

Official Journal

of the European Communities

ISSN 0378-6978

L 164

Volume 32

15 June 1989

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- * Council Regulation (EEC) No 1673/89 of 12 June 1989 totally suspending certain customs duties applicable by the Community of Ten to imports from Spain and Portugal** 1

Commission Regulation (EEC) No 1674/89 of 14 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 3

Commission Regulation (EEC) No 1675/89 of 14 June 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 5
- * Commission Regulation (EEC) No 1676/89 of 13 June 1989 on the classification of goods in CN codes 2206 00 93 and 6911 10 00** 7

Commission Regulation (EEC) No 1677/89 of 14 June 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5 9
- * Commission Regulation (EEC) No 1678/89 of 14 June 1989 amending Regulation (EEC) No 3155/85 providing for the advance fixing of monetary compensatory amounts** 12
- * Commission Regulation (EEC) No 1679/89 of 14 June 1989 amending Regulation (EEC) No 2191/81 on the granting of aid for the purchase of butter by non-profitmaking institutions and organizations** 14
- * Commission Regulation (EEC) No 1680/89 of 14 June 1989 laying down detailed rules of application on the granting of the adjustment aid to the Portuguese refinining industry for raw sugar imported at a reduced levy into Portugal and amending Regulation (EEC) No 3016/78** 15

Commission Regulation (EEC) No 1681/89 of 14 June 1989 fixing the import levy on molasses 17

Commission Regulation (EEC) No 1682/89 of 14 June 1989 fixing the aid for cotton 18

Contents (continued)

Commission Regulation (EEC) No 1683/89 of 14 June 1989 fixing the import levies on milk and milk products	19
* Commission Regulation (EEC) No 1684/89 of 14 June 1989 adopting exceptional measures for the market in beef and veal in Italy	24
Commission Regulation (EEC) No 1685/89 of 14 June 1989 fixing the maximum export refund for white sugar for the seventh partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89	29
Commission Regulation (EEC) No 1686/89 of 14 June 1989 altering the export refunds on white sugar and raw sugar exported in the natural state	30
Commission Regulation (EEC) No 1687/89 of 14 June 1989 introducing a countervailing charge on tomatoes originating in Romania	32
Commission Regulation (EEC) No 1688/89 of 14 June 1989 introducing a countervailing charge on tomatoes originating in Albania	34
Commission Regulation (EEC) No 1689/89 of 14 June 1989 introducing a countervailing charge on peaches including nectarines originating in Spain (except the Canary Islands)	36
Commission Regulation (EEC) No 1690/89 of 14 June 1989 introducing a countervailing charge on certain varieties of plums originating in Spain (except the Canary Islands)	38
Commission Regulation (EEC) No 1691/89 of 14 June 1989 altering the import levies on products processed from cereals and rice	40

II Acts whose publication is not obligatory

Council

89/371/EEC:

- * Council Decision of 12 June 1989 authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries**

42

89/372/ECSC:

- * Council Decision of 12 June 1989 totally suspending certain customs duties applicable in the Community of Ten to imports from Spain of products covered by the ECSC Treaty**

46

Corrigenda

- * Corrigendum to Commission Regulation (EEC) No 920/89 of 10 April 1989 laying down quality standards for carrots, citrus fruit and dessert apples and pears and amending Commission Regulation No 58 (OJ No L 97 of 11.4.1989)**

47

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1673/89**of 12 June 1989****totally suspending certain customs duties applicable by the Community of Ten to imports from Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 33 and 192 thereof,

Having regard to the proposal from the Commission,

Whereas the progressive dismantling of Spanish tariffs has notably improved access to the hitherto heavily protected Spanish market; whereas, however, the economic impact of the progressive reductions in the customs duties applied by the Community of Ten to imports of Spanish industrial products is relatively modest because of the low level of the basic customs duties;

Whereas, in the interests of parallelism and non-discrimination, identical measures should be applied in respect of Portuguese products for which customs duties have not yet been abolished;

Whereas the trade deficit situation of the new Member States should be improved;

Whereas, by Regulation (EEC) No 3482/88⁽¹⁾, the Council has already defined a specific system of partial

suspension of customs duties for preparations and preserves of sardines,

HAS ADOPTED THIS REGULATION:

Article 1

The collection of customs duties applicable in the Community of Ten pursuant to the Act of Accession to imports of the following products from Spain and Portugal shall be totally suspended:

- products listed in Annex II to the Treaty insofar as they are the subject of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽²⁾, as last amended by Regulation (EEC) No 3468/88⁽³⁾, excluding the goods listed in the Annex to this Regulation,
- products not listed in Annex II to the Treaty.

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Luxembourg, 12 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 306, 11. 11. 1988, p. 1.

⁽²⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽³⁾ OJ No L 305, 10. 11. 1988, p. 1.

ANNEX

Products covered by Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products and excluded from this Regulation

CN code	Description	TARIC code (a)
1	2	3
0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading No 0304	
	– Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>), excluding livers and roes:	
0302 31	– – Albacore or longfinned tunas (<i>Thunnus alalunga</i>):	
0302 31 90	– – – Other	
	– Other fish, excluding livers and roes:	
0302 61	– – Sardines (<i>Sardina pilchardus</i> , <i>Sardinops</i> spp), sardinella (<i>Sardinella</i> spp.), brisling or sprats (<i>Sprattus sprattus</i>):	
0302 61 10	– – – Sardines of the species <i>Sardina pilchardus</i>	
0303	Fish, frozen, excluding fish fillets and other fish meat of heading No 0304:	
	– Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus (Katsuwonus) pelamis</i>), excluding livers and roes:	
0303 41	– – Albacore or longfinned tunas (<i>Thunnus alalunga</i>):	
0303 41 90	– – – Other	
	– Other fish, excluding livers and roes:	
0303 71	– – Sardines (<i>Sardina pilchardus</i> , <i>sardinops</i> spp.), sardinella (<i>Sardinella</i> spp.), brisling of sprats (<i>Sprattus sprattus</i>):	
0303 71 10	– – – Sardines of the species <i>sardina pilchardus</i>	
0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen:	
	– Fresh or chilled:	
	– – Fillets	
	– – – Other	
ex 0304 10 39	– – – – Other:	
	– Albacore or longfinned tunas (<i>Thunnus alalunga</i>)	0304 10 39*10
	– Frozen fillets:	
ex 0304 20 45	– – of tunas (of the genus <i>Thunnus</i>), and fish of the genus <i>Euthynnus</i> :	
	– of albacore or longfinned tunas (<i>Thunnus alalunga</i>)	0304 20 45*10
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:	
	– Fish, whole or in pieces, but not minced:	
1604 13	– – Sardines, sardinella and brisling or sprats:	
1604 13 10	– – – Sardines	
1604 14	– – Tunas, skipjack and Atlantic bonito (<i>Sarda</i> spp.):	
ex 1604 14 10	– – – Tunas and skipjack:	
	– Tunas	1604 14 10*10
1604 20	– Other prepared or preserved fish:	
ex 1604 20 50	– – Of sardines, bonito, mackerel of the species <i>Scomber scombrus</i> and <i>Scomber japonicus</i> , fish of the species <i>Orcynopsis unicolor</i> :	
	– Of sardines	1604 20 50*11 1604 20 50*19
ex 1604 20 70	– – Of tunas, skipjack or other fish of the genus <i>Euthynnus</i> :	
	– of tunas	1604 20 70*10

(a) Applicable on the date of entry into force of this Regulation.

COMMISSION REGULATION (EEC) No 1674/89

of 14 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 13 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 15 June 1989.

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

Done at Brussels, 14 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 14 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	36,26	128,75
0712 90 19	36,26	128,75
1001 10 10	60,64	188,23 ⁽¹⁾ ⁽²⁾
1001 10 90	60,64	188,23 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	123,96
1001 90 99	35,73	123,96
1002 00 00	63,32	125,38 ⁽³⁾
1003 00 10	53,90	118,69
1003 00 90	53,90	118,69
1004 00 10	44,96	91,41
1004 00 90	44,96	91,41
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	10,18
1008 20 00	53,90	8,03 ⁽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	188,24
1102 10 00	103,35	190,23
1103 11 10	107,63	305,39
1103 11 90	69,15	201,61

⁽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 1675/89

of 14 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 13 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 15 June 1989.

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

Done at Brussels, 14 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 14 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	1,30
0712 90 19	0	0	0	1,30
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	1,71	1,71	1,71
1004 00 90	0	1,71	1,71	1,71
1005 10 90	0	0	0	1,30
1005 90 00	0	0	0	1,30
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

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

COMMISSION REGULATION (EEC) No 1676/89

of 13 June 1989

on the classification of goods in CN codes 2206 00 93 and 6911 10 00

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, to ensure the uniform application of the combined nomenclature annexed to Regulation (EEC) No 2658/87, provisions are required on the tariff classification of a glass bottle containing 0,7 litres of rice wine (sake), a small porcelain jug and three small drinking bowls, also of porcelain, put up together in a box;

Whereas the combined nomenclature annexe to Regulation (EEC) No 2658/87 CN code 2206 00 93 covers other still fermented beverages, in containers holding 2 litres or less and CN code 6911 10 00 covers 'tableware and kitchenware'; whereas, for the classification of the abovementioned goods, these two codes could be envisaged;

Whereas these articles shall not be considered as 'goods put up in sets', within the meaning of general rule 3 (b) for the interpretation of the combined nomenclature, given that they do not satisfy the condition laid down at point X (b) of the Explanatory Notes to the Harmonized System drawn up by the Customs Cooperation Council relating to Rule 3 (b) i.e. they do not 'consist of products put up together to meet a particular need';

Whereas correct interpretation of the text of the abovementioned rule 3 (b) leads one to the conclusion that simultaneous use of the articles in question is an insufficient ground for considering that the goods constitute a set; in particular, an alteration leading to the creation of a new product should be involved or the

presence of the article should be essential in order to carry out the activity in question;

Whereas the association of the wine and porcelain receptacles in question satisfies none of the abovementioned criteria; whereas the rice wine is already in its original bottle and the use of the receptacles in question is neither complementary nor meets a particular need; in these circumstances, the articles in question should be classified separately;

Whereas the Nomenclature Committee has not issued an opinion within the time limit laid down by the chairman,

HAS ADOPTED THIS REGULATION:

Article 1

A glass bottle containing 0,7 litres of rice wine (sake), a small porcelain jug and three small drinking bowls, also of porcelain, put up together in a box, should be classified in the combined nomenclature as follows:

— the rice wine (sake) under CN codes:

2206 00 Other fermented beverages (for example, cider, perry, mead):

— Other:

— — Still, in containers holding:

2206 00 93 — — — 2 litres or less

— the porcelain jug and three small drinking bowls under CN codes:

6911 00 Tableware, kitchenware, other household articles and toilet articles, of porcelain or china:

6911 10 00 — Tableware and kitchenware

Article 2

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

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 148, 1. 6. 1989, p. 1.

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

Done at Brussels, 13 June 1989.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 1677/89

of 14 June 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1075/89 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 22 May 1989, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 22 May 1989, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (3) of Regulation (EEC) No 1837/80 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 5, being fixed in accordance with those Annexes;

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 22 May 1989, the level of the premium is fixed at 24,450 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 22 May 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 22 May 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 14 June 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 (1)
	Live weight	Live weight
0104 10 90	11,492	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	24,450	0
0204 21 00	24,450	0
0204 50 11		0
0204 22 10	17,115	
0204 22 30	26,895	
0204 22 50	31,785	
0204 22 90	31,785	
0204 23 00	44,499	
0204 30 00	18,338	
0204 41 00	18,338	
0204 42 10	12,837	
0204 42 30	20,172	
0204 42 50	23,839	
0204 42 90	23,839	
0204 43 00	33,375	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	31,785	
0210 90 19	44,499	
1602 90 71 :		
— unboned (bone-in)	31,785	
— boned or boneless	44,499	

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

COMMISSION REGULATION (EEC) No 1678/89

of 14 June 1989

amending Regulation (EEC) No 3155/85 providing for the advance fixing of monetary compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 6 of Commission Regulation (EEC) No 3155/85 ⁽³⁾, as last amended by Regulation (EEC) No 3521/88 ⁽⁴⁾, provides in certain cases for the adjustment of monetary compensatory amounts fixed in advance; whereas, pursuant to paragraph 2 of that Article, that adjustment is to be carried out on the basis of the agricultural conversion rate known by the party concerned at the time of his application for advance fixing and applicable on import or export;

Whereas, where the agricultural conversion rate announced at the time of the advance fixing application is subsequently altered and before the import or export, the adjustment in question should be made on the basis of the rate known by the operator at the time of his application for advance fixing; whereas Article 6 of Regulation (EEC) No 3155/85 must be adapted accordingly;

Whereas the measures provided in this Regulation are in accordance with the opinions of the management committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Article 6 (1), (2) and (3) of Regulation (EEC) No 3155/85 are hereby replaced by the following:

1. (a) Monetary compensatory amounts fixed in advance shall be adjusted if a new agricultural conversion rate which was publicly announced before an application for advance fixing was lodged comes into effect.

These adjustments shall be made on the basis of the agricultural conversion rate:

- applicable at the time of completion of customs formalities on import or export,

and

- which was publicly announced before the application for advance fixing of the monetary compensatory amount was lodged.

(b) Where a new agricultural conversion rate:

- is announced before the advance fixing application is lodged,
- is not applicable at the time of completion of customs import or export formalities;

while such customs formalities are completed at a date subsequent to the announced date of entry into effect of that agricultural conversion rate,

the monetary compensatory amounts fixed in advance shall be adjusted on the basis of the agricultural conversion rate announced at the time of the advance fixing application.

If several agricultural conversion rates announced successively are involved, the adjustment shall be made on a basis of the last agricultural conversion rate announced prior to the advance fixing application.

2. The adjustments provided for in paragraph 1 shall be fixed in accordance with the procedure for fixing monetary compensatory amounts.

3. For the purposes of this Article, a new agricultural conversion rate means:

- the agricultural conversion rate resulting from the application of the dismantlement arrangements referred to in Article 6 (2) of Regulation (EEC) No 1677/85,
- the other agricultural conversion rates.

The publication of a press release from the agency competent for altering the agricultural conversion rate concerned shall be deemed a public announcement. The date of publication of the press release in question shall be published by the Commission in the *Official Journal of the European Communities*.

A date other than that of the press release may be fixed in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1677/85.

Article 2

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

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽⁴⁾ OJ No L 307, 12. 11. 1988, p. 28.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1679/89
of 14 June 1989

**amending Regulation (EEC) No 2191/81 on the granting of aid for the purchase
of butter by non-profitmaking institutions and organizations**

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 12 (3) thereof,

Whereas Commission Regulation (EEC) No 2191/81⁽³⁾, as last amended by Regulation (EEC) No 442/88⁽⁴⁾, provides for the granting of aid for the purchase of butter by non-profitmaking institutions and organizations; whereas, in view of the current situation on the market for

butter and the level of sales under that Regulation, the aid should be reduced;

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

In Article 2 of Regulation (EEC) No 2191/81, '165 ECU' is hereby replaced by 'ECU 150'.

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, 14 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 213, 1. 8. 1981, p. 20.

⁽⁴⁾ OJ No L 45, 18. 2. 1988, p. 25.

COMMISSION REGULATION (EEC) No 1680/89

of 14 June 1989

laying down detailed rules of application on the granting of the adjustment aid to the Portuguese refining industry for raw sugar imported at a reduced levy into Portugal and amending Regulation (EEC) No 3016/78

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 the seventh of Article 9⁽⁶⁾ and the second paragraph of Article 39 thereof,

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⁽³⁾, as last amended by Regulation (EEC) N 1636/87⁽⁴⁾, and in particular Article 12 thereof,

Whereas Article 9 (4c) of Regulation (EEC) No 1785/81 provides that, during the 1988/89 to 1990/91 marketing years, adjustment aid, hereinafter referred to as 'the aid', is to be granted as an intervention measure to the refining industry in Portugal for raw sugar imported at a reduced levy pursuant to Article 303 of the Act of Accession of Spain and Portugal and refined into white sugar in Portugal;

Whereas such adjustment aid may only be granted up to the quantities determined for each marketing year pursuant to Article 303 of the Act and refined in the refineries referred to in the third subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81;

Whereas the raw sugar qualifying for the adjustment aid is raw sugar imported mainly from the ACP countries; whereas provision should accordingly be made, with a view to the granting of aid, for adequate verification and analysis measures similar on this point to those laid down for the granting of the adjustment aid to the refining industry for preferential sugar;

Whereas Article 9 (4c) of Regulation (EEC) No 1785/81 instituting the aid in question is applicable from 1 July 1988; whereas, to that end, since the provisions concerning the analyses cannot be made applicable retroactively from that date to sugar already refined, analyses conducted by laboratories which have not been approved;

Whereas the aids instituted by Regulation (EEC) No 1069/89 are applicable retroactively from 1 July 1988; whereas, for the purpose of granting these aids, the provisions relating to the operative event which concern them should therefore equally be made applicable by amending as a consequence Commission Regulation (EEC) No 3016/78 of 20 December 1978 laying down certain rules for applying conversion rates in the sugar and isoglucose sectors⁽⁵⁾, as last amended by Regulation (EEC) No 3200/88⁽⁶⁾;

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

1. The aid provided for in the first subparagraph of Article 9 (4c) of Regulation (EEC) No 1785/81 shall be granted on application by the undertaking which has refined the imported raw sugar in question, to be submitted to the competent Portuguese authorities.

2. Applications for the granting of the aid must be accompanied by proof that the sugar refined was obtained from raw sugar imported into the Community under the arrangements laid down in Article 303 of the Act of Accession.

Such proof shall be provided by the presentation of a copy certified as corresponding to the original of the declaration from the refiner referred to in Article 4 (2) of Commission Regulation (EEC) No 600/86⁽⁷⁾.

3. For the purposes of granting the aid:

(a) 'refining' means the processing in the applicant's undertaking, as defined in the third subparagraph of Article 9 (4) of Regulation (EEC) No 1785/81, of raw sugar within the meaning of Article 1 (2) (b) of Regulation (EEC) No 1785/81 into white sugar within the meaning of Article 1 (2) (a) of that Regulation;

(b) the raw sugar in question shall be placed under customs supervision or under other administrative supervision presenting equivalent guarantees.

4. To determine the aid, the yield of the raw sugar in question shall be calculated by subtracting 100 from the degree of polarization of that sugar multiplied by 2.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 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 359, 22. 12. 1978, p. 11.

⁽⁶⁾ OJ No L 284, 19. 10. 1988, p. 24.

⁽⁷⁾ OJ No L 58, 1. 3. 1986, p. 20.

5. The analyses shall be carried out on reception by a laboratory approved by the competent authorities in Portugal.

However, if the sugar has already undergone analysis for the establishment of the yield before the entry into force of this Regulation, the analyses shall be deemed the requirements laid down in the first subparagraph.

Article 2

Portugal shall notify the Commission, in respect of each calendar quarter in the month following the quarter concerned, of the quantities expressed as white sugar in respect of which the aid has been granted and of the sums in national currency corresponding to those quantities.

Article 3

The following point VIIc shall be inserted into the Annex to Regulation (EEC) No 3016/78 :

'VIIc Aids provided for in Article 9 (4c) of Regulation (EEC) No 1785/81	Agricultural conversion rate applicable on the day on which the refining of the raw sugar in question takes place.'
--	---

Article 4

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, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1681/89
of 14 June 1989
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 2368/88 ⁽³⁾, as last amended by Regulation (EEC) No 1515/89 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2368/88 to

the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,31 per 100 kg.

Article 2

This Regulation shall enter into force on 15 June 1989.

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

Done at Brussels, 14 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 205, 30. 7. 1988, p. 29.

⁽⁴⁾ OJ No L 148, 1. 6. 1989, p. 49.

COMMISSION REGULATION (EEC) No 1682/89
of 14 June 1989
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 791/89 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1353/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 1602/89 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1353/89 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation;

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 24,005 ECU per 100 kilograms;

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 37,104 ECU per 100 kilograms.
2. However, the amounts of the aid will be confirmed or replaced with effect from 15 June 1989 to take account for the 1989/90 marketing year, as the case may be, which appear to have been offered in the largest quantities.

Article 2

This Regulation shall enter into force on 15 June 1989.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 135, 19. 5. 1989, p. 13.

⁽⁵⁾ OJ No L 157, 9. 6. 1989, p. 18.

COMMISSION REGULATION (EEC) No 1683/89
of 14 June 1989
fixing the import levies on milk and milk products

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

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 763/89 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1167/89 ⁽³⁾, as last amended by Regulation (EEC) No 1484/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1167/89 to the prices known to the Commission that the levies at present in

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 June 1989.

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

Done at Brussels, 14 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 121, 29. 4. 1989, p. 20.

⁽⁴⁾ OJ No L 147, 31. 5. 1989, p. 16.

ANNEX

to the Commission Regulation of 14 June 1989 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		12,22
0401 10 90		11,01
0401 20 11		17,41
0401 20 19		16,20
0401 20 91		22,63
0401 20 99		21,42
0401 30 11		59,56
0401 30 19		58,35
0401 30 31		116,38
0401 30 39		115,17
0401 30 91		197,37
0401 30 99		196,16
0402 10 11		73,07
0402 10 19		65,82
0402 10 91	(¹)	0,6582/kg + 26,09
0402 10 99	(¹)	0,6582/kg + 18,84
0402 21 11		147,03
0402 21 17		139,78
0402 21 19		139,78
0402 21 91		193,11
0402 21 99		185,86
0402 29 11	(¹) (²)	1,3978/kg + 26,09
0402 29 15	(¹)	1,3978/kg + 26,09
0402 29 19	(¹)	1,3978/kg + 18,84
0402 29 91	(¹)	1,8586/kg + 26,09
0402 29 99	(¹)	1,8586/kg + 18,84
0402 91 11		31,42
0402 91 19		31,42
0402 91 31		39,27
0402 91 39		39,27
0402 91 51		116,38
0402 91 59		115,17
0402 91 91		197,37
0402 91 99		196,16
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,1275/kg + 22,47
0402 99 39	(¹)	1,1275/kg + 21,26
0402 99 91	(¹)	1,9374/kg + 22,47
0402 99 99	(¹)	1,9374/kg + 21,26

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

CN code	Note	Import levy
0403 10 11		19,82
0403 10 13		25,04
0403 10 19		61,97
0403 10 31	(¹)	0,1378/kg + 24,88
0403 10 33	(¹)	0,1900/kg + 24,88
0403 10 39	(¹)	0,5593/kg + 24,88
0403 90 11		73,07
0403 90 13		147,03
0403 90 19		193,11
0403 90 31	(¹)	0,6582/kg + 26,09
0403 90 33	(¹)	1,3978/kg + 26,09
0403 90 39	(¹)	1,8586/kg + 26,09
0403 90 51		19,82
0403 90 53		25,04
0403 90 59		61,97
0403 90 61	(¹)	0,1378/kg + 24,88
0403 90 63	(¹)	0,1900/kg + 24,88
0403 90 69	(¹)	0,5593/kg + 24,88
0404 10 11		12,56
0404 10 19	(¹)	0,1256/kg + 18,84
0404 10 91	(²)	0,1256/kg
0404 10 99	(²)	0,1256/kg + 18,84
0404 90 11		73,07
0404 90 13		147,03
0404 90 19		193,11
0404 90 31		73,07
0404 90 33		147,03
0404 90 39		193,11
0404 90 51	(¹)	0,6582/kg + 26,09
0404 90 53	(¹)	1,3978/kg + 26,09
0404 90 59	(¹)	1,8586/kg + 26,09
0404 90 91	(¹)	0,6582/kg + 26,09
0404 90 93	(¹)	1,3978/kg + 26,09
0404 90 99	(¹)	1,8586/kg + 26,09
0405 00 10		202,78
0405 00 90		247,39
0406 10 10		238,13
0406 10 90		298,35
0406 20 10	(²)	363,24
0406 20 90		363,24
0406 30 10	(²)	181,74
0406 30 31	(²)	183,53
0406 30 39	(²)	181,74
0406 30 90	(²)	278,46
0406 40 00	(²)	158,11
0406 90 11	(²)	234,59

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

CN code	Note	Import levy
0406 90 13	(³)	238,89
0406 90 15	(³)	238,89
0406 90 17	(³)	238,89
0406 90 19	(³)	363,24
0406 90 21	(³)	234,59
0406 90 23	(³)	201,63
0406 90 25	(³)	201,63
0406 90 27	(³)	201,63
0406 90 29	(³)	201,63
0406 90 31	(³)	201,63
0406 90 33		201,63
0406 90 35	(³)	201,63
0406 90 37	(³)	201,63
0406 90 39	(³)	201,63
0406 90 50	(³)	201,63
0406 90 61		363,24
0406 90 63		363,24
0406 90 69		363,24
0406 90 71		238,13
0406 90 73		201,63
0406 90 75		201,63
0406 90 77		201,63
0406 90 79		201,63
0406 90 81		201,63
0406 90 83		201,63
0406 90 85		201,63
0406 90 89	(³)	201,63
0406 90 91		238,13
0406 90 93		238,13
0406 90 97		298,35
0406 90 99		298,35
1702 10 10		33,60
1702 10 90		33,60
2106 90 51		33,60
2309 10 15		51,79
2309 10 19		66,92
2309 10 39		63,71
2309 10 59		54,89
2309 10 70		66,92
2309 90 35		51,79
2309 90 39		66,92
2309 90 49		63,71
2309 90 59		54,89
2309 90 70		66,92

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

COMMISSION REGULATION (EEC) No 1684/89

of 14 June 1989

adopting exceptional measures for the market in beef and veal in Italy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 571/89⁽²⁾, and in particular Article 23 thereof,

Whereas, because of the outbreak of foot-and-mouth disease in certain production regions in Italy, the transport of live bovine animals and certain fresh beef and veal products from the said regions of Italy has been temporarily prohibited pursuant to national protective measures against foot-and-mouth disease in Italy;

Whereas, in order to take account of the limitations to free circulation resulting from the situation, exceptional measures to support the market must be taken in the regions concerned;

Whereas it is therefore appropriate to fix private storage aid for certain sensitive products coming from the aforesaid regions in accordance with detailed implementing rules for the granting of private storage aid in the beef and veal sector adopted by Commission Regulation (EEC) No 1091/80⁽³⁾, as last amended by Regulation (EEC) No 3492/88⁽⁴⁾;

Whereas, in order to limit the dangers of infection, encouragement should be provided for the boning of meats before they are placed in storage by means of a slight increase in the aid normally granted for the storage of bone-in meat and whereas, for the same reason, the Italian authorities should be authorized to designate the places of storage;

Whereas Article 3 of Council Regulation (EEC) No 989/68⁽⁵⁾, as amended by Regulation (EEC) No 428/77⁽⁶⁾ provides that, if the market situation so requires; the period of storage may be curtailed or extended; whereas it is therefore appropriate that, in addition to the amounts of aid granted for specific storage period, amounts to be added or reduced in the event of that period being extended or curtailed should also be fixed;

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

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

Whereas, in view of the exceptional circumstances in the beef market and in order to encourage operators to make use of private storage it should be provided that, for a limited period, products under a private storage contract should be able at the same time to be placed under the system laid down in Article 5 (1) of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾;

Whereas provision should be made for the possibility of reducing the storage period where meat removed from storage is intended for export, whereas proof that the meat has been exported must be supplied as in the case of refunds, in accordance with Commission Regulation (EEC) No 3665/87⁽⁹⁾, as last amended by Regulation (EEC) No 3993/88⁽¹⁰⁾, whereas, except in cases where the stored products are put under a system requiring export in their totality, it is appropriate to provide that, subject to certain conditions, a limited quantity may be withdrawn from store without subsequent export; whereas provisions should be made for the calculation of aid and the release of security where the storer has not respected certain obligations;

Whereas Article 5 (2) of Council Regulation (EEC) No 805/68 provides that intervention measures shall be applied on the basis of the Community scale for the classification of carcasses of adult bovine animals established by Council Regulation (EEC) No 1208/81⁽¹¹⁾;

Whereas, so that the Commission may monitor closely the effect of the private storage scheme, Italy must communicate the necessary information;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 114, 3. 5. 1980, p. 18.

⁽⁴⁾ OJ No L 306, 11. 11. 1988, p. 20.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 61, 5. 3. 1977, p. 17.

⁽⁷⁾ OJ No L 62, 4. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 354, 22. 12. 1988, p. 22.

⁽¹¹⁾ OJ No L 123, 7. 5. 1981, p. 3.

HAS ADOPTED THIS REGULATION :

Article 1

1. Applications for aid for the private storage of one of the presentations of adult bovine animals defined in Article 2 may be submitted to the Italian intervention agency until 30 June 1989.

If the quantities in respect of which contracts have been applied for or the market situation make it advisable, the deadline for the submission of applications may be changes.

2. The amounts of aid by tonne of product, bone-in are fixed in the Annex hereto for each of these presentations, pursuant to Article 6 (1) of Regulation (EEC) No 1091/80. In the case of all the bone-in meat being deboned before storage the amounts of aid set out in the Annex shall be raised by ECU 40 per tonne.

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

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

Article 2

1. Only products obtained from adult bovine animals reared in local health units in which foot-and-mouth disease has been detected and which have not been declared free of the disease shall qualify for private storage aid.

Products obtained from adult bovine animals reared in local health units in which no cases of food-and-mouth disease have been recorded for three months shall not qualify for this aid.

Modifications to the boundary of the infection zone shall be immediately notified by the Italian authorities to the Commission.

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

3. For the purposes of this Regulation :

— the carcass shall have a minimum average weight of 220 kilograms,

— the half-carcass shall have a minimum average weight of 110 kilograms,

— the hindquarter shall mean :

(a) the rear part of the half-carcass cut in a manner known as 'pistola' with a minimum of five cut ribs and a maximum of eight ribs and with minimum average weight of 55 kilograms ; it is cut straight to the hip bone and then parallel to the fillet so that this is practically free from attached parts of the flank, or

(b) the rear part of the half-carcass cut in the manner known as 'straight' with a minimum of three ribs and a maximum of five ribs and with a minimum average weight of 55 kilograms.

— the forequarter shall mean :

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

(b) the front part of the half-carcass and in a manner known as 'straight' with a minimum of eight ribs and a maximum of 10 ribs and with a minimum average weight of 55 kilograms.

4. Carcasses and half-carcasses shall be presented in accordance with point 2 (a) and (b) of Annex III to Regulation (EEC) No 859/89.

Article 3

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

2. The contract may only cover unboned meat of one of the presentations referred to in Article 2.

3. The Italian authorities may designate the places of storage in the light of veterinary requirements.

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

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

Article 4

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

(¹) OJ No L 91, 4. 4. 1989, p. 5.

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

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

3. In the case of boning:

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

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

5. No aid shall be granted:

- (a) for quantities stored unboned or, in case of cutting or boning, for quantities of unboned meat employed, in excess of quantities for which the contract was concluded; and
- (b) in case of boning, for quantities in excess of 75 kilograms of boned meat per 100 kilograms of unboned meat employed.

Article 5

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

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

The advance payment of the aid shall not exceed the amount of aid corresponding to a storage period of two months. Where quantities under contract are exported in accordance with Article 7 prior to the advance payment, the actual storage period for those quantities shall be taken into account when calculating the amount of advance payment.

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

Article 6

1. By way of derogation from Article 2 (4) of Regulation (EEC) No 1091/80, products to be stored under a private storage contract may be placed under the system laid down in Article 5 (1) of Regulation (EEC) No 565/80. Italy may require that the two operations referred to in the first subparagraph shall commence simultaneously.

2. For the purposes of paragraph 1, where a private storage contract is concluded for a quantity which consists of several lots which are placed in storage on different dates, each of the said lots may be the subject of a separate payment declaration. A payment declaration, as referred to in Article 25 of Regulation (EEC) No 3665/87 shall be submitted for each lot on the day of its entry into storage.

'Lot' shall be taken to mean a quantity which is placed in storage on a given day.

Article 7

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

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

2. If the 60-day period is not complied with, the amount of aid for the quantity concerned, calculated in accordance with Article 8, shall be reduced:

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

Moreover 15 % of the security referred to in Article 10, and a further 5 % per day exceeding the 60 day period, shall be declared forfeit in respect of the quantity concerned.

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

- aid shall only be paid for the quantity having been exported,
and
- the security referred to in Article 10 shall be released only in respect of the quantity having been exported.

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

Article 8

1. Where application has been made of Article 7, the amount of aid shall be reduced, in accordance with Article 1 (2).

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

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

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

Article 9

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

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

- the amount of aid for the quantity withdrawn shall be calculated in accordance with Article 5 (1) or Article 8, and
- 15 % of the security referred to in Article 10 shall be declared forfeit in respect of the quantity withdrawn.

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

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

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

- the amount of said shall be calculated in accordance with Article 5 (1) or Article 8,

and

- 15 % of the security referred to in Article 10 shall be declared forfeit in respect of the quantity concerned.

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

- no said shall be paid under the contract concerned, and
- the whole of the security referred to in Article 10 shall be declared forfeit in respect of the contract concerned.

Article 10

The amount of the security referred to in Article 4 (2) of Regulation (EEC) No 1091/80 shall be:

- 100 ECU per tonne in respect of contracts covering carcasses of half-carcasses,
- 130 ECU per tonne in respect of contracts covering hindquarters,
- 75 ECU per tonne in respect of contracts covering forequarters.

Article 11

Except in cases of *forte majeure* the application for payment of the aid and the supporting documents must be lodged with the competent authority within six months of the end of the contracted storage period. If it has not been possible to produce them on time although the applicant has acted promptly to obtain them on time although the applicant has acted promptly to obtain them, an extra period of time for their production may be granted. Where Article 7 is applied the necessary proof must be produced within the time limits specified in Article 47 (2) (4) (6) and (7) of Regulation (EEC) No 3665/87.

Article 12

Italy shall communicate by telex to the Commission before Thursday of each week the results of the application of Articles 5 (2), 6 (1) and 7 of this Regulation.

Article 13

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, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

ANNEX

I. Carcasses, half-carcasses, hindquarters and forequarters from adult male bovine animals

Products in respect of which aid is granted	Amount of aid in ECU/tonne for a storage period of 3 months	Amount in ECU/tonne to be deducted or added per day
(a) Fresh or chilled carcasses or half-carcasses	420	1,0
(b) Fresh or chilled hindquarters cut in the manner known as 'pistola'	540	1,0
(c) Fresh or chilled hindquarters cut in the manner known as 'straight'	530	1,0
(d) Fresh or chilled hindquarters cut in the manner known as 'pistola'	300	1,0
(e) Fresh or chilled hindquarters cut in the manner known as 'straight'	310	1,0

II. Carcasses, half-carcasses, hindquarters and forequarters from adult bovine animals not included in I

Products in respect of which aid is granted	Amount of aid in ECU/tonne for a storage period of 3 months	Amount in ECU/tonne to be deducted or added per day
(a) Fresh or chilled carcasses or half-carcasses	350	1,0
(b) Fresh or chilled hindquarters cut in the manner known as 'pistola'	450	1,0
(c) Fresh or chilled hindquarters cut in the manner known as 'straight'	440	1,0
(d) Fresh or chilled hindquarters cut in the manner known as 'pistola'	250	1,0
(e) Fresh or chilled hindquarters cut in the manner known as 'straight'	260	1,0

COMMISSION REGULATION (EEC) No 1685/89

of 14 June 1989

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the seventh partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 32,879 per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 June 1989.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 107, 19. 4. 1989, p. 6.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

COMMISSION REGULATION (EEC) No 1686/89
of 14 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 last amended by Regulation (EEC) No 1668/89 ⁽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 15 June 1989.

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

Done at Brussels, 14 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 163, 14. 6. 1989, p. 23.

ANNEX

to the Commission Regulation of 14 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	25,20 ⁽¹⁾	
1701 11 90 910	27,74 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	25,20 ⁽¹⁾	
1701 12 90 910	27,74 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2740
1701 99 10 100	27,40	
1701 99 10 910	30,16	
1701 99 10 950	28,66	
1701 99 90 100		0,2740

⁽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 1687/89

of 14 June 1989

introducing a countervailing charge on tomatoes originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1119/89 ⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 674/89 of 16 March 1989 fixing for the 1989 marketing year the reference prices for tomatoes ⁽³⁾ fixed the reference price for products of class I at ECU 99,96 per 100 kilograms net for the month of June 1989;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74 ⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85 ⁽⁵⁾, the prices to be taken

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 9,24 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Romania.

Article 2

This Regulation shall enter into force on 16 June 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 73, 17. 3. 1989, p. 14.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1688/89

of 14 June 1989

introducing a countervailing charge on tomatoes originating in Albania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 1035/72 of the Council of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1119/89 ⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 674/89 of 16 March 1989 fixing for the 1989 marketing year the reference prices for tomatoes ⁽³⁾ fixed the reference price for products of class I at ECU 99,96 per 100 kilograms net for the month of June 1989;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74 ⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85 ⁽⁵⁾, the prices to be taken

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 16,89 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Albania.

Article 2

This Regulation shall enter into force on 16 June 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 73, 17. 3. 1989, p. 14.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1689/89

of 14 June 1989

introducing a countervailing charge on peaches including nectarines originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 919/89 of 10 April 1989 fixing for the 1989 marketing year the reference prices for peaches including nectarines⁽³⁾ fixed the reference price for products of class I for the period from 11 to 20 June 1989 at ECU 81,91 per 100 kilograms net;

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

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

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

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

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

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

Whereas, pursuant to Article 136 (2) of the Act of Accession⁽⁸⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 30,76 per 100 kilograms net is applied to peaches including nectarines (CN code 0809 30 00) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 16 June 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 17.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1690/89

of 14 June 1989

introducing a countervailing charge on certain varieties of plums originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 916/89 of 10 April 1989 fixing for the 1989 marketing year the reference prices for plums⁽³⁾ fixed the reference price for class I, group I, at 69,39 ECU per 100 kilograms net for the period from 11 June to 31 August 1989;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for plums of group I originating in Spain (except the Canary Islands), the entry price calculated in this way has remained at least 0,6 ECU below the

reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these plums;

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

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

Whereas, pursuant to Article 136 (2) of the Act of Accession⁽⁸⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 3,46 ECU per 100 kilograms net is applied to plums (CN code 0809 40 11 and 0809 40 19), of varieties other than the following: *Altesse simple* (common quetsche, Hauszwetschge), *Reine-Claude d'Oullins* (Oullins Gage), *Sveskeblommer*, *Ruth Gerstetter*, *Ontario*, *Wangenheimer* (early Wangenheim quetsche), *Pershore* (Yellow Egg), *Mirabelle* and *Bosniche*, originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 16 June 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.
⁽³⁾ OJ No L 97, 11. 4. 1989, p. 11.
⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.
⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.
⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1691/89

of 14 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 1654/89⁽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:

⁽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 162, 13. 6. 1989, p. 45.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

— 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 13 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 15 June 1989.

⁽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, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 14 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
1103 19 10	120,02	229,80	223,76
1103 29 10	120,02	229,80	223,76
1104 19 30	120,02	229,80	223,76
1104 29 10*20 ⁽⁹⁾	87,24	168,35	165,33
1104 29 30*20 ⁽⁹⁾	104,33	201,92	198,90
1104 29 95	67,61	129,82	126,80

⁽⁹⁾ TARIC code : rye.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 June 1989

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(89/371/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 88/360/EEC ⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with the third countries concerned based on agreement, requested authorization to extend or renew the above-mentioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community agreements whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and insofar as their provisions are not contrary to existing common policies.

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 174, 6. 7. 1988, p. 52.

Article 2

This Decision is addressed to the Member States.

Done at Luxembourg, 12 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

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

Estado miembro	País tercero	Naturaleza y fecha del Acuerdo		Prorrogado o tácitamente reconducido hasta el
Medlemsstat	Tredjeland	Aftalens art og datering		Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens		Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας		Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηράς ανανεώσεως
Member State	Third country	Type and date of Agreement		Prolonged or tacitly renewed until
État membre	Pays tiers	Nature et date de l'accord		Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo		Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord		Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo		Prorrogado ou tacitamente renovado até
(1)	(2)	(3)		(4)
BENELUX	Israël	Accord commercial/Handelsakkoord	29. 8. 1958	31. 8. 1990
	Philippines/ Filippijnen	Accord commercial/Handelsakkoord	14. 3. 1967	11. 10. 1990
ITALIA	Cuba	Scambio di note	9. 9. 1950	8. 9. 1990
	India	Accordo commerciale e scambio di lettere	6. 10. 1959 7. 7. 1964	30. 6. 1990
	Libano	Accordo commerciale	4. 11. 1955	10. 9. 1990
	Svizzera	Accordo commerciale	21. 10. 1950	31. 10. 1990
	Yemen	Protocollo addizionale (al trattato d'amicizia e di relazioni economiche del 4. 9. 1937)	5. 10. 1959	31. 12. 1990
DANMARK	Cameroun	Handelsaftale	8. 10. 1962	7. 10. 1990
DEUTSCHLAND	Ekvador	Handelsabkommen	1. 8. 1953	15. 10. 1990
	Kolumbien	Handelsabkommen	9. 11. 1957	10. 11. 1990
ΕΛΛΑΔΑ	Βραζιλία	Εμπορική συμφωνία	9. 6. 1975	2. 7. 1990
	Αιθιοπία	Εμπορική συμφωνία	22. 6. 1959	22. 6. 1990
	Λίβανος	Εμπορική συμφωνία	3. 7. 1958	2. 5. 1990
	Λιθερία	Εμπορική συμφωνία	29. 6. 1973	29. 6. 1990
	Λιθία	Εμπορική συμφωνία	16. 3. 1957	23. 5. 1990
	Μεξικό	Εμπορική συμφωνία	12. 4. 1960	20. 6. 1990
	Ιράκ	Εμπορική συμφωνία	26. 4. 1956	1. 5. 1990
ESPAÑA	El Salvador	Acuerdo Comercial	2. 12. 1982	23. 9. 1990
	Nicaragua	Convenio de Cooperación Económica	4. 3. 1974	2. 9. 1990
	Senegal	Acuerdo Comercial	15. 11. 1978	3. 10. 1990

(1)	(2)	(3)	(4)
PORTUGAL	Argélia	Acordo Comercial 16. 6. 1976	15. 6. 1990
	Brasil	Acordo de Comércio 7. 9. 1966	6. 9. 1990
	México	Acordo Económico e Comercial 28. 8. 1980	27. 8. 1990
	Guiné-Bissau	Acordo Comercial 13. 1. 1978	12. 1. 1990
	Marrocos	Acordo Comercial 28. 1. 1977	27. 1. 1990
	Zimbabwe	Acordo Comercial 10. 9. 1982	9. 9. 1990
UEBL/BLEU	Mexique/Mexico	Accord commercial/Handelsakkoord 16. 9. 1950	11. 9. 1990
UNITED KINGDOM	Haiti	Exchange of letters for the establishment of a commercial <i>'Modus vivendi'</i> 25. 2. 1928	31. 12. 1990

COUNCIL DECISION

of 12 June 1989

totally suspending certain customs duties applicable in the Community of Ten to imports from Spain of products covered by the ECSC Treaty

(89/372/ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 33 thereof,

Having regard to the proposal from the Commission,

Whereas the progressive dismantling of Spanish customs duties has notably improved access to the hitherto heavily protected Spanish market: whereas, however, the economic impact of the progressive reductions in the customs duties applied by the Community of Ten to imports of Spanish industrial products is relatively modest because of the low level of the basic customs duties;

Whereas measures should be taken to improve Spain's trade deficit;

Whereas, in the interests of simplification and uniformity, the products covered by the ECSC Treaty should be subject to the same provisions as products covered by the

EEC Treaty for the purposes of application of residual customs duties to imports from Spain;

HAS ADOPTED THIS DECISION:

Article 1

The collection of customs duties applicable in the Community of Ten, pursuant to the Act of Accession of Spain and Portugal, to imports from Spain of products covered by the ECSC Treaty shall be totally suspended.

Article 2

This Decision shall apply from 1 July 1989;

Article 3

This Decision is addressed to the Member States.

Done at Luxembourg, 12 June 1989.

*For the Council**The President*

F. FERNANDEZ ORDOÑEZ

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 920/89 of 10 April 1989 laying down quality standards for carrots, citrus fruit and dessert apples and pears and amending Commission Regulation No 58

(Official Journal of the European Communities No L 97 of 11 April 1989)

- On page 22, Annex I, Title II, point B (iii), last subparagraph, second line :
 for: '... carrots not exceeding 8 cm in length',
 read: '... carrots not exceeding 10 cm in length';
- On page 22, Annex I, Title III (ii), first subparagraph, second line :
 for: '... in the "Extras" class ...',
 read: '... in the "Extra" class ...';
- On page 23, Annex I, Title IV :
 for: 'IV. PROVISIONS CONCERNING MARKING',
 read: 'VI. PROVISIONS CONCERNING MARKING';
- On page 25, Annex II, Title II :
 - Point B (ii), title and second indent :
 for: 'monreales',
 read: 'monreals';
 - Point B (iv), last indent :
 for: 'colouring must by typical ...',
 read: 'colouring must be typical ...';
 - Point c (ii), second subparagraph, second line :
 for: '... keeping quality of fruit ...',
 read: '... keeping qualities of fruit ...';
 - Point c (iii), first subparagraph, first line :
 for: 'do not quality for inclusion ...',
 read: 'do not qualify for inclusion ...';
- On page 26, Annex II, Title III :
 - Point A, last indent :
 for: 'monreales',
 read: 'monreals';
 - Point B, in the heading in the table :
 for: 'monreales',
 read: 'monreals';
 - Point B, table, fifth column, sizes 5 and 7 :
 for: '5',
 read: '5 (?)';
 for: '7 (?)',
 read: '7';
 - Point C, second indent :
 for: '... MONREALES, ... TANGERINES ...',
 read: '... MONREALS, ... TANGERINES, ...';
- On page 27, Annex II, Title IV, Point B, second subparagraph, last indent :
 for: 'monreales',
 read: 'monreals';
- On page 30, Annex III, Title II :
 - Point A, first subparagraph, second line :
 for: 'pears musts be',
 read: 'pears must be';
 - Point A, first subparagraph, after the fourth indent, the following indent is added :
 '— practically free from damage caused by pests';
- On page 31, Annex III, Title III, the second subparagraph shall read as follows :
 'The difference in diameter may amount to 10 mm for class I fruit packed in bulk (?)';
- On page 31, Annex III, footnote (?):
 for: '... apples for the varieties Bramley's seedling ...',
 read: '... apples of the varieties Bramley's seedling ...';

- On page 32, Annex III, Title IV, Point A (ii), second subparagraph, second line :
for: 'there shall be no percentage ...',
read: 'there shall be no percentage ...';
 - On page 33, Annex III, Title VI, point D (a) shall read as follows :
'(a) for produce subject to the uniformity rules, as minimum and maximum diameters.';
 - On page 34, Annex III, Table 1, Group B, fourth, eighth, 18th, 25th and 26th indents :
for: '— Boskoop rouge',
 '— Delicious ordinaire',
 '— McIntosh',
 '— Gravenstein rouge',
 '— James Grieve rouge',
read: '— Red Boskoop',
 '— Ordinary Delicious',
 '— McIntosh (Red)',
 '— Red Gravensteiner',
 '— Red James Grieve respectively'; ...
 - On page 35, Annex III, Table 1, Group C :
 - Between 'class I' and 'Varieties', the following line is added :
'Classes II and III'.
 - 22nd indent :
for: '— Mantet rouge',
read: '— Red Mantet',

for: '— Groupe des Boskoop',
 '— Groupe des Cox's orange',
read: '— Boskoop Group',
 '— Cox's orange Group';
 - On page 37, Annex III, Table 3, footnote (1), second line :
for: '... failing under this heading',
read: '... falling under this heading'.
-