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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1727/89

of 19 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 16 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 20 June 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 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.

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

Done at Brussels, 19 June 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 19 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	126,68
0712 90 19	36,26	126,68
1001 10 10	60,64	189,62 ⁽¹⁾ ⁽²⁾
1001 10 90	60,64	189,62 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	126,53
1001 90 99	35,73	126,53
1002 00 00	63,32	126,05 ⁽³⁾
1003 00 10	53,90	123,46
1003 00 90	53,90	123,46
1004 00 10	44,96	94,65
1004 00 90	44,96	94,65
1005 10 90	36,26	126,68 ⁽²⁾ ⁽³⁾
1005 90 00	36,26	126,68 ⁽²⁾ ⁽³⁾
1007 00 90	54,40	135,73 ⁽⁴⁾
1008 10 00	53,90	11,49
1008 20 00	53,90	9,41 ⁽⁴⁾
1008 30 00	53,90	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	53,90	0,00
1101 00 00	65,71	191,84
1102 10 00	103,35	191,17
1103 11 10	107,63	307,55
1103 11 90	69,15	205,38

⁽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 1728/89

of 19 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 16 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 20 June 1989.

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

Done at Brussels, 19 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 19 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	1,90
0712 90 19	0	0	0	1,90
1001 10 10	0	0	0	1,30
1001 10 90	0	0	0	1,30
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	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	1,90
1005 90 00	0	0	0	1,90
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 1729/89

of 19 June 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1213/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 19 June 1989 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	01	10,00
1001 90 91 000	01	0
1001 90 99 000	04	10,00
	05	10,00
	02	0
1002 00 00 000	03	10,00
	05	10,00
	02	0
1003 00 10 000	01	0
1003 00 90 000	04	10,00
	02	0
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	65,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	15,00
1101 00 00 120	01	15,00
1101 00 00 130	01	10,00
1101 00 00 150	01	0
1101 00 00 170	01	0
1101 00 00 180	01	0
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	15,00
1102 10 00 200	01	15,00
1102 10 00 300	01	15,00
1102 10 00 500	01	15,00
1102 10 00 900	—	—
1103 11 10 100	01	50,00
1103 11 10 200	01	40,00
1103 11 10 500	01	20,00
1103 11 10 900	01	10,00
1103 11 90 100	01	20,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II b).

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

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

COMMISSION REGULATION (EEC) No 1730/89

of 19 June 1989

fixing the corrective amount applicable to the refund on cereals

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⁾,

Having regard to Regulation (EEC) No 2746/75 of the Council of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75 of the Commission ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- 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 preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto. This correction applies to the refund before adjustment in line with the threshold price for the month of exportation.

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 19 June 1989 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11	6th period 12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	+ 68,27	+ 68,27	+ 68,27	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	+ 33,94	+ 33,94	+ 33,94	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	+ 33,26	+ 33,26	+ 33,26	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	01	0	+ 33,26	+ 33,26	+ 33,26	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	+ 22,92	+ 22,92	+ 22,92	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	+ 3,00	+ 3,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	+ 55,21	+ 55,21	+ 55,21	- 30,00	- 30,00	- 30,00
1101 00 00 120	01	0	+ 55,21	+ 55,21	+ 55,21	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	+ 55,21	+ 55,21	+ 55,21	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	+ 55,21	+ 55,21	+ 55,21	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	+ 55,21	+ 55,21	+ 55,21	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	+ 55,21	+ 55,21	+ 55,21	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	+ 54,26	+ 54,26	+ 54,26	- 30,00	- 30,00	- 30,00
1102 10 00 200	01	0	+ 54,26	+ 54,26	+ 54,26	- 30,00	- 30,00	- 30,00
1102 10 00 300	01	0	+ 54,26	+ 54,26	+ 54,26	- 30,00	- 30,00	- 30,00
1102 10 00 500	01	0	+ 54,26	+ 54,26	+ 54,26	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	+ 124,13	+ 124,13	+ 124,13	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	+ 124,13	+ 124,13	+ 124,13	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	+ 124,13	+ 124,13	+ 124,13	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	+ 124,13	+ 124,13	+ 124,13	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	+ 56,21	+ 56,21	+ 56,21	- 50,00	- 50,00	- 50,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

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

COMMISSION REGULATION (EEC) No 1731/89

of 16 June 1989

fixing the maximum buying-price and the quantities of beef bought in for the first partial invitation to tender under Regulation (EEC) No 1627/89

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

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

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, an invitation to tender was opened for category A by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁴⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-price is to be fixed for quality R 3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted;

Whereas, after the tenders submitted for the first partial invitation to tender were examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market

and the seasonal trend in slaughterings, the maximum buying-price and the quantities which may be accepted into intervention should be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the first partial invitation to tender opened by Regulation (EEC) No 1627/89

for category A:

- the maximum buying-price shall be ECU 281,15 per 100 kilograms of carcasses or half-carcasses of quality R 3,
- the maximum quantity shall be fixed at 4 213 tonnes;

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, 16 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 199, 10. 6. 1989, p. 36.

COMMISSION REGULATION (EEC) No 1732/89

of 16 June 1989

on the supply of various consignments of cereals as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 59 200 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 16 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation No⁽¹⁾:** 69/89
2. **Programme:** 1989
3. **Recipient:** Djibouti
4. **Representative of the recipient⁽²⁾:** Ministre du Commerce, Office National d'Approvisionnement et de Commercialisation (ONAC), boîte postale 79, Djibouti
5. **Place or country of destination:** Djibouti
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods⁽³⁾:**
see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.1)
Specific characteristics:
 - Hagberg falling number: 170 to 220
 - minimum specific weight: 78 kg/hl
 - moisture content: 13,5 %
8. **Total quantity:** 2 000 tonnes
9. **Number of lots:** one
10. **Packaging and marking⁽⁴⁾:**
see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIB.1 (e)):
marking on the bags in letters at least 5 cm high:
'ACTION N° 69/89 / FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Djibouti
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 20. 7 to 5. 8. 1989
18. **Deadline for the supply:** 15. 9. 1989
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 4. 7. 1989
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 18. 7. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 15. 8. 1989
 - (c) deadline for the supply: 15. 9. 1989
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾:**
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200. rue de la Loi, B-1049 Bruxelles, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾:**
Refund applicable on 20. 6. 1989 fixed by Commission Regulation (EEC) No 1464/89 (OJ No L 144, 27. 5. 1989, p. 39)

ANNEX II

1. **Operation Nos (1):** 156 to 158/89
2. **Programme:** 1989
3. **Recipient:** Mozambique
4. **Representative of the recipient(2):** IMBEC EE, CP 4229, Maputo (telex: 6-206 IMBEC MO MAPUTO)
5. **Place or country of destination:** Mozambique
6. **Product to be mobilized:** milled rice (product codes 1006 30 94 900 and 1006 30 96 900)
7. **Characteristics and quality of the goods (3):**
see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.10)
8. **Total quantity:** 16 667 tonnes (40 000 tonnes of cereals)
9. **Number of lots:** three (Part A: Nacala 3 000 tonnes; Part B: Beira 4 667 tonnes; Part C: Maputo 9 000 tonnes)
10. **Packaging and marking (4):**
see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIB.1 (a))
marking on the bags in letters at least 5 cm high:
— Part A:
'ACÇÃO Nº 156/89 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
— Part B:
'ACÇÃO Nº 157/89 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
— Part C:
'ACÇÃO Nº 158/89 / ARROZ / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing (5):** Part A: Nacala; Part B: Beira; Part C: Maputo
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 20. 7 to 5. 8. 1989
18. **Deadline for the supply:** 15. 9. 1989
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 4. 7. 1989 at 12 noon
21. **In the case of a second invitation to tender:**
(a) deadline for the submission of tenders: 18. 7. 1989 at 12 noon
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 1 to 15. 8. 1989
(c) deadline for the supply: 15. 9. 1989
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (6):**
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer (7):**
Refund applicable on 20. 6. 1989 fixed by Commission Regulation (EEC) No 1464/89 (OJ No L 144, 27. 5. 1989, page 39)

ANNEX III

1. **Operation Nos⁽¹⁾**: 163 and 166/89
2. **Programme**: 1988
3. **Recipient**: Cooperative Republic of Guyana
4. **Representative of the recipient⁽²⁾**: Embassy of Guyana, avenue des Arts 21/22, B-1040 Bruxelles; tel. 02/230 60 65; telex B 26180 Guyic
5. **Place or country of destination**: Guyana (Ministry of Finance, Main & Urquhart Streets, Georgetown, Guyana)
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods⁽³⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.6)
8. **Total quantity**: 730 tonnes (1 000 tonnes of cereals)
9. **Number of lots**: two (Part A: 365 tonnes; Part B: 365 tonnes)
10. **Packaging and marking⁽⁴⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.2 (a))
marking on the bags, in letters at least 5 cm high:
 - Part A:
'ACTION No 163/89 / COMMON WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'
 - Part B:
'ACTION No 166/89 / COMMON WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Georgetown
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: Part A: 15 to 31. 7. 1989; Part B: 1 to 30. 9. 1989
18. **Deadline for the supply**: Part A: 31. 8. 1989; Part B: 25. 10. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 4. 7. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 18. 7. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: Part A: 1 to 15. 8. 1989; Part B: 1 to 30. 9. 1989
 - (c) deadline for the supply: Part A: 31. 8. 1989; Part B: 25. 10. 1989
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾**:
Refund applicable on 20. 6. 1989 fixed by Commission Regulation (EEC) No 1464/89 (OJ No L 144, 27. 5. 1989, p. 39)

ANNEX IV

1. **Operation Nos** ⁽¹⁾: 238 and 239/89
2. **Programme**: 1989
3. **Recipient**: WFP (World Food Programme), Via Cristoforo Colombo 426, I-00145 Rome; telex 626675 WFP I
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Somalia
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: protein content 11 % minimum
8. **Total quantity**: 16 200 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁵⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.B.1 (a))
marking on the bags, in letters at least 5 cm high:
12 400 tonnes:
'ACTION No 238/89 / SOMALIA 0403500 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / MOGADISHU'
3 800 tonnes:
'ACTION No 239/89 / SOMALIA 0403400 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / BERBERA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 25. 7 to 10. 8. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 4. 7. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 11. 7. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1 to 15. 8. 1989
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁶⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾:
Refund applicable on 20. 6. 1989 fixed by Commission Regulation (EEC) No 1464/89 (OJ No L 144, 25. 7. 1989, p. 39)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer:
- Annex I: M. Perez Porras, PO Box 2477, Djibouti, Telex 5894 DJ.
 - Annex II: F.S.C. Da Camara, CP 1306 Maputo, tel. 74 40 92, telex. 6-146 CCE MO.
 - Annex III: Mr J.C. Heyraud, telex 2258 DELEG GY, Fax (592-2) 62615.
 - Annex IV: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁷) The choice between the ports of Nacala, Beira and Maputo remains open; the decision as to which one has been chosen will be notified by the consignee not later than when the ship enters Mozambican waters.
- (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- certificate of origin,
 - phytosanitary certificate.
-

COMMISSION REGULATION (EEC) No 1733/89

of 19 June 1989

re-establishing the levying of customs duties on artificial flowers, foliage and fruit, falling within CN code 6702, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply

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

Having regard to Council Regulation (EEC) No 4257/88 of 19 December 1988 applying generalized tariff preferences for 1989 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 15 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 4257/88, duties on certain products originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 14;

Whereas, as provided for in Article 14, where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, equal to 6 % of the total importations into the Community, originating from third countries in 1987;

Whereas, in the case of artificial flowers, foliage and fruit, falling within CN code 6702 the reference base is fixed at ECU 9 044 000; whereas, on 9 March 1989, imports of

these products into the community originating in China, reached the reference base in question after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties in respect of the products in question must be re-established against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 23 June 1989, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 4257/88, shall be re-established on imports into the Community of the following products originating in China:

CN code	Description
6702	Artificial flowers, foliage and fruit and parts thereof; articles made of artificial flowers, foliage of fruit

Article 2

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

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

Done at Brussels, 19 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 1734/89
of 19 June 1989

establishing ceilings and Community surveillance for imports of certain products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1989/90)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, and in particular Articles 13a and 22 thereof,

Whereas Article 13a of Regulation (EEC) No 486/85 stipulates that products listed there, originating in the African, Caribbean and Pacific States or in the overseas countries and territories, are subject on importation into the Community to progressively reduced rates of duty; whereas such reduction of duties applies only up to ceilings above which the customs duties actually applied in respect of third countries may be re-established;

Whereas, within the limits of these tariff ceilings, customs duties are reduced progressively by the percentages specified in that Article, during the same periods and in accordance with the same timetables as provided for in Articles 75 and 268 of the Act of Accession of the Kingdom of Spain and the Portuguese Republic; whereas on this basis the preferential duty rates applicable in 1989 and 1990 must be equal to 60 % and 35 %, respectively, of the basic rates, with the exception of garlicks, Chinese cabbages and walnuts, for which the rates must be 63,6 % and 54,5 % respectively of the basic rates; whereas, however, the preferential duty applicable to walnuts is equivalent to a reduction of 40 % on the normal duty rate;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities⁽³⁾, Spain and Portugal are to postpone implementation of the preferential arrangements for fruit and vegetables falling within Regulation (EEC) No 1035/72 of the Council⁽⁴⁾, as last amended by Regulation (EEC) No 1119/89⁽⁵⁾, until 31 December 1989 and 31 December 1990 respectively;

whereas, consequently, the abovementioned tariff concession does not apply in Spain or Portugal until 31 December 1989, and starting from 1 January 1990 it will apply in the Community with the exception of Portugal; that in the limit of these tariff ceilings Spain must apply, starting from 1 January 1990, the customs duties calculated according to the Protocol to the aforementioned Third ACP-EEC Convention;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

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

1. Imports of products listed in the Annex originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall, in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

The products referred to in the first paragraph, their combined nomenclature codes, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the Annex.

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 12.

Starting from 1 January 1990 the present Regulation is applicable in the Community with the exclusion of Portugal. From this date and within the limits of those tariff ceilings the Kingdom of Spain shall apply duties calculated in accordance with the relevant provisions of the Protocol to the Third ACP-EEC Convention consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the European Communities.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which the collection of customs duties is re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission may adopt a regulation re-establishing, until the end of its period of validity, the customs duties applicable to third countries.

4. Member States shall send the Commission statements of the quantities charged for the preceding month no later than the 15th day of each month. At the Commission's request, they shall send statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

ANNEX

Order No	CN code	Description	Customs duty applicable (%)	Level of ceiling (tonnes)
12.0040	ex 0703 20 00	Garlics, from 1 March to 31 May 1990	6,6	500
12.0030	ex 0704 90 90	Chinese cabbages, from 1 November to 31 December 1989	9,5	1 000
12.0060	ex 0709 10 00	Artichokes, from 1 October to 30 November 1989	7,8	1 000
12.0070	0802 31 00 0802 32 00	Walnuts, from 1 January to 31 December 1990	4,8	700
12.0080	ex 0809 10 00	Apricots, from 1 October 1989 to 31 January 1990	— from 1 October to 31 December: 15 — from 1 to 31 January: 12,5	2 000
12.0090	ex 0809 20 90	Cherries, from 1 November 1989 to 28 February 1990	— from 1 November to 31 December: 9 — from 1 January to 28 February: 7,5	2 000
12.0100	ex 0809 30 00	Peaches, from 1 December 1989 to 28 February 1990	— from 1 to 31 December: 13,2 — from 1 January to 28 February: 11	2 000
12.0110	ex 0809 40 19	Plums, from 15 December 1989 to 28 February 1990	— from 15 to 31 December: 4,8 — from 1 January to 28 February: 4	2 000

COMMISSION REGULATION (EEC) No 1735/89

of 19 June 1989

on the recovery on export of aids granted in respect of skimmed-milk powder
for use as feed and skimmed milk processed into compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 804/68 of the Council of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 763/89 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas the second subparagraph of Article 2 (1) of Regulation (EEC) No 986/68 of the Council of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed ⁽³⁾, as last amended by Regulation (EEC) No 1115/89 ⁽⁴⁾, provides that where skimmed milk or skimmed-milk powder is exported in the form of denatured skimmed-milk powder or compound feedingstuffs, an amount equal to the aid is to be collected; whereas the aim of that provision is basically to avoid aids being received twice over, as a result of the granting of a refund under Commission Regulation (EEC) No 1476/89 ⁽⁵⁾ and the granting of aid under Commission Regulation (EEC) No 1725/79 ⁽⁶⁾, as last amended by Regulation (EEC) No 3368/88 ⁽⁷⁾; whereas, in recent years, compliance with that requirement was ensured by reducing the refund applying to incorporated skimmed-milk powder and latterly by granting no refund for feedingstuffs which may qualify for aid under that Regulation;

Whereas at present the aid is distinctly higher than the refund; whereas, as a consequence, the measures in force no longer suffice to prevent certain feedingstuffs being exported at a price lower than the world market price; whereas measures should accordingly be laid down for the full recovery on export of aid granted in respect of skimmed-milk powder for use as feed and skimmed milk processed into compound feedingstuffs;

Whereas certain detailed rules of administrative procedure to be applied in that case and the control measures necessary must be adopted; whereas reference should be

made to that end to Commission Regulation (EEC) No 1062/87 ⁽⁸⁾ on the Community transit procedure, as last amended by Regulation (EEC) No 1159/89 ⁽⁹⁾;

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

1. The amounts of the aid to be recovered in accordance with the second subparagraph of Article 2 (1) of Regulation (EEC) No 968/68 shall be as shown in the Annex hereto.

2. However, the amounts referred to in paragraph 1 shall not be charged where the aid provided for in Article 10 (1) of Regulation (EEC) No 804/68 was not granted in respect of skimmed milk or skimmed-milk powder exported in the form of products shown in the Annex by reason of the fact that its composition did not comply with the conditions laid down in Regulation (EEC) No 1725/79.

The Member States shall take all measures necessary to verify in the case referred to in the first subparagraph that the aid was not granted previously in respect of the skimmed milk or skimmed-milk powder.

Article 2

1. For the purposes of Article 1, the export declaration for products listed in the Annex must contain all the necessary information regarding the description and exact composition of the product. Such declaration shall be accepted subject to the presentation of a certificate issued by the competent agency as provided for in Article 4 (1) of Regulation (EEC) No 986/68 of the Member State on whose territory those formalities are completed or by another agency designated by the Member State in question. The certificate shall certify, as the case may be:

- that the said agency has collected the amount to be recovered pursuant to Article 1 (1) in respect of the products concerned, or
- that the products concerned are exempted from such recovery pursuant to Article 1 (2).

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 7.

⁽⁵⁾ OJ No L 146, 30. 5. 1989, p. 14.

⁽⁶⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁷⁾ OJ No L 296, 29. 10. 1988, p. 50.

⁽⁸⁾ OJ No L 107, 22. 4. 1987, p. 1.

⁽⁹⁾ OJ No L 119, 29. 4. 1989, p. 100.

2. The certificate referred to in paragraph 1 shall contain in particular:

- a description of the product,
- a breakdown of the quantities involved,
- details of the amount recovered or, where appropriate, reasons enabling such quantities to be exempted.

3. The certificate referred to in paragraph 1 shall be valid for 30 days calculated from the day of issue.

Article 3

1. Movement within the Community of products listed in the Annex shall be subject to the conditions laid down in Title III of Regulation (EEC) No 1062/87.

2. A security equal to 110 % of the corresponding amount laid down in the Annex hereto shall be lodged in respect of products listed in the Annex moving as provided for in Article 24 or 25 of Regulation (EEC) No 1062/87 in order to ensure that the primary requirement

relating to the recovery of the amount resulting from the application of Article 1 is ensured where the product in question does not re-enter the Community within six months.

The security shall be released, in proportion to the quantities in respect of which such proof is furnished, as soon as it has been established in the Member State of dispatch that the product has re-entered the Community.

3. Where a product listed in the Annex is placed under the procedure provided for in Chapter I of Title IV of Regulation (EEC) No 1062/87 for carriage to a station of destination within the territory of the Community, the office of departure may not authorize any variation of the contract of carriage which would enable carriage to end outside the Community unless the consignor has produced a certificate as specified in Article 2.

Article 4

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 Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

(ECU/100 kg)

CN code	Description of goods	Amount to be charged
2309	Preparations of a kind used in animal feeding:	
2309 10	- Dog or cat food, put up for retail sale:	
	- - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products:	
	- - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup:	
	- - - - Containing no starch or containing 10 % or less by weight of starch:	
2309 10 11	- - - - - Containing no milk products or containing less than 10 % by weight of such products:	
	- - - - - - Containing no milk powder(°)	—
	- - - - - - Containing less than 10 % by weight of milk powder(°)	5,40
2309 10 13	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products:	
	- - - - - - Containing no milk powder(°)	—
	- - - - - - Containing:	
	- - - - - - - less than 30 %	17,40
	- - - - - - - not less than 30 %	29,40
	- - - - - - by weight of milk powder(°)	
2309 10 15	- - - - - Containing not less than 50 % but less than 75 % by weight of milk products:	
	- - - - - - Containing no milk powder(°)	—
	- - - - - - Containing:	
	- - - - - - - less than 30 %	17,40
	- - - - - - - not less than 30 % but less than 40 %	21,00
	- - - - - - - not less than 40 % but less than 50 %	27,00
	- - - - - - - not less than 50 % but less than 60 %	33,00
	- - - - - - - not less than 60 % but less than 70 %	39,00
	- - - - - - - not less than 70 %	43,50
	- - - - - - by weight of milk powder(°)	
309 10 19	- - - - - Containing not less than 75 % by weight of milk products:	
	- - - - - - Containing no milk powder(°)	—
	- - - - - - Containing:	
	- - - - - - - less than 30 %	17,40
	- - - - - - - not less than 30 % but less than 40 %	21,00
	- - - - - - - not less than 40 % but less than 50 %	27,00
	- - - - - - - not less than 50 % but less than 60 %	33,00
	- - - - - - - not less than 60 % but less than 70 %	39,00
	- - - - - - - not less than 70 % but less than 75 %	43,50
	- - - - - - - not less than 75 % but less than 80 %	46,50
	- - - - - - - not less than 80 %	51,00
	- - - - - - by weight of milk powder(°)	
	- - - - - Containing more than 10 % but not more than 30 % by weight of starch:	
2309 10 31	- - - - - Containing no milk products or containing less than 10 % by weight of such products:	
	- - - - - - Containing no milk powder(°)	—
	- - - - - - Containing less than 10 % by weight of milk powder(°)	5,40
2309 10 33	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products:	
	- - - - - - Containing no milk powder(°)	—
	- - - - - - Containing:	
	- - - - - - - less than 30 %	17,40
	- - - - - - - not less than 30 %	29,40
	- - - - - - by weight of milk powder(°)	

CN code	Description of goods	(ECU/100 kg) Amount to be charged
2309 10 39	- - - - - Containing not less than 50 % by weight of milk products : - Containing no milk powder (") - Containing : - less than 60 % - not less than 60 % by weight of milk powder ("	— 33,00 48,00
2309 10 51	- - - - - Containing more than 30 % by weight of starch : - - - - - Containing no milk products or containing less than 10 % by weight of such products : - Containing no milk powder (") - Containing less than 10 % by weight of milk powder ("	— 5,40
2309 10 53	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products : - Containing no milk powder (") - Containing : - less than 30 % - not less than 30 % by weight of milk powder ("	— 17,40 29,40
2309 10 59	- - - - - Containing not less than 50 % by weight of milk products : - Containing no milk powder (") - Containing : - less than 60 % - not less than 60 % by weight of milk powder ("	— 33,00 39,00
2309 90	- Other :	—
2309 90 10	- - Fish or marine mammal solubles - - Other : - - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products : - - - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrin syrup : - - - - - Containing no starch or containing 10 % or less by weight of starch :	—
2309 90 31	- - - - - Containing no milk products or containing less than 10 % by weight of such products : - Containing no milk powder (") - Containing less than 10 % by weight of milk powder ("	— 5,40
2309 90 33	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products : - Containing no milk powder (") - Containing : - less than 30 % - not less than 30 % by weight of milk powder ("	— 17,40 29,40
2309 90 35	- - - - - Containing not less than 50 % but less than 75 % by weight of milk products : - Containing no milk powder (") - Containing : - less than 30 % - not less than 30 % but less than 40 % - not less than 40 % but less than 50 % - not less than 50 % but less than 60 % - not less than 60 % but less than 70 % - not less than 70 % by weight of milk powder ("	— 17,40 21,00 27,00 33,00 39,00 43,50

CN code	Description of goods	(ECU/100 kg) Amount to be charged
2309 90 39	- - - - - Containing not less than 75 % by weight of milk products : - Containing no milk powder (*) - Containing : - less than 30 % - not less than 30 % but less than 40 % - not less than 40 % but less than 50 % - not less than 50 % but less than 60 % - not less than 60 % but less than 70 % - not less than 70 % but less than 75 % - not less than 75 % but less than 80 % - not less than 80 % by weight of milk powder (*)	— 51,00
2309 90 41	- - - - - Containing more than 10 % but not more than 30 % by weight of starch : - - - - - Containing no milk products or containing less than 10 % by weight of such products : - Containing no milk powder (*) - Containing less than 10 % by weight of milk powder (*)	— 5,40
2309 90 43	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products : - Containing no milk powder (*) - Containing : - less than 30 % - not less than 30 % by weight of milk powder (*)	— 17,40 29,40
2309 90 49	- - - - - Containing not less than 50 % by weight of milk products : - Containing no milk powder (*) - Containing : - less than 60 % - not less than 60 % by weight of milk powder (*) - - - - - Containing more than 30 % by weight of starch :	— 33,00 48,00
2309 90 51	- - - - - Containing no milk products or containing less than 10 % by weight of such products : - Containing no milk powder (*) - Containing less than 10 % by weight of milk powder (*)	— 5,40
2309 90 53	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products : - Containing no milk powder (*) - Containing : - less than 30 % - not less than 30 % by weight of milk powder (*)	— 17,40 29,40
2309 90 59	- - - - - Containing not less than 50 % by weight of milk products : - Containing no milk powder (*) - Containing : - less than 60 % - not less than 60 % by weight of milk powder (*)	— 33,00 39,00
2309 90 70	- - - - - Containing no starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup but containing milk products	—

(*) For the purposes of this Regulation, 'milk powder' means a product falling within subheadings 0402 10 19, 0402 21 17, 0403 90 11 and 0403 90 13.

COMMISSION REGULATION (EEC) No 1736/89

of 19 June 1989

fixing for the 1989/90 marketing year the reference prices for apples

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 Article 27 (1) thereof,

Whereas, under Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are fixed annually before the beginning of the marketing year;

Whereas because of the importance of apple-growing in the Community it is necessary to fix a reference price for apples;

Whereas apples harvested during a given crop year are marketed from July of one year to June of the following year; whereas reference prices should therefore be fixed for the period from 1 July up to and including 30 June of the following year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas producer prices are the average of the prices recorded during the three years prior to the date of fixing the reference price, for a home-grown product with defined commercial characteristics, on the representative market or markets situated in the production areas where prices are lowest, for the products or varieties which represent a considerable proportion of production marketed throughout the year or for part of it and which satisfy specified requirements as regards market preparation; whereas when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market must be disregarded;

Whereas, in accordance with Article 147 of the Act of Accession, Spanish prices shall be used for the purpose of calculating reference prices as and from 1 January 1990;

Whereas, in accordance with Article 272 (3) of the Act of Accession, the prices of Portuguese products will not be used for the purpose of calculating reference prices, during the first stage of 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

For the 1989/90 marketing year, the reference prices for apples (CN codes 0808 10 91, 93 and 99), expressed in ECU per 100 kilograms net, shall be as follows for packed class I fruit, all sizes:

July:	46,25
August:	40,86
September:	43,98
October:	43,78
November:	44,61
December:	45,66
January:	48,62
February:	50,44
March:	52,73
April:	54,00
May:	56,31
June:	57,08

Article 2

This Regulation shall enter into force on 1 July 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1737/89

of 19 June 1989

amending Regulation (EEC) No 4027/88 laying down provisions for the temporary importation of containers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2096/87 of 13 July 1987 on the temporary importation of containers⁽¹⁾, and in particular Article 15 thereof,

Whereas Commission Regulation (EEC) No 4027/88⁽²⁾ laid down provisions for the temporary importation of containers, including provisions relating to the marking of containers; whereas in the case of swap bodies used in combined road-rail transport the requirement that the tare weight be indicated should not apply and it should be permissible to indicate the identity of the owner or operator and of the country to which the swap body belongs by means of a number; whereas in the case of containers for use in air transport there should be no requirement that the country to which the container belongs be indicated, since this can easily be ascertained by means of the owner code;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for Customs Procedures with Economic Impact,

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation (EEC) No 4027/88 is hereby replaced by the following:

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

Done at Brussels, 19 June 1989.

Article 3

1. The temporary importation provided for in Article 3 (1) of the basic regulation shall apply without customs formalities to containers, whether or not they have been approved for transport under customs seal, on which the following information has been durably marked in an appropriate and clearly visible place:

- (a) the identity of the owner or operator;
- (b) the identification marks and numbers given to the container by the owner or operator;
- (c) the tare weight of the container, including all its permanently fixed equipment; and
- (d) the country to which the container belongs.

However, the marking referred to in subparagraph (c) shall not be required in the case of swap bodies used in combined road-rail transport and the marking referred to in subparagraph (d) shall not be required in the case of containers used in air transport.

2. The country to which the container belongs may be shown either in full or by means of the ISO alpha-2 country code provided for in International Standard ISO 3166 or by the distinguishing initials used to indicate the country of registration of motor vehicles in international road traffic or, in the case of swap bodies used in combined road-rail transport, by a number. The identity of the owner or operator may be shown by either his name or an established number or form of indication, symbols such as emblems or flags being excluded.

Article 2

This Regulation shall enter into force on 1 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 196, 17. 7. 1987, p. 4.

⁽²⁾ OJ No L 355, 23. 12. 1988, p. 22.

COMMISSION REGULATION (EEC) No 1738/89**of 19 June 1989****laying down detailed rules on production aid for durum wheat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1213/89⁽²⁾, and in particular Article 10 (5) thereof,

Whereas Council Regulation (EEC) No 3103/76 of 16 December 1976 on aid for durum wheat⁽³⁾, as last amended by Regulation (EEC) No 1216/89⁽⁴⁾, laid down general rules on aid for durum wheat; whereas the Commission must lay down the detailed rules for their application;

Whereas Regulation (EEC) No 3103/76 laid down criteria for determining qualitative and technical characteristics; whereas such characteristics must be such that the durum wheat is capable of being made into semolina or pasta meeting certain requirements for human consumption; whereas the best indicator of these is the stickiness of the pasta when cooked;

Whereas Article 4 of Regulation (EEC) No 3103/76 provides that Member States are to introduce a system of administrative supervision to ensure that a product for which aid is applied for meets the requirements for granting such aid; whereas an application for aid must contain at least certain particulars to enable Member States to make the necessary checks; whereas Article 5 of Regulation (EEC) No 3103/76 provides for random on-the-spot checks to ascertain the accuracy of particulars declared; whereas, if such checks are to be effective, they must be carried out on a sufficiently representative number of applications for aid;

Whereas experience in policing the current system indicates that stricter supervision and sanctions should be provided for;

Whereas, under Article 2 (1) of 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⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, the amount of the aid is to be converted into national currency at the

rate prevailing on the date the transaction or part transaction was carried out;

Whereas Regulation (EEC) No 1676/85 provides that the time when a transaction is carried out is considered as being the date of the event by which the aid becomes due and payable; whereas in the case of durum wheat that event is harvest; whereas, in view of the difficulty of determining the exact date of harvest in each case, the date to be taken as the representative date of harvest should be the first day of the marketing year in respect of which the entitlement to aid arises;

Whereas the measures provided for in this Regulation are to supersede those provided for in Commission Regulation (EEC) No 2835/77 of 19 December 1977 laying down detailed rules with respect to aid for durum wheat⁽⁷⁾, as last amended by Regulation (EEC) No 2039/86⁽⁸⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 10 of Regulation (EEC) No 2727/75 shall be granted for durum wheat produced in the Community in accordance with the conditions set out in the following Articles.

TITLE I**Conditions for and terms of the aid***Article 2*

In order to be eligible for the aid the durum wheat shall either:

- have qualitative or technical characteristics such that the pasta made therefrom is not sticky when cooked, or
- have been produced from seed of certain varieties whose possession of such characteristics can be verified by the Member States.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 351, 21. 12. 1976, p. 1.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 5.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 327, 20. 12. 1977, p. 9.

⁽⁸⁾ OJ No L 173, 1. 7. 1986, p. 64.

Article 3

Without prejudice to Article 8, the aid may be granted, within the regions of the Community where it is provided for, only for areas:

- (a) which have been fully sown and had normal cultivation work carried out upon them;
- (b) for which an application has been submitted in accordance with Article 4, such application to be treated as equivalent to a declaration of the areas cultivated.

Article 4

1. Any producer of durum wheat wishing to obtain aid shall submit an application to the competent agency in the Member State concerned before a date to be fixed by that Member State and in any event not later than 30 April each year for the following marketing year.

2. The application for aid shall include at least the following particulars:

- the name, forenames and address of the applicant,
- the areas cultivated in hectares and in ares, the cadastral reference of such areas or an indication recognized as equivalent by the agency responsible for checking the areas,
- the variety of seed used.

Article 5

1. The Member States shall pay the aid for durum wheat by 30 April of the marketing year for which it is granted.

2. The operative event within the meaning of Article 5 of Regulation (EEC) No 1676/85 as regards entitlement to the aid shall be regarded as occurring on 1 July of the marketing year in question.

TITLE II

Supervision

Article 6

1. The checks provided for in Article 5 of Regulation (EEC) No 3103/76 shall, in each competent administrative unit, cover a percentage of applications submitted which is representative both of the various sizes of holding and of the geographical and topographical distribution of the areas concerned. All declarations of more than 40 hectares shall be checked, other applications to be checked being selected at random.

2. The total percentage of applications to be checked may in no case be less than 15 % and shall be increased when a significant number of false declarations are discovered or the total area declared in the administrative unit concerned exceeds by more than 15 % that indicated by available official figures for the preceding marketing year.

Article 7

1. When a check is carried out, all areas included in the application shall be visited and it shall be verified that durum wheat is grown on them.

2. Areas shall be measured as follows:

- (a) an area consisting of a single block shall always be measured;
- (b) areas consisting of different plots shall be measured as follows:
 - from two to five plots: the largest plot and one medium-sized plot,
 - from six to 10 plots: the two largest and one medium-sized plot,
 - over 10 plots: the two largest and three medium-sized plots.

In the case referred to in (b), the results of measurement shall be grossed up to all the areas covered by the declaration. However, the applicant may demand that all the said areas be measured.

TITLE III

General provisions

Article 8

1. If the check indicates an excess of up to 10 % but of not more than one hectare in the area declared, aid shall be calculated on the area measured less that excess.

2. If the excess exceeds the limits provided for in paragraph 1, the application for the marketing year in question shall be rejected. Moreover, the areas forming part of the applicant's holding during the marketing year in question shall be ineligible for aid in the following marketing year.

Article 9

Each visit for checking purposes shall be recorded in a report which shall indicate the number of plots visited, those measured, the measurement instruments used and all grounds on which the declared area is reduced or the application rejected.

Article 10

If, for reasons attributable to the applicant, a check cannot be carried out, Article 8 (2) shall apply, except in cases of *force majeure*. Grounds for *force majeure* shall be supplied by the interested party in writing, within 10 days from the planned date of the check.

Article 11

Member States shall take such steps as are necessary to implement this Regulation, including steps to avoid more than one application being lodged for a given area. These steps shall be communicated to the Commission.

Article 12

Regulation (EEC) No 2835/77 is hereby repealed.

Article 13

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

It shall apply to applications for aid for the 1989/90 marketing year. However :

- for the 1989/90 marketing year the total percentage of applications provided for in Article 6 (2) shall be fixed at 5 %,
- Articles 7 (2) and 8 shall apply from the 1990/91 marketing year.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1739/89
of 19 June 1989

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

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

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

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

Whereas the rates of the refunds applicable from 1 June 1989 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 1508/89 ⁽³⁾, as amended by Regulation (EEC) No 1665/89 ⁽⁴⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 1508/89 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 1508/89 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 148, 1. 6. 1989, p. 26.

⁽⁴⁾ OJ No L 163, 14. 6. 1989, p. 17.

ANNEX

to the Commission Regulation of 19 June 1989 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	25,69	
Raw sugar:	23,63	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$25,69 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	The rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses:	—	
Isoglucose ⁽²⁾ :	25,69 ⁽³⁾	

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

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

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

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

COMMISSION REGULATION (EEC) No 1740/89
of 19 June 1989
fixing the amount of the subsidy on oil seeds

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1697/89 ⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1442/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 1724/89 ⁽⁸⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza, rape and sunflower seed will be confirmed or replaced as from 20 June 1989 to take into account the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 166, 16. 6. 1989, p. 15.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 143, 26. 5. 1989, p. 25.

⁽⁸⁾ OJ No L 168, 17. 6. 1989, p. 35.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	0,580	1,170	1,170	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,989	17,362	17,676	17,206	16,817	16,624
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,95	41,37	42,10	41,02	40,11	39,87
— Netherlands (Fl)	55,74	45,80	46,63	45,39	44,36	44,04
— BLEU (Bfrs/Lfrs)	1 013,49	838,36	853,52	830,82	812,04	802,72
— France (FF)	153,96	130,75	133,22	129,53	126,47	124,92
— Denmark (Dkr)	183,85	155,04	157,85	153,65	150,18	148,45
— Ireland (£ Irl)	17,123	14,553	14,827	14,416	14,077	13,904
— United Kingdom (£)	12,722	11,279	11,478	11,075	10,782	10,476
— Italy (Lit)	33 328	28 808	29 326	28 465	27 807	27 254
— Greece (Dr)	2 451,64	2 707,06	2 720,54	2 573,63	2 493,33	2 307,31
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 206,71	2 687,75	2 723,08	2 638,57	2 579,66	2 510,81
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 497,15	3 973,42	4 014,99	3 902,27	3 826,29	3 667,44

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

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	3,080	3,670	3,670	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	23,489	19,862	20,176	19,706	19,317	19,124
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,85	47,27	48,01	46,92	46,01	45,77
— Netherlands (Fl)	62,36	52,39	53,22	51,98	50,96	50,63
— BLEU (Bfrs/Lfrs)	1 134,21	959,07	974,24	951,54	932,76	923,44
— France (FF)	172,92	150,00	152,46	148,77	145,72	144,17
— Denmark (Dkr)	205,95	177,37	180,17	175,98	172,50	170,78
— Ireland (£ Irl)	19,233	16,695	16,969	16,558	16,218	16,046
— United Kingdom (£)	14,410	13,032	13,231	12,829	12,536	12,230
— Italy (Lit)	37 415	32 991	33 509	32 647	31 990	31 437
— Greece (Dr)	2 841,69	3 155,53	3 169,01	3 022,10	2 941,80	2 755,78
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 592,24	3 069,99	3 105,32	3 020,81	2 961,90	2 893,05
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	4 967,17	4 453,43	4 495,00	4 382,28	4 306,29	4 147,44

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

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	5,170	5,170	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	21,453	21,453	18,707	18,707	18,707
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	51,14	51,14	44,61	44,62	44,62
— Netherlands (Fl)	57,01	57,01	49,35	49,35	49,35
— BLEU (Bfrs/Lfrs)	1 035,90	1 035,90	903,30	903,30	903,30
— France (FF)	156,20	156,20	140,62	140,62	140,62
— Denmark (Dkr)	187,53	187,53	167,05	167,05	167,05
— Ireland (£ Irl)	17,372	17,372	15,650	15,650	15,650
— United Kingdom (£)	12,683	12,683	12,026	11,969	11,969
— Italy (Lit)	33 845	33 845	31 005	30 924	30 924
— Greece (Dr)	2 323,75	2 262,80	2 820,04	2 760,68	2 760,68
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 328,69	3 328,69	3 091,34	3 075,60	3 075,60
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 247,31	6 243,71	5 915,06	5 890,68	5 890,68
— in another Member State (Esc)	6 088,55	6 085,04	5 764,74	5 740,98	5 740,98
3. Compensatory aids:					
— in Spain (Pta)	3 282,42	3 282,42	3 045,47	3 029,73	3 029,73
4. Special aid:					
— in Portugal (Esc)	6 088,55	6 085,04	5 764,74	5 740,98	5 740,98

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

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

ANNEX IV

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

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,074490	2,070650	2,066870	2,063570	2,063570	2,054400
Fl	2,336420	2,332750	2,329090	2,325770	2,325770	2,316520
Bfrs/Lfrs	43,447000	43,427100	43,403900	43,384200	43,384200	43,297000
FF	7,034480	7,033920	7,033440	7,032850	7,032850	7,030400
Dkr	8,069900	8,069270	8,070960	8,072200	8,072200	8,086910
£ Irl	0,776105	0,775766	0,775937	0,775907	0,775907	0,776298
£	0,669517	0,672050	0,674747	0,677228	0,677228	0,684344
Lit	1 504,65	1 508,72	1 512,73	1 516,01	1 516,01	1 526,12
Dr	178,12800	181,88400	184,54900	187,22700	187,22700	194,23300
Esc	172,68800	173,68900	174,63900	175,68100	175,68100	178,78300
Pta	133,97000	134,58400	135,19800	135,82900	135,82900	137,59700

COMMISSION REGULATION (EEC) No 1741/89
of 19 June 1989
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2 (7) thereof,

Having regard to Council Regulation 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 521/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 1513/89 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 521/89 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 58, 1. 3. 1989, p. 39.

⁽⁵⁾ OJ No L 148, 1. 6. 1989, p. 44.

*ANNEX***Aid for soya beans***(ECU/100 kg)*

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	26,770	26,770
— Portugal	16,460	26,770 (*)	26,770
— another Member State	16,460	26,770	26,770

(*) Special aid.

COMMISSION REGULATION (EEC) No 1742/89

of 19 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 1703/89⁽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 20 June 1989.

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

Done at Brussels, 19 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 166, 16. 6. 1989, p. 28.

ANNEX

to the Commission Regulation of 19 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	23,63 ⁽¹⁾	
1701 11 90 910	25,66 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	23,63 ⁽¹⁾	
1701 12 90 910	25,66 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2569
1701 99 10 100	25,69	
1701 99 10 910	28,52	
1701 99 10 950	27,02	
1701 99 90 100		0,2569

⁽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 1743/89

of 19 June 1989

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

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

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

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

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No 1501/89 ⁽³⁾,
as amended by Regulation (EEC) No 1669/89 ⁽⁴⁾;

Whereas it follows from applying the rules, criteria and
other provisions contained in Regulation (EEC) No
1501/89 to the information at present available to the

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to amended Regulation (EEC) No 1501/89 are
hereby altered to the amounts shown in the Annex
hereto.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 148, 1. 6. 1989, p. 12.

⁽⁴⁾ OJ No L 163, 14. 6. 1989, p. 25.

ANNEX

to the Commission Regulation of 19 June 1989 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		25,69
1702 60 10 000		25,69
1702 60 90 000	0,2569	
1702 90 30 000		25,69
1702 90 60 000	0,2569	
1702 90 71 000	0,2569	
1702 90 90 900	0,2569	
2106 90 30 000		25,69
2106 90 59 000	0,2569	

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

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

COMMISSION REGULATION (EEC) No 1744/89

of 19 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 1691/89 ⁽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 164, 15. 6. 1989, p. 40.⁽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 16 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 20 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, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 19 June 1989 altering the import levies on products processed from cereals and rice

CN code	Import levies (ECU/tonne)		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1103 21 00	70,35	233,15	227,11
1104 19 10	70,35	233,15	227,11
1104 29 10*10 (*)	50,54	170,83	167,81
1104 29 30*10 (*)	60,19	204,89	201,87
1104 29 91	39,46	131,71	128,69
1104 30 10	32,84	100,67	94,63
1107 10 11	74,48	235,46	224,58
1107 10 19	58,40	178,69	167,81
1108 11 00	99,16	282,72	262,17
1109 00 00	324,26	658,02	476,68
2302 10 10	23,35	58,54	52,54
2302 10 90	43,19	118,58	112,58
2302 20 10	23,35	58,54	52,54
2302 20 90	43,19	118,58	112,58
2302 30 10	23,35	58,54	52,54
2302 30 90	43,19	118,58	112,58
2302 40 10	23,35	58,54	52,54
2302 40 90	43,19	118,58	112,58

(*) TARIC code: wheat.

COMMISSION REGULATION (EEC) No 1745/89
of 19 June 1989
fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar
were fixed by Commission Regulation (EEC) No
1466/89 ⁽³⁾, as last amended by Regulation (EEC) No
1723/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 168, 17. 6. 1989, p. 33.

ANNEX

to the Commission Regulation of 19 June 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	28,93 ⁽¹⁾
1701 11 90	28,93 ⁽¹⁾
1701 12 10	28,93 ⁽¹⁾
1701 12 90	28,93 ⁽¹⁾
1701 91 00	32,25
1701 99 10	32,25
1701 99 90	32,25 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 1746/89
of 19 June 1989

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

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1500/89 ⁽³⁾, as last amended by Regulation (EEC) No 1704/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 148, 1. 6. 1989, p. 10.

⁽⁴⁾ OJ No L 166, 16. 6. 1989, p. 30.

ANNEX

to the Commission Regulation of 19 June 1989 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3225	—
1702 20 90	0,3225	—
1702 30 10	—	45,84
1702 40 10	—	45,84
1702 60 10	—	45,84
1702 60 90	0,3225	—
1702 90 30	—	45,84
1702 90 60	0,3225	—
1702 90 71	0,3225	—
1702 90 90	0,3225	—
2106 90 30	—	45,84
2106 90 59	0,3225	—

COMMISSION REGULATION (EEC) No 1747/89
of 19 June 1989
abolishing the countervailing charge on aubergines originating in Spain (except
the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 1670/89 of 13 June 1989⁽³⁾ introduced a countervailing charge on aubergines originating in Spain (except the Canary Islands);

Whereas the present trend of prices for products originating in Spain (except the Canary Islands) on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the

reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

Whereas, pursuant to Article 136 (2) of the Act of Accession, 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;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1670/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 163, 14. 6. 1989, p. 27.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 1748/89

of 19 June 1989

amending Regulation (EEC) No 1564/89 introducing a countervailing charge on
apricots originating in Spain (except the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 1564/89 ⁽³⁾,
introduced a countervailing charge on apricots originating
in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72
laid down the conditions under which a charge intro-
duced in application of Article 25 of that Regulation is
amended; whereas if those conditions are taken into
consideration the countervailing charge on the import of
apricots originating in Spain (except the Canary Islands)
must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Acces-
sion of Spain and Portugal ⁽⁴⁾, 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 an 8 % reduction in
the countervailing charges applicable under Regulation
(EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1564/89 'ECU 42,27'
is hereby replaced by 'ECU 46,41'.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.
⁽³⁾ OJ No L 153, 6. 6. 1989, p. 18.

⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 1749/89**of 19 June 1989****amending Regulation (EEC) No 1574/89 introducing a countervailing charge on apples originating in Chile**

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

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

Having regard to 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 second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1574/89⁽³⁾, as amended by Regulation (EEC) No 1671/89⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in Chile must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1574/89 'ECU 5,77' is hereby replaced by 'ECU 9,15'.

Article 2

This Regulation shall enter into force on 20 June 1989.

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

Done at Brussels, 19 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 154, 7. 6. 1989, p. 15.

⁽⁴⁾ OJ No L 163, 14. 6. 1989, p. 29.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1556/89 of 5 June 1989 on the supply of various consignments of cereals as food aid

(Official Journal of the European Communities No L 153 of 6 June 1989)

On pages 6 to 8, Annexes I to III, point 6 'Product to be mobilized':

for: '1006 30 94 100 or 1006 30 96 100',

read: '1006 30 94 900 or 1006 30 96 900'.
