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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1616/89

of 5 June 1989

on the conclusion of an Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

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

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

Whereas the Community and Mauritius have negotiated and initialled an Agreement on fishing which provides fishing opportunities for Community fishermen in waters over which Mauritius has sovereignty or jurisdiction;

Whereas it is in the Community's interest to approve this Agreement,

Article 1

The Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Article 3

This Regulation shall enter into force on the third day following that 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 C 86, 7. 4. 1989, p. 4.

⁽²⁾ Opinion delivered on 26 May 1989 (not yet published in the Official Journal).

AGREEMENT

between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters

THE EUROPEAN ECONOMIC COMMUNITY, hereinafter referred to as the 'Community', and

THE GOVERNMENT OF MAURITIUS, hereinafter referred to as Mauritius,

CONSIDERING the spirit of cooperation resulting from the ACP-EEC Convention and the good cooperation relations which exist between the Community and Mauritius;

CONSIDERING the wish of Mauritius to promote the rational exploitation of the fishery resources by means of intensified cooperation;

RECALLING that the Community and Mauritius are signatories to the United Nations Convention on the Law of the Sea and that, in accordance with that Convention, Mauritius has established an exclusive economic zone extending 200 nautical miles from its shores within which it exercises its sovereign rights for the purpose of exploring, exploiting, conserving and managing the resources of the said zone, in accordance with the principles of international law;

DETERMINED to conduct their relations in a spirit of mutual trust and respect for each other's interest in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing activities of common interest to both parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will in future govern, in all respects, the fishing activities of vessels flying the flag of a Member State of the Community, hereinafter referred to as 'Community vessels', in the waters over which Mauritius has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as the 'waters of Mauritius', in accordance with the provisions of the United Nations Convention on the Law of the Sea and other rules of international law.

Article 2

Mauritius shall permit fishing by Community vessels in the waters of Mauritius in accordance with this Agreement.

Article 3

1. The Community undertakes to take all necessary steps to ensure that Community vessels observe the provisions of this Agreement and the laws relating to fishing in the waters of Mauritius consistent with the provisions of the United Nations Convention on the Law of the Sea and other rules of international law.

2. The authorities of Mauritius shall notify the Commission of the European Communities of any proposed change to the said laws.

Article 4

1. Fishing activities by Community vessels in the waters of Mauritius under the present Agreement shall be subject to possession of a fishing licence issued at the Community's request by the authorities of Mauritius.

2. The issue of a licence shall be subject to payment of the licence fees by the shipowners concerned.

3. The formalities for making applications for licences, the amount of the fee and the methods of payment shall be as specified in the Annex.

Article 5

The Parties undertake to coordinate action, either directly or within international organizations, to ensure the management and conservation of the living resources in the Indian Ocean, especially highly migratory species, and to facilitate the relevant scientific research.

Article 6

In return for the fishing opportunities accorded under Article 2 the Community shall pay a financial contribution to Mauritius in accordance with the provisions of the Protocols without prejudice to the financing for which Mauritius is eligible under the ACP-EEC Convention.

Article 7

1. Should the authorities of Mauritius decide, as a result of developments in the state of stocks, to take conservation measures which affect the activities of Community vessels, consultations shall be held between the Parties in order to adapt the Annex and Protocols attached to this Agreement.

2. Such consultations will be based on the principle that any substantial reduction of the fishing rights provided for in the Protocols shall lead to an equivalent reduction of the financial contribution to be paid by the Community.

3. Any conservation measures taken by the authorities of Mauritius shall apply equally to Community and other third country vessels without prejudice to special arrangements between developing states within the same geographical area, including reciprocal fishing arrangements.

Article 8

1. The Parties agree to consult on questions relating to the implementation and proper functioning of this Agreement. To this effect a Joint Committee is hereby established. The Committee shall meet at the request of either Party.

2. In the event of a dispute concerning the interpretation or application of the Agreement, such dispute shall be the subject of consultation between the Parties.

Article 9

Nothing in this Agreement shall affect or prejudice any manner the view of either Party with respect to any matter relating to the Law of the Sea.

Article 10

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European

Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Mauritius.

Article 11

The Annex and the Protocols to this Agreement form an integral part thereof and, unless otherwise specified, a reference to the Agreement shall constitute a reference to them.

Article 12

1. The Agreement shall be concluded for an initial period of three years from the date of its entry into force. Unless one of the Parties terminates it by giving notice to that effect at least six months before the date of expiry of the three year period it shall remain in force for further periods of three years unless denounced by notice given at least three months before the date of expiry of each such three year period.

2. In the event of a Contracting Party giving notice denouncing the Agreement, the Contracting Parties may enter into negotiations.

3. Before the end of the period of validity of the Protocol, the Contracting Parties shall enter into negotiations to determine by common agreement the terms of the Protocol for the following period and, where appropriate, any necessary amendments or additions to the Annex.

Article 13

This Agreement, drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each of these texts being equally authentic, shall enter into force on the first day of the month following signature.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN THE WATERS OF MAURITIUS**1. Licence application and issuing formalities**

The application procedure for, and issue of, the licences enabling Community vessels to fish in the waters of Mauritius shall be as follows:

- (a) The Commission of the European Communities shall present to the authorities of Mauritius via the representative of the Commission of the European Communities in Mauritius an application, made by the shipowner, for each vessel that wishes to fish under this Agreement, at least 20 days before the date of commencement of the period of validity requested. The application shall be made on the forms provided for that purpose by Mauritius, a specimen of which is annexed hereto
- (b) Every licence shall be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel may and, in cases of *force majeure*, shall be replaced by a licence for another Community vessel.
- (c) The licences shall be delivered by the authorities of Mauritius to the representative of the Commission of the European Communities in Mauritius.
- (d) The licence document must be held on board at all times.
- (e) The authorities of Mauritius shall communicate before the date of entry into force of the agreement the arrangements for payment of the licence fees, and in particular the details of the bank account and the currency to be used.

2. Validity of licences and payment provisions for tuna vessels

- (a) Licences shall be valid for a period of one year. They are renewable.
- (b) The fees shall be set at ECU 20 per tonne caught within the waters of Mauritius. Applications for licences for tuna vessels shall be issued following advance payment to Mauritius of a lump sum of ECU 1 000 a year for each tuna seiner, equivalent to the fees for 50 tonnes of tuna caught within the waters of Mauritius per year. A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the authorities of Mauritius and the Commission of the European Communities. The corresponding amount shall be paid by the shipowners to the Treasury of Mauritius no later than 31 March of the following year. The final statement of the fees due in respect of a fishing year shall be drawn up by the Commission of the European Communities, taking into account available scientific opinion and any statistical data which can be gathered by ORSTOM, the Spanish Oceanographic Institute and any international fishing organizations in the Indian Ocean. The shipowners shall be notified by the Commission of the European Communities of the statement and shall have 30 days in which to meet their financial obligations. If the amount of the sum due for actual fishing operations is less than the advance payment, the corresponding outstanding sum shall not be recoverable by the shipowner.

3. Validity of licences and payment provisions for other vessels

- (a) For vessels fishing by line (except longliners), licences shall be valid for three, six or twelve months. The annual fees shall be fixed in relation to the GRT as follows: ECU 60 per GRT *pro rata temporis*.
- (b) For vessels carrying out experimental fishing for crustacea under the provisions of Protocol 2, the fees shall be fixed at ECU 25 per GRT per annum.

4. Observers

All vessels above 50 GRT shall, at the request of the authorities of Mauritius, take on board an observer designated by these authorities in order to check catches made in the waters of Mauritius. Observers shall have all facilities necessary for the performance of this duty including access to places and documents. An observer must not be present for longer than the time required to fulfil his duties. They shall be provided with suitable food and accommodation while on board. Should a vessel with a Mauritian observer on board leave the waters of Mauritius, every step will be taken to ensure that the observer returns to Mauritius as soon as possible, at the shipowner's expense.

5. Radio communication and reporting

Vessels above 50 GRT shall communicate to a radio station (the name, call sign and frequency of which shall be specified in the licence) the volume of catches on board when entering and leaving Mauritian waters.

The captains of all vessels including vessels fishing by line shall complete a fishing report form which will indicate the date, the vessel's position, and the quantity and species of fish caught. Tuna vessels shall also provide the number of sets and the quantity of tuna caught per species. These forms shall be forwarded to the Authorities of Mauritius not later than three weeks after the vessel's return to port. However, in the case of vessels fishing by line these reports shall be sent not later than one month after the end of each quarter.

6. Fishing zones

Community vessels may fish in the waters of Mauritius except within a distance of 12 nautical miles measured from the baseline. Vessels fishing by line are only authorized to fish in their traditional grounds, namely Soudan Bank, East Soudan Bank, St Brandon and Nazareth Bank.

However, for a period of 12 months from the date of entry into force of this Agreement, tuna vessels shall be permitted to fish up to five miles from the baseline around the Agalega Islands. This derogation will be reviewed at the first meeting of the Joint Committee.

7. Landing possibilities

Community tuna vessels using the facilities of Port Louis shall endeavour to sell part of their catch to the Mauritian tuna canning industry at a price to be fixed in common agreement between Community shipowners and the owners of the Mauritian tuna canning industry.

APPLICATION FOR A FOREIGN FISHING VESSEL LICENCE

Name of applicant :

Address of applicant :

.....

Name and address of charterers of vessel if different from above :

.....

Name and address of agent in Mauritius (if any) :

.....

Name of vessel :

Type of vessel :

Country of registry :

Port and registration number :

Fishing vessel external identification :

Radio call sign and frequency :

Length of vessel :

Width of vessel :

Engine type and power :

Gross registered tonnage of vessel :

Net registered tonnage of vessel :

Minimum crew complement :

Type of fishing practised :

Proposed species of fish :

.....

.....

.....

.....

Period of validity requested :

I certify that the above particulars are correct.

Date Signature

PROTOCOL No 1**on the fishing opportunities accorded by Mauritius and the financial contribution
accorded by the Community***Article 1*

1. Pursuant to Article 2 of the Agreement, and for a period of three years from the date of its entry into force, the following fishing possibilities shall be accorded:

- for ocean-going tuna seiners: licences for 40 vessels;
- for vessels fishing by line (except longliners): licences for 100 GRT/month on an annual average.

2. These fishing possibilities may, at the Community's request, be increased by the Joint Committee referred to in Article 8 of the Agreement.

Article 2

1. The financial compensation referred to in the Agreement for the abovementioned period is fixed at ECU 1 200 000, payable in three annual instalments.

2. In the case of tuna fishing, this compensation shall cover a catch weight in waters of Mauritius of 7 500 tonnes of tuna fished per year. If the annual amount of tuna caught by Community vessels in the waters of Mauritius exceeds this quantity, the abovementioned compensation shall be increased by ECU 50 for each additional tonne caught.

3. The use to which this compensation is put shall be the sole competence of Mauritius.

4. The financial compensation shall be paid into an account opened at a financial institution or other body designated by Mauritius.

Article 3

1. The Community shall also pay a contribution of ECU 480 000 towards the financing of a scientific and technical programmes (including equipment, infrastructure, etc.) in order to improve knowledge of fish stocks and fisheries in general.

2. The competent authorities of Mauritius shall send to the Commission a brief report on the utilization of the funds.

3. The Community's contribution to the scientific and technical programmes shall be paid on each occasion into an account specified by the authorities of Mauritius.

Article 4

The two Parties hereby agree that an essential condition for the success of their co-operation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the Community will assist Mauritian nationals in finding places in establishments in its Member States or States with which it has concluded cooperation agreements and will make available an amount of ECU 120 000 for study or practical training awards with a maximum duration of five years in the various scientific, technical and economic subjects relating to fisheries. Of this amount, up to ECU 40 000 may be used, at the request of the Mauritian authorities, to cover the cost of attending international meetings relating to fisheries.

Article 5

Should the Community fail to make the above payments, the Agreement on fishing may be suspended.

PROTOCOL No 2
on experimental fishing for crustacea

Article 1

Pursuant to Article 2 of the Agreement, and for a period of 18 months from the date of its entry into force, authorizations to fish in the waters of Mauritius for crustacea shall be granted, in the context of reconnaissance campaigns, for up to 1 200 gross registered tonnes per month on an annual average.

Article 2

Without prejudice to Protocol 1, the financial contribution referred to in Article 7 of the Agreement shall be fixed at a flat rate of ECU 150 000 for the duration of the reconnaissance campaigns.

Article 3

Before expiry of the period referred to in Article 1 the Parties will consult each other within the Joint Committee referred to in Article 8 of the Agreement in order to determine, in the light of the results of the reconnaissance campaigns which will be communicated to the authorities of Mauritius, fishing opportunities for crustacea for the remaining 18 months of the first period of application provided for in Article 12 of the Agreement and the corresponding Community compensation.

COMMISSION REGULATION (EEC) No 1617/89

of 9 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 8 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 10 June 1989.

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

Done at Brussels, 9 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 9 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	36,26	128,75
0712 90 19	36,26	128,75
1001 10 10	60,64	191,57 ⁽¹⁾ ⁽²⁾
1001 10 90	60,64	191,57 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	123,12
1001 90 99	35,73	123,12
1002 00 00	63,32	115,64 ⁽³⁾
1003 00 10	53,90	121,56
1003 00 90	53,90	121,56
1004 00 10	44,96	91,46
1004 00 90	44,96	91,46
1005 10 90	36,26	128,75 ⁽²⁾ ⁽³⁾
1005 90 00	36,26	128,75 ⁽²⁾ ⁽³⁾
1007 00 90	54,40	135,90 ⁽⁴⁾
1008 10 00	53,90	14,98
1008 20 00	53,90	8,85 ⁽⁴⁾
1008 30 00	53,90	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	53,90	0,00
1101 00 00	65,71	187,07
1102 10 00	103,35	176,59
1103 11 10	107,63	309,53
1103 11 90	69,15	199,45

⁽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 1618/89

of 9 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 8 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 10 June 1989.

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

Done at Brussels, 9 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 9 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	0,64
0712 90 19	0	0	0	0,64
1001 10 10	0	0,85	0,85	0,85
1001 10 90	0	0,85	0,85	0,85
1001 90 91	0	6,86	6,86	0
1001 90 99	0	6,86	6,86	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	2,54	2,54	2,54
1004 00 90	0	2,54	2,54	2,54
1005 10 90	0	0	0	0,64
1005 90 00	0	0	0	0,64
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	9,60	9,60	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	12,21	12,21	0	0
1107 10 19	0	9,12	9,12	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 1619/89**of 9 June 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 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 1538/89 ⁽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 12 June 1989.

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

Done at Brussels, 9 June 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 151, 3. 6. 1989, p. 6.

ANNEX

to the Commission Regulation of 9 June 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	—	—	145,18	297,57
1006 10 23	—	200,10	129,80	266,80
1006 10 25	—	200,10	129,80	266,80
1006 10 27	—	200,10	129,80	266,80
1006 10 92	—	—	145,18	297,57
1006 10 94	—	200,10	129,80	266,80
1006 10 96	—	200,10	129,80	266,80
1006 10 98	—	200,10	129,80	266,80
1006 20 11	—	—	182,38	371,96
1006 20 13	—	250,13	163,15	333,50
1006 20 15	—	250,13	163,15	333,50
1006 20 17	—	250,13	163,15	333,50
1006 20 92	—	—	182,38	371,96
1006 20 94	—	250,13	163,15	333,50
1006 20 96	—	250,13	163,15	333,50
1006 20 98	—	250,13	163,15	333,50
1006 30 21	13,05	—	236,30	496,46
1006 30 23	12,97	410,67	261,89	547,56
1006 30 25	12,97	410,67	261,89	547,56
1006 30 27	12,97	410,67	261,89	547,56
1006 30 42	13,05	—	236,30	496,46
1006 30 44	12,97	410,67	261,89	547,56
1006 30 46	12,97	410,67	261,89	547,56
1006 30 48	12,97	410,67	261,89	547,56
1006 30 61	13,90	—	252,01	528,73
1006 30 63	13,90	440,24	281,14	586,99
1006 30 65	13,90	440,24	281,14	586,99
1006 30 67	13,90	440,24	281,14	586,99
1006 30 92	13,90	—	252,01	528,73
1006 30 94	13,90	440,24	281,14	586,99
1006 30 96	13,90	440,24	281,14	586,99
1006 30 98	13,90	440,24	281,14	586,99
1006 40 00	0	—	33,02	72,04

(⁽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 1620/89

of 9 June 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 1539/89⁽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,

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 12 June 1989.

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

Done at Brussels, 9 June 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 151, 3. 6. 1989, p. 8.

ANNEX

to the Commission Regulation of 9 June 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
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 1621/89

of 9 June 1989

altering the specific agricultural conversion rates applicable in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 2 (4) thereof,Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 9 (2) thereof,Whereas by Commission Regulation (EEC) No 3294/86⁽⁵⁾, as last amended by Regulation (EEC) No 1540/89⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3521/88⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the pound sterling and the Spanish peseta, recorded in accordance with Regulation (EEC) No 3153/85 during the period 31 May to 6 June 1989 requires the specific agricultural conversion rates applicable for the United Kingdom and Spain to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 12 June 1989.

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.⁽⁶⁾ OJ No L 151, 3. 6. 1989, p. 10.⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.⁽⁸⁾ OJ No L 307, 12. 11. 1988, p. 28.

ANNEX**Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

ECU 1	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	197,365
	= Pta	148,199
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 693,30
	= Fl	2,63785
	= £	0,745954

COMMISSION REGULATION (EEC) No 1622/89

of 8 June 1989

on the supply of various lots of skimmed-milk powder a food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a decision on the allocation of food aid, the Commission has allocated to Euronaid 1 810 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

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, 8 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOTS A AND B

1. **Operation No** ⁽¹⁾: 111/89 and 112/89 — Commission Decision of 3. 3. 1989
2. **Programme**: 1989
3. **Recipient**: Euronaid, PO box 77, 2340 AB Oegstgeest, Netherlands
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods**: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3) A1 to A7, A9 to A12, B1 to B5 and B7 to B12: ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾; A8: ⁽²⁾ ⁽⁴⁾ ⁽⁷⁾ ⁽¹⁰⁾; B6: ⁽²⁾ ⁽⁴⁾ ⁽⁷⁾ ⁽⁹⁾
8. **Total quantity**: 1 810 tonnes (A: 865 tonnes — B: 945 tonnes)
9. **Number of lots**: 2
10. **Packaging and marking** ⁽¹²⁾ ⁽¹³⁾: 25 kilograms
(See OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3))
Supplementary markings on the packaging:
A: 'ACTION No 111/89 / EURONAIID / FOR FREE DISTRIBUTION '
B: 'ACTION No 112/89 / EURONAIID / FOR FREE DISTRIBUTION '
(See OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5))
11. **Method of mobilization** ⁽⁸⁾ ⁽¹¹⁾: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 22. 7. 1989 to 7. 8. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 26. 6. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 3. 7. 1989 at 12 noon
(b) period for making the goods available at the port of shipment: 29. 7. 1989 to 14. 8. 1989
(c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁹⁾: refund applicable on 30. 5. 1989, fixed in Commission Regulation (EEC) No 1476/89 (OJ No L 146, 30. 5. 1989, p. 14)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the office referred to in point 24 of this Annex ;
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a health certificate.
- (⁷) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a certificate of origin.
- (⁸) The supplier should send a duplicate of the original invoice to :
- MM De Keyzer and Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (⁹) Radiation certificate for Sudan should contain following information : the amount of radiation of Caesium 134 and 137 and of Iodine 131
- (¹⁰) Radiation certificate must be issued by official authorities and be legalized for Egypt.
- (¹¹) The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.
- (¹²) Shipment to take place in 20 foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 13 (2), second subparagraph, of Regulation 2200/87 shall not apply.
- (¹³) Lot A : minimum 58 containers. Lot B : minimum 64 containers

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário
A	865	A1 : 15	Euroaid	Chile
		A2 : 135	Euroaid	Ecuador
		A3 : 120	Euroaid	Peru
		A4 : 15	Euroaid	Brasil
		A5 : 15	Euroaid	Paraguay
		A6 : 175	Euroaid	Haiti
		A7 : 60	Euroaid	Dominican Republic
		A8 : 180	Euroaid	Egypt
		A9 : 30	Euroaid	Jordan
		A10 : 45	Euroaid	Burkina Faso
		A11 : 15	Euroaid	Côte d'Ivoire
		A12 : 60	Euroaid	Guinea-Bissau
B	945	B1 : 60	Euroaid	Sénégal
		B2 : 15	Euroaid	Sierra Leone
		B3 : 180	Euroaid	Zaire
		B4 : 360	Euroaid	Madagascar
		B5 : 60	Euroaid	Moçambique
		B6 : 30	Euroaid	Sudan
		B7 : 45	Euroaid	Uganda

Designación del lote	Cantidad total del lote (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario
Parti	Totalmængde (tons)	Delmængde (tons)	Modtager	Modtagerland
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country
Désignation du lot	Quantité totale du lot (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland
Designação do lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário
		B8 : 15	Euronaïd	Bangladesh
		B9 : 60	Euronaïd	Malawi
		B10 : 45	Euronaïd	Rwanda
		B11 : 30	Euronaïd	Tanzania
		B12 : 45	Euronaïd	India

COMMISSION REGULATION (EEC) No 1623/89

of 9 June 1989

on a special intervention measure for barley in Spain

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 1213/89⁽²⁾, and in particular Article 8 (3) thereof,

Whereas production of barley in Spain exceeds that country's requirements;

Whereas the possibility of that surplus being absorbed by the Community market is slight;

Whereas the Spanish market can be relieved by the export of part of this surplus quantity of barley to non-member countries; whereas, in view of world market prices for barley, export is possible only with the aid of a refund;

Whereas, however, the refund arrangements laid down in Article 16 of Regulation (EEC) No 2727/75 apply to export from any Member State; whereas such arrangements, therefore, are not only unsuitable for solving the problem in question but may also favour the export of barley from Member States where the market situation is different from that in Spain;

Whereas, in the absence of adequate measures, massive quantities of barley may be expected to enter intervention storage in Spain during the marketing year in accordance with Article 7 of Regulation (EEC) No 2727/75, the only possibility of disposal being in any case export to non-member countries; whereas, to avoid the abovementioned intervention, a special intervention measure intended to relieve the Spanish market should be taken under Article 8 of the said Regulation; whereas, furthermore, such a measure should take the form of a direct export incentive, which would avoid the high cost to the Community budget of buying in and storing products which would in any case then have to be exported; whereas the granting of a refund, the amount of which would be determined by tendering and which would apply only to products exported from Spain, would be an appropriate measure for this purpose;

Whereas the purpose of the measure is such that refunds should be granted only on barley of the quality required for acceptance for intervention, as defined in Commission

Regulation (EEC) No 1569/77⁽³⁾, as last amended by Regulation (EEC) No 3495/88⁽⁴⁾; however, it is necessary to foresee an exception concerning the specific weight, having regard to the meteorological circumstances in Spain this year; whereas the competent agency must make certain barley exported is of this standard;

Whereas the nature and objectives of the said measures make it appropriate to apply in respect of it *mutatis mutandis* Article 16 of Regulation (EEC) No 2727/75 and the Regulations adopted for the application thereof, in particular Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽⁵⁾, and Commission Regulation (EEC) No 279/75 of 4 February 1975 laying down detailed rules for the application on the system of tendering for export refunds on cereals⁽⁶⁾, as last amended by Regulation (EEC) No 2788/86⁽⁷⁾;

Whereas, since the interested parties are already aware of the terms of the invitation, a derogation may be made from the provisions of Regulation (EEC) No 279/75 on the period that must elapse between the date of publication and the first closing date for the submission of tenders;

Whereas, under the abovementioned Regulation (EEC) No 279/75, the commitments on the part of the tenderer include the obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment of all concerned, it is necessary to make provision for the licences issued to have an identical period of validity;

Whereas, in order to ensure the smooth operation of the export tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁴⁾ OJ No L 306, 11. 11. 1988, p. 26.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁷⁾ OJ No L 257, 10. 9. 1986, p. 32.

HAS ADOPTED THIS REGULATION:

Article 1

1. A special intervention measure in the form of an export refund shall be applied in respect of 300 000 tonnes of barley produced in Spain.

Article 16 of Regulation (EEC) No 2727/75 and the provisions adopted for the application of that Article shall apply *mutatis mutandis* to the said refund.

2. The Spanish intervention agency shall be responsible for implementing the measure referred to in paragraph 1.

Article 2

1. Tenders shall be invited in order to determine the amount of the refund referred to in Article 1.

2. The invitation to tender shall relate to the quantity of barley referred to in Article 1 (1) for export to the countries in zones I to VIII listed in Annex I to Commission Regulation (EEC) No 1124/77⁽¹⁾, the German Democratic Republic and the Canary Islands.

3. The invitation shall remain open until 1 June 1990. During the period of its validity weekly awards shall be made, for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

By way of derogation from Article 1 (2) of Regulation (EEC) No 279/75, the time limit for submission of tenders under the first partial invitation to tender shall expire on 15 June 1989.

4. Tenders must be submitted to the Spanish intervention agency named in the notice of invitation.

5. The tendering procedure shall take place in accordance with this Regulation and Regulation (EEC) No 279/75.

Article 3

A tender shall be valid only if:

- it relates to not less than 1 000 tonnes,
- it is accompanied by:
 - advance fixing of the Spanish monetary compensatory amount valid on each closing date for the submission of tenders,
 - the undertaking provided for in Article 2 (3) (b) of Regulation (EEC) No 279/75 that the export licence will be applied for in Spain.

Article 4

The security referred to in Article 3 of Regulation (EEC) No 279/75 shall be ECU 12 per tonne.

Article 5

1. By way of derogation from Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽²⁾, export licences issued in accordance with Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the third month following that of the issue.

Article 6

1. The Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, either:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

3. A refund awarded shall not be paid unless the barley exported is of at least intervention quality as defined in Article 2 (2) of Regulation (EEC) No 1569/77, with the exception of a specific minimum weight of 62 kg/hl.

The competent agency shall have an analysis made, by an approved body or company, of the landed goods and shall hold at the Commission's disposal an additional sample from each consignment taken and sealed in the presence of the tenderer or his representative.

Sampling and analysis costs shall be met by the tenderer.

Article 7

Tenders submitted must reach the Commission through the intervention of the Spanish intervention agency at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, the Spanish intervention agency shall inform the Commission of this within the period indicated in the first paragraph.

The times fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Weekly tender for the refund for the export of barley to countries in zones I to VIII, the German Democratic Republic and the Canary Islands

(Regulation (EEC) No 1623/89)

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in ECU per tonne
1		
2		
3		
etc.		

COMMISSION REGULATION (EEC) No 1624/89

of 9 June 1989

opening an invitation to tender for the refund and/or levy for the export of barley to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands

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 1213/89⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽³⁾, as amended by Regulation (EEC) No 2560/77⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽⁵⁾, and in particular Article 5 thereof,

Whereas, in view of the current situation on the cereal markets, an invitation to tender for barley should be opened for the export refund referred to in Article 5 of Regulation (EEC) No 2746/75 and, where the application of the measures provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 proves necessary, for the export levy provided for therein; whereas there is demand for barley on certain specific markets; whereas, in order to ensure supply, the invitation to tender for export should be limited to exports to zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands;

Whereas the detailed procedural rules governing invitations to tender are, as regards the fixing of the export levy, laid down in Commission Regulation (EEC) No 3130/73⁽⁶⁾, as last amended by Regulation (EEC) No 2788/86⁽⁷⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75⁽⁸⁾, as last amended by Regulation (EEC) No 2788/86; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence;

whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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. Tenders shall be invited for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75 and/or the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75.

2. The invitation to tender shall relate to barley for export to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands, defined in Annex I to Commission Regulation (EEC) No 1124/77⁽⁹⁾.

3. The invitation shall remain open until 1 June 1990. During this period weekly awards shall be made, for which the quantity and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be ECU 12 per tonne.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁷⁾ OJ No L 257, 10. 9. 1986, p. 32.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁹⁾ OJ No L 134, 28. 5. 1977, p. 53.

Article 4

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the third month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export

refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX

Weekly tender for the refund and/or levy for the export of barley to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands

(Regulation (EEC) No 1624/89)

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in ECU per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in ECU per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 1625/89

of 9 June 1989

opening an invitation to tender for the refund and/or levy for the export of common wheat to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands

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 1213/89⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed⁽³⁾, as amended by Regulation (EEC) No 2560/77⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽⁵⁾, and in particular Article 5 thereof,

Whereas, in view of the current situation on the cereal markets, an invitation to tender for common should be opened for the export refund referred to in Article 5 of Regulation (EEC) No 2746/75 and, where the application of the measures provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 proves necessary, for the export levy provided for therein; whereas there is demand for common wheat on certain specific markets; whereas, in order to ensure supply, the invitation to tender for export should be limited to exports to zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands;

Whereas the detailed procedural rules governing invitations to tender are, as regards the fixing of the export levy, laid down in Commission Regulation (EEC) No 3130/73⁽⁶⁾, as last amended by Regulation (EEC) No 2788/86⁽⁷⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75⁽⁸⁾, as last amended by Regulation (EEC) No 2788/86; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence;

whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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. Tenders shall be invited for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75 and/or the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75.
2. The invitation to tender shall relate to common for export to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands, defined in Annex I to Commission Regulation (EEC) No 1124/77⁽⁹⁾.
3. The invitation shall remain open until 1 June 1990. During this period weekly awards shall be made, for which the quantity and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁷⁾ OJ No L 257, 10. 9. 1986, p. 32.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁹⁾ OJ No L 134, 28. 5. 1977, p. 53.

Article 4

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the third month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export

refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX

Weekly tender for the refund and/or levy for the export of common wheat to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands

(Regulation (EEC) No 1625/89)

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in ECU per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in ECU per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 1626/89

of 9 June 1989

opening an invitation to tender for the refund and/or levy for the export of durum wheat to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands

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 1213/89 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2747/75 of 29 October 1975 laying down general rules to be applied in the event of the cereals market being disturbed ⁽³⁾, as amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽⁵⁾, and in particular Article 5 thereof,

Whereas, in view of the current situation on the cereal markets, an invitation to tender for durum should be opened for the export refund referred to in Article 5 of Regulation (EEC) No 2746/75 and, where the application of the measures provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75 proves necessary, for the export levy provided for therein; whereas there is demand for durum wheat on certain markets; whereas, in order to ensure supply, the invitation to tender for export should be limited to exports to zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands;

Whereas the detailed procedural rules governing invitations to tender are, as regards the fixing of the export levy, laid down in Commission Regulation (EEC) No 3130/73 ⁽⁶⁾, as last amended by Regulation (EEC) No 2788/86 ⁽⁷⁾, and, as regards the fixing of the export refund, in Commission Regulation (EEC) No 279/75 ⁽⁸⁾, as last amended by Regulation (EEC) No 2788/86; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence;

whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of 12 ECU per tonne when they submit their tenders;

Whereas, in order to ensure equal treatment to all concerned, it is necessary to make provision such that the periods of validity of licences issued are identical;

Whereas, in order to ensure the smooth operation of the tendering procedure, it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

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. Tenders shall be invited for the export refund provided for in Article 5 of Regulation (EEC) No 2746/75 and/or the export levy provided for in the first indent of Article 2 (1) of Regulation (EEC) No 2747/75.

2. The invitation to tender shall relate to durum for export to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands, defined in Annex I to Commission Regulation (EEC) No 1124/77 ⁽⁹⁾.

3. The invitation shall remain open until 1 June 1990. During this period weekly awards shall be made, for which the quantity and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 3130/73 and in Article 3 of Regulation (EEC) No 279/75 shall be 12 ECU per tonne.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 82.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 319, 20. 11. 1973, p. 10.

⁽⁷⁾ OJ No L 257, 10. 9. 1986, p. 32.

⁽⁸⁾ OJ No L 31, 5. 2. 1975, p. 8.

⁽⁹⁾ OJ No L 134, 28. 5. 1977, p. 53.

Article 4

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88⁽¹⁾, export licences issued under Article 8 (1) of Regulation (EEC) No 3130/73 or under Article 8 (1) of Regulation (EEC) No 279/75 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitation to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the third month following that of issue.

Article 5

1. Notwithstanding Article 5 of Regulation (EEC) No 3130/73 and Article 5 of Regulation (EEC) No 279/75, the Commission shall decide, under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- to fix a maximum export refund, taking account in particular of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2746/75, or
- to fix a minimum export levy, taking account in particular of the criteria laid down in Article 3 (1) (b) and (d) of Regulation (EEC) No 2747/75, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export

refund and to any tenderer who has tendered for an export levy.

Where a minimum export levy is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of levy equal to or greater than such minimum export levy.

Article 6

Tenders submitted must reach the Commission through the intermediary of Member States at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in the form indicated in the Annex.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 7

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 8

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

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX

Weekly tender for the refund and/or levy for the export of durum wheat to countries of zones I, II, III, IV, V, VI, VII, VIII, the German Democratic Republic and the Canary Islands

(Regulation (EEC) No 1626/89)

(Closing date for the submission of tenders (date/time))

I

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export levy in ECU per tonne
1		
2		
3		
4		
5		
etc.		

II

1	2	3
Number of tenderer	Quantity in tonnes	Amount of export refund in ECU per tonne
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EEC) No 1627/89
of 9 June 1989
on the buying in of beef by invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 805/68 of the Council of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector⁽³⁾ provides in particular for detailed rules on the invitation to tender and the list of products eligible;

Whereas the application of Article 6 (2) of Regulation (EEC) No 805/68 results in the opening of buying in by invitation to tender for certain Member States or regions of a Member State and the quality groups listed in the Annex hereto;

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

Article 1

Pursuant to Regulation (EEC) No 859/89, the intervention agencies in the Member States or regions of a Member State listed in the Annex hereto shall buy in beef and veal products belonging to the quality groups set out in that Annex.

Article 2

Tenders shall be submitted by the closing date laid down in Article 8 of Regulation (EEC) No 859/89.

The detailed conditions for the invitation to tender shall be laid down by the intervention agencies in the Member States or regions of a Member State listed in the Annex hereto and information about them may be obtained by any interested party established in the Community by applying to one of the addresses in Annex V to Regulation (EEC) No 859/89.

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, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1

Member States or regions of a Member State and quality groups referred to in Article 1

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1

In artikel 1 bedoeld Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estado-membro e grupos de qualidades referidos no artigo 1º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχές κρατών μελών	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stato membro o regioni di Stato membro	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estado-membro	Categoria A			Categoria C		
	U	R	O	U	R	O
Deutschland		×				
España		×	×			
Luxembourg			×			

COMMISSION REGULATION (EEC) No 1628/89
of 9 June 1989
amending Regulation (EEC) No 2213/76 on the sale of skimmed-milk powder
from public storage

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2213/76⁽³⁾, as last amended by Regulation (EEC) No 1384/88⁽⁴⁾, limits the quantity of skimmed-milk powder put up for sale by intervention agencies in the Member States to that which entered storage before 1 August 1986;

Whereas, in view of the limited quantities available, that date should be replaced by 1 January 1989;

Whereas the situation on the market for skimmed-milk powder requires provision to be made for the price at which the skimmed-milk powder stored by the

intervention agencies is sold to be equal to the buying-in price plus ECU 25 per 100 kilograms;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2213/76 is hereby amended as follows:

1. In Article 1, '1 August 1986' is replaced by '1 January 1989'.
2. Article 2 (1) (a) is replaced by the following:
'(a) ex-storage depot at a price equal to the buying-in price applied by the intervention agency when the contract of sale is concluded, plus ECU 25 per 100 kilograms;'.

Article 2

This Regulation shall enter into force on 16 June 1989.

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

Done at Brussels, 9 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 249, 11. 9. 1976, p. 6.

⁽⁴⁾ OJ No L 128, 21. 5. 1988, p. 18.

COMMISSION REGULATION (EEC) No 1629/89

of 9 June 1989

on the non-application of the adjustment, following a change in prices on 1 July 1989, of certain export refunds and production refunds in the sugar sector

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

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 Articles 9 (6) and 19 (3) and (7) thereof,

Whereas Council Regulation (EEC) No 1254/89 of 3 May 1989 fixing, for the 1989/90 marketing year, *inter alia*, certain sugar prices and the standard quality of beef⁽³⁾ has fixed a specific intervention price for white sugar, in respect of the stocks of sugar at the end of the 1988/89 marketing year, which is the same as that fixed for the latter marketing year; whereas this maintenance of the intervention price is applicable to the said stocks which may possibly be placed into intervention between 1 July and 30 September 1989 in order to permit the disposal of such stocks during those three months into intervention without any depreciation being suffered as a result of the fixing for 1989/90 of an intervention price lower than that for 1988/89;

Whereas, to the same end, in order to permit the disposal by way of export of the remainder of the production of the 1988/89 marketing year that is still in storage, an initial accompanying measure was adopted in Commission Regulation (EEC) No 1381/89⁽⁴⁾, which provides under certain conditions for the maintenance of the refunds fixed in advance, under the standing invitations to tender for export provided for respectively in Commission Regulations (EEC) No 1035/88⁽⁵⁾ and (EEC) No 999/89⁽⁶⁾; whereas, to complete all the accompanying measures intended to prevent the depreciation of those stocks owing to the change in the

prices for the marketing year, provision should also be made under certain conditions for the non-application of the adjustments on 1 July 1989 of export refunds and production refunds provided for respectively in Commission Regulations (EEC) No 747/89⁽⁷⁾ and (EEC) No 1729/78⁽⁸⁾, as last amended by Regulation (EEC) No 748/89⁽⁹⁾;

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 adjustment provided for in Article 1 (1) of Regulation (EEC) No 747/89 shall not apply to export refunds fixed in advance prior to 1 July 1989 the corresponding certificate for which is used for the export, during the period 1 July to 30 September 1989, of the products listed in Annexes I and II to Regulation (EEC) No 747/89.

Article 2

The adjustment provided for in Article 5a (1) of Regulation (EEC) No 1729/78 shall not apply to production refunds for which a refund document application has been received by the competent authorities of the Member States before 1 July 1989 and where that document is used for the processing of all or part of the basic product in question in the period 1 July to 30 September 1989.

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, 9 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 126, 9. 5. 1989, p. 1.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

⁽⁵⁾ OJ No L 102, 21. 4. 1988, p. 14.

⁽⁶⁾ OJ No L 107, 19. 4. 1989, p. 6.

⁽⁷⁾ OJ No L 80, 23. 3. 1989, p. 48.

⁽⁸⁾ OJ No L 201, 25. 7. 1978, p. 26.

⁽⁹⁾ OJ No L 80, 23. 3. 1989, p. 51.

COMMISSION REGULATION (EEC) No 1630/89
of 9 June 1989

**amending Regulation (EEC) No 3537/88 opening a standing invitation to tender
for the resale on the Community market of 112 000 tonnes of sorghum held by
the Spanish intervention agency**

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

Having regard to Regulation (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⁾,

Having regard to Council Regulation (EEC) No 1799/87
of 25 June 1987 on special arrangements for imports of
maize and sorghum into Spain from 1987 to 1990 ⁽³⁾, and
in particular Article 4 (2) thereof,

Whereas, pursuant to Article 4 of Regulation (EEC) No
1799/87, the Spanish intervention agency has purchased
300 000 tonnes of grain sorghum on the world market;

Whereas 112 000 tonnes of grain sorghum were put up
for sale on the internal market pursuant to Commission
Regulation (EEC) No 3537/88 ⁽⁴⁾, as last amended by
Regulation (EEC) No 1376/89 ⁽⁵⁾;

Whereas, as a result of an omission, the date of processing
of the sorghum sold under Regulation (EEC) No 3537/88

was not brought into line with the dates of award;
whereas a new time limit should accordingly be set for
processing;

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

In Article 2 (1) of Regulation (EEC) No 3537/88 '30 June
1989' is replaced by '31 December 1989'.

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 20 May 1989.

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

Done at Brussels, 9 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 170, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 309, 15. 11. 1988, p. 30.

⁽⁵⁾ OJ No L 137, 20. 5. 1989, p. 28.

COMMISSION REGULATION (EEC) No 1631/89

of 9 June 1989

re-establishing the preferential customs duty on imports of uniflorous (bloom) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulations (EEC) No 3005/88⁽³⁾, (EEC) No 3175/88⁽⁴⁾, (EEC) No 3552/88⁽⁵⁾ and (EEC) No 4078/88⁽⁶⁾ open and provide for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 1550/89⁽⁷⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁸⁾, as amended by Regulation (EEC) No 3556/88⁽⁹⁾, laid down detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function in the normal manner prices on importation should be calculated using

- for currencies maintained against each other within a maximum spread at any given moment for spot rate transactions of 2,25 % a conversion rate 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⁽¹⁰⁾, as last amended by Regulation (EEC) No 1636/87⁽¹¹⁾,
- for other currencies a conversion rate based on the arithmetic mean of the spot market rate of the currency, recorded for a given period, against the Community currencies indicated in the preceding indent and of the aforesaid coefficient;

Whereas the preferential customs duty fixed for uniflorous (bloom) carnations originating in Israel by Regulation (EEC) No 4078/88 was suspended by Commission Regulation (EEC) No 1182/89⁽¹²⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the first indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for uniflorous (bloom) carnations originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (bloom) carnations (CN code ex 0603 10 13) originating in Israel the preferential customs duty set by Regulation (EEC) No 4078/88 is reintroduced.

Article 2

This Regulation shall enter into force on 10 June 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 271, 1. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 1.

⁽⁵⁾ OJ No L 311, 17. 11. 1988, p. 2.

⁽⁶⁾ OJ No L 359, 28. 12. 1988, p. 8.

⁽⁷⁾ OJ No L 151, 3. 6. 1989, p. 33.

⁽⁸⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁹⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹²⁾ OJ No L 122, 3. 5. 1989, p. 5.

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1632/89

of 9 June 1989

re-establishing the preferential customs duty on imports of multiflorous (spray) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulations (EEC) No 3005/88⁽³⁾, (EEC) No 3175/88⁽⁴⁾, (EEC) No 3552/88⁽⁵⁾ and (EEC) No 4078/88⁽⁶⁾ open and provide for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 1550/89⁽⁷⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁸⁾, as amended by Regulation (EEC) No 3556/88⁽⁹⁾, laid down detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function in the normal manner prices on importation should be calculated using:

- for currencies maintained against each other within a maximum spread at any given moment for spot rate transactions of 2,25 % a conversion rate 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⁽¹⁰⁾, as last amended by Regulation (EEC) No 1636/87⁽¹¹⁾,
- for other currencies a conversion rate based on the arithmetic mean of the spot market rate of the currency, recorded for a given period, against the Community currencies indicated in the preceding indent and of the aforesaid coefficient;

Whereas the preferential customs duty fixed for multiflorous (spray) carnations originating in Israel by Regulation (EEC) No 4078/88 was suspended by Commission Regulation (EEC) No 1007/89⁽¹²⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the first indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for multiflorous (spray) carnations originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of multiflorous (spray) carnations (CN code ex 0603 10 13) originating in Israel the preferential customs duty set by Regulation (EEC) No 4078/88 is reintroduced.

Article 2

This Regulation shall enter into force on 10 June 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 271, 1. 10. 1988, p. 7.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 1.

⁽⁵⁾ OJ No L 311, 17. 11. 1988, p. 2.

⁽⁶⁾ OJ No L 359, 28. 12. 1988, p. 8.

⁽⁷⁾ OJ No L 151, 3. 6. 1989, p. 36.

⁽⁸⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁹⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽¹⁰⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹¹⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹²⁾ OJ No L 107, 10. 4. 1989, p. 21.

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1633/89
of 9 June 1989
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1225/89 ⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1132/89 ⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1442/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 1603/89 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1442/89 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 year, has not, to date, been

fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of ECU 3,44 per 100 kilograms for colza and rape seed, and of ECU 11,55 per 100 kilograms for sunflower seed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.

4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza, rape and sunflower seed will be confirmed or replaced as from 12 June 1989 to take into account the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 12 June 1989.

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

Done at Brussels, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 119, 29. 4. 1989, p. 26.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 143, 26. 5. 1989, p. 25.

⁽⁸⁾ OJ No L 157, 9. 6. 1989, p. 19.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	0,580	1,170	1,170	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,869	17,331	17,289	16,819	16,433	16,626
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,67	41,30	41,20	40,10	39,19	39,75
— Netherlands (Fl)	55,42	45,72	45,61	44,37	43,35	44,08
— BLEU (Bfrs/Lfrs)	1 007,70	836,86	834,83	812,14	793,50	802,82
— France (FF)	153,01	130,51	130,18	126,49	123,46	124,94
— Denmark (Dkr)	182,78	154,77	154,39	150,19	146,75	148,47
— Ireland (£ Irl)	17,018	14,526	14,489	14,078	13,741	13,905
— United Kingdom (£)	12,693	11,314	11,282	10,916	10,627	10,681
— Italy (Lit)	33 227	28 854	28 764	27 892	27 241	27 328
— Greece (Dr)	2 427,87	2 716,87	2 660,49	2 529,49	2 450,52	2 379,76
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 226,81	2 719,57	2 704,97	2 622,90	2 565,30	2 556,60
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 473,99	3 967,16	3 944,59	3 830,52	3 755,20	3 686,42

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

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	3,080	3,670	3,670	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	23,369	19,831	19,789	19,319	18,933	19,126
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,57	47,20	47,10	46,00	45,10	45,65
— Netherlands (Fl)	62,04	52,31	52,20	50,96	49,94	50,67
— BLEU (Bfrs/Lfrs)	1 128,42	957,58	955,55	932,85	914,22	923,54
— France (FF)	171,97	149,76	149,43	145,74	142,70	144,18
— Denmark (Dkr)	204,88	177,09	176,72	172,52	169,07	170,80
— Ireland (£ Irl)	19,128	16,668	16,631	16,220	15,883	16,047
— United Kingdom (£)	14,381	13,067	13,036	12,669	12,381	12,434
— Italy (Lit)	37 315	33 036	32 946	32 074	31 424	31 510
— Greece (Dr)	2 817,92	3 165,34	3 108,96	2 977,96	2 898,99	2 828,23
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 612,34	3 101,81	3 087,21	3 005,14	2 947,54	2 938,84
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	4 944,01	4 447,17	4 424,59	4 310,52	4 235,20	4 166,43

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

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	5,170	5,170	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	21,178	21,178	18,266	18,266	18,266
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	50,49	50,49	43,58	43,58	43,58
— Netherlands (Fl)	56,28	56,28	48,18	48,18	48,18
— BLEU (Bfrs/Lfrs)	1 022,62	1 022,62	882,01	882,01	882,01
— France (FF)	154,04	154,04	137,15	137,15	137,15
— Denmark (Dkr)	185,08	185,08	163,12	163,12	163,12
— Ireland (£ Irl)	17,132	17,132	15,265	15,265	15,265
— United Kingdom (£)	12,553	12,553	11,808	11,790	11,790
— Italy (Lit)	33 509	33 509	30 368	30 273	30 273
— Greece (Dr)	2 269,25	2 225,80	2 752,54	2 711,11	2 711,11
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 335,00	3 335,00	3 072,31	3 058,24	3 058,24
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 192,86	6 188,87	5 832,72	5 806,65	5 806,65
— in another Member State (Esc)	6 035,48	6 031,59	5 684,49	5 659,09	5 659,09
3. Compensatory aids:					
— in Spain (Pta)	3 289,69	3 289,69	3 025,48	3 011,40	3 011,40
4. Special aid:					
— in Portugal (Esc)	6 035,48	6 031,59	5 684,49	5 659,09	5 659,09

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

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

ANNEX IV

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

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,080340	2,077240	2,074460	2,072050	2,072050	2,065580
Fl	2,344360	2,340710	2,337360	2,333820	2,333820	2,322820
Bfrs/Lfrs	43,567300	43,556600	43,550300	43,537300	43,537300	43,497400
FF	7,044230	7,045010	7,045450	7,046720	7,046720	7,048530
Dkr	8,108720	8,109260	8,115560	8,120790	8,120790	8,135050
£Irl	0,778008	0,777857	0,778215	0,778523	0,778523	0,780161
£	0,659733	0,661321	0,662583	0,663812	0,663812	0,667610
Lit	1 504,27	1 508,56	1 512,71	1 516,51	1 516,51	1 527,21
Dr	177,11600	180,01000	182,51800	184,34000	184,34000	189,53600
Esc	172,11700	173,12800	173,83100	174,91800	174,91800	177,33200
Pta	131,02500	131,52500	132,06000	132,60100	132,60100	134,26200

COMMISSION REGULATION (EEC) No 1634/89

of 9 June 1989

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1500/89 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1500/89 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 1500/89, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 1989.

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

Done at Brussels, 9 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 148, 1. 6. 1989, p. 10.

ANNEX

to the Commission Regulation of 9 June 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3472	—
1702 20 90	0,3472	—
1702 30 10	—	45,84
1702 40 10	—	45,84
1702 60 10	—	45,84
1702 60 90	0,3472	—
1702 90 30	—	45,84
1702 90 60	0,3472	—
1702 90 71	0,3472	—
1702 90 90	0,3472	—
2106 90 30	—	45,84
2106 90 59	0,3472	—

COMMISSION REGULATION (EEC) No 1635/89

of 9 June 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 1582/89 ⁽³⁾, as amended by Regulation (EEC) No 1607/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1582/89 to the infor-

mation 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 amended Regulation (EEC) No 1582/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 1989.

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

Done at Brussels, 9 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 156, 8. 6. 1989, p. 11.⁽⁴⁾ OJ No L 157, 9. 6. 1989, p. 28.

ANNEX

to the Commission Regulation of 9 June 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	26,71 ⁽¹⁾	
1701 11 90 910	27,45 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	26,71 ⁽¹⁾	
1701 12 90 910	27,45 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2904
1701 99 10 100	29,04	
1701 99 10 910	29,84	
1701 99 10 950	28,34	
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 1636/89
of 9 June 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 1466/89 ⁽³⁾, as last amended by Regulation (EEC) No 1608/89 ⁽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 10 June 1989.

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

Done at Brussels, 9 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 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 157, 9. 6. 1989, p. 30.

ANNEX

to the Commission Regulation of 9 June 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,66 ⁽¹⁾
1701 11 90	31,66 ⁽¹⁾
1701 12 10	31,66 ⁽¹⁾
1701 12 90	31,66 ⁽¹⁾
1701 91 00	34,72
1701 99 10	34,72
1701 99 90	34,72 ⁽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 1637/89

of 9 June 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 1213/89⁽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 1219/89⁽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 1454/89⁽⁷⁾, as last amended by Regulation (EEC) No 1575/89⁽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 8 June 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 1454/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 10 June 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 144, 27. 5. 1989, p. 13.

⁽⁸⁾ OJ No L 154, 7. 6. 1989, p. 17.

⁽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, 9 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 9 June 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
1102 20 10	73,23	236,51	230,47
1102 20 90	41,10	133,62	130,60
1102 90 90	58,71	143,08	140,06
1103 13 11	73,23	227,51	221,47
1103 13 19	73,23	236,51	230,47
1103 13 90	41,10	133,62	130,60
1103 19 90	58,71	143,08	140,06
1103 29 40	73,23	236,51	230,47
1103 29 90	58,71	143,08	140,06
1104 19 50	73,23	236,51	230,47
1104 19 99	104,32	253,20	247,16
1104 23 10	62,75	207,88	204,86
1104 23 30	62,75	207,88	204,86
1104 23 90	41,10	133,62	130,60
1104 29 10*30 ^(*)	90,38	222,72	219,70
1104 29 10*40 ^(*)	90,38	222,72	219,70
1104 29 10*90 ^(*)	90,38	222,72	219,70
1104 29 30*30 ^(*)	90,38	222,72	219,70
1104 29 30*40 ^(*)	90,38	222,72	219,70
1104 29 30*90 ^(*)	90,38	222,72	219,70
1104 29 99	58,71	143,08	140,06
1104 30 90	34,04	102,07	96,03
1106 20 91	80,65	218,64	194,46 ^(*)
1106 20 99	80,65	226,69	202,51 ^(*)
1108 12 00	80,65	218,64	198,09
1108 13 00	80,65	218,64	198,09
1108 14 00	80,65	218,64	99,04
1108 19 90	80,65	218,64	99,04 ^(*)
1702 30 51	175,11	355,10	258,38
1702 30 59	126,59	264,58	198,09
1702 30 91	175,11	355,10	258,38
1702 30 99	126,59	264,58	198,09
1702 40 90	126,59	264,58	198,09
1702 90 50	126,59	264,58	198,09
1702 90 75	178,85	367,41	270,69
1702 90 79	123,60	254,74	188,25
2106 90 55	126,59	264,58	198,09
2302 10 10	23,35	57,27	51,27
2302 10 90	43,19	115,86	109,86
2302 20 10	23,35	57,27	51,27
2302 20 90	43,19	115,86	109,86
2302 30 10	23,35	57,27	51,27
2302 30 90	43,19	115,86	109,86
2302 40 10	23,35	57,27	51,27
2302 40 90	43,19	115,86	109,86
2303 10 11	256,00	427,42	246,08

^(*) 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.

^(*) TARIC code: millet.

^(*) TARIC code: sorghum.

^(*) TARIC code: others.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 30 May 1989

amending Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances

(89/365/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances⁽¹⁾, as last amended by Directive 87/477/EEC⁽²⁾, and in particular Article 6 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Directive 79/117/EEC provided for the contents of its Annex to be regularly amended to take account of the development of scientific and technical knowledge;

Whereas, by Directive 86/355/EEC⁽³⁾, amending the Annex to Directive 79/117/EEC, the marketing and use of ethylene oxide as a plant protection product was prohibited, subject to certain temporary national exceptions for certain minor commodities, where special need exists, until other methods of treatment become available;

Whereas these exceptions will expire on 31 December 1989;

Whereas the Commission has reviewed the situation concerning possible satisfactory alternative methods of treatment to replace ethylene oxide; whereas it appears from this review that, at present, there is no such alternative method of treatment generally available in respect of two of these exceptions;

Whereas, accordingly, it seems necessary to postpone the expiry date of these two exceptions,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 79/117/EEC is hereby amended as follows:

In entry C 'Ethylene oxide', in the right-hand column, the final sentence is replaced by the following:

'Derogations (a), (d), and (e) shall expire on 31 December 1989 at the latest and derogations (b) and (c) on 31 December 1990 at the latest.'

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 December 1989. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 30 May 1989.

For the Council

The President

C. ROMERO HERRERA

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 36.

⁽²⁾ OJ No L 273, 26. 9. 1987, p. 40.

⁽³⁾ OJ No L 212, 2. 8. 1986, p. 33.

COUNCIL DIRECTIVE
of 30 May 1989
amending Directive 66/403/EEC on the marketing of seed potatoes
(89/366/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas Council Directive 66/403/EEC ⁽³⁾, as last amended by Directive 88/380/EEC ⁽⁴⁾, provides in Article 13 (2) that Member States may be authorized, in respect of the marketing of seed potatoes in all or part of their territories, to take more stringent measures than provided for in Annex I to the Directive against particular virus diseases which do not exist in those regions or which appear particularly harmful to crops in those regions;

Whereas it has appeared that the scope of this provision should be extended to harmful organisms other than virus diseases;

Whereas Directive 66/403/EEC also provides in Article 15 (2) that, in principle, with effect from certain dates, Member States may no longer determine for themselves the equivalence of seed potatoes harvested in third countries with seed potatoes harvested within the Community and complying with that Directive;

Whereas, however, since work to establish Community equivalence for all the third countries concerned had not been completed, Article 15 (2a) of that Directive permitted Member States to extend to 31 March 1988 the period of validity of equivalence which they had already determined in respect of certain countries not covered by the Community equivalences;

Whereas the said work is still incomplete and another date should therefore be set in that respect,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 66/403/EEC is hereby amended as follows:

1. In Article 13 (2), the first sentence is replaced by the following:

‘The Commission, acting in accordance with the procedure laid down in Article 19, shall, in respect of the marketing of seed potatoes in all or part of the territory of one or more Member States, authorize more stringent measures than those provided for in Annexes I and II to be taken against harmful organisms which do not exist in those regions or which appear particularly harmful to crops in those regions.’

2. In Article 15 (2a), ‘31 March 1988’ is replaced by ‘31 March 1989’.

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 30 May 1989.

For the Council

The President

C. ROMERO HERRERA

⁽¹⁾ OJ No C 79, 30. 3. 1989, p. 6.

⁽²⁾ Opinion delivered on 26 May 1989 (not yet published in the Official Journal).

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽⁴⁾ OJ No L 187, 16. 7. 1988, p. 31.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 1522/89 of 30 May 1989 temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products

(Official Journal of the European Communities No L 149 of 1 June 1989)

Page 4, Annex, Tables I and II:

The CN code:

'ex 0303 80 00 | Soft roes, frozen, for the manufacture of deoxyribonucleic acid (a) | 0'

which appears in Table II is hereby removed and inserted in Table I between CN codes ex 0303 79 99 and ex 0713 33 99.
