise notification will be rejected.

Information required		Text to be transmitted
Commission reference number		DGVI/B.II.2/ADN2
Date of completion of slaughter for human consumption (day/month/year) Number of animals slaughtered for human consumption : — Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species		____/____/____ _____ _____ _____ _____ _____ _____ _____
Date of completion of slaughter and destruction (day/month/year) Numbers of animals killed and destroyed : — Cattle — Pigs — Sheep — Goats — Poultry — Equidae — Fish — Wild species		____/____/____ _____ _____ _____ _____ _____ _____ _____
Swine fever only — Distance from nearest pig holding (in metres): Number and type of pigs on the infected holding : — Breeding pigs — Piglets — Fattening pigs		_____ _____ _____ _____
Swine fever only — Method used for diagnosis Number and type of pigs clinically affected on the holding : — Breeding pigs — Piglets — Fattening pigs		____ _____ _____ _____
End of coded section		
Free text (if required)		

(¹) Secondary outbreaks need to be notified to the Commission only.

NB: Lines marked with an asterisk (*) must be completed, otherwise notification will be rejected.

ANNEX III

ANIMAL DISEASE NOTIFICATION — FORM 3

**NOTIFICATION TO THE COMMISSION AND TO THE OTHER MEMBER STATES OF
LIFTING OF RESTRICTIONS FROM A REGION (OR REGIONS) IN ACCORDANCE
WITH DIRECTIVE 82/894/EEC**

Information required		Text to be transmitted
	Commission reference number	DGVI/B.II.2/ADN3
	Date of dispatch (*) (day/month/year) Time of dispatch (*) (24-hour clock) Country of origin (*) Disease (*)	___/___/___ _____ _____ _____
	Region (*) Date restrictions lifted (*) (day/month/year) Time restrictions lifted (*) (24-hour clock)	_____ ___/___/___ _____
	Region (*) Date restrictions lifted (*) (day/month/year) Time restrictions lifted (*) (24-hour clock)	_____ ___/___/___ _____
	Region (*) Date restrictions lifted (*) (day/month/year) Time restrictions lifted (*) (24-hour clock)	_____ ___/___/___ _____
	Region (*) Date restrictions lifted (*) (day/month/year) Time restrictions lifted (*) (24-hour clock)	_____ ___/___/___ _____
	Repeat as often as necessary according to the above format	
	End of coded section	
	Free text (possible observations, etc.)	

NB: Lines marked with an asterisk (*) must be completed, otherwise notification will be rejected.

ANIMAL DISEASE NOTIFICATION — FORM 4

Commission reference number					
Date of dispatch (date/month/year)					
Time of dispatch (24-hour clock)					
Country under report					
Disease					
Period of report (from/to)					
Total number of outbreaks (per country)					
Total number of outbreaks (per region)					
and so on as required					
Total :	(1)	(2)	(3)	(4)	(5)
— Cattle	---	---	---	---	---
— Pigs	---	---	---	---	---
— Sheep	---	---	---	---	---
— Goats	---	---	---	---	---
— Poultry	---	---	---	---	---
— Equidae	---	---	---	---	---
— Fish	---	---	---	---	---
— Wild species	---	---	---	---	---
Information on serial number	(6)	(7)	(8)	(9)	(10)
Information on serial number	---	---	---	---	---
Information on serial number	---	---	---	---	---
Information on serial number	---	---	---	---	---
Information on serial number	---	---	---	---	---
and so on (as required)	---	---	---	---	---
Swine fever only	(11)	(12)	(13)	(14)	(15)
Total number :	---	---	---	---	---
— Breeding pigs	---	---	---	---	---
— Piglets	---	---	---	---	---
— Fattening pigs	---	---	---	---	---

Each group above is repeated as required for other diseases and for each country.

- (1) Total number of susceptible animals on holding(s).
- (2) Total number of clinically affected animals on holding(s).
- (3) Total number of dead animals on holding(s).
- (4) Total number of slaughtered animals on holding(s).
- (5) Total number of destroyed animals on holding(s).
- (6) Total number (year/number).
- (7) Serial number.
- (8) Region.
- (9) Type of outbreak (primary or secondary).
- (10) Date of confirmation of disease on holding.
- (11) Origin of disease.
- (12) Serial number to which this outbreak relates.
- (13) Method used for diagnosis.
- (14) Distance from nearest pig holding.
- (15) Total numbers and types of pig on holdings.
- (16) Total numbers and types of pig clinically affected on holdings.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2503/88 of 25 July 1988 on customs warehouses

(Official Journal of the European Communities No L 225 of 15 August 1988)

On page 5, second subparagraph of Article 22 (1), third and fourth lines:

for: '... those costs need to be included in the customs value...',

read: '... those costs may not be included in the customs value...'.
