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Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 1750/89 of 19 June 1989 extending Regulation (EEC) No 3972/86 on food-aid policy and food-aid management 1
- ★ Council Regulation (EEC) No 1751/89 of 19 June 1989 extending Regulation (EEC) No 2507/88 on the implementation of storage programmes and early warning systems 2
- ★ Council Regulation (EEC) No 1752/89 of 19 June 1989 extending Regulation (EEC) No 2508/88 on the implementation of co-financing operations for the purchase of food products or seeds by international bodies or non-governmental organizations 3
- Commission Regulation (EEC) No 1753/89 of 20 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 4
- Commission Regulation (EEC) No 1754/89 of 20 June 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 6
- Commission Regulation (EEC) No 1755/89 of 20 June 1989 fixing the sluice-gate prices and levies on pigmeat and repealing Regulation (EEC) No 960/89 8
- Commission Regulation (EEC) No 1756/89 of 20 June 1989 fixing the aid for cotton 13
- ★ Commission Regulation (EEC) No 1757/89 of 19 June 1989 concerning the stopping of fishing for sand-eel by vessels flying the flag of a Member State 14
- ★ Commission Regulation (EEC) No 1758/89 of 20 June 1989 re-establishing the levying of customs duties on hexachlorocyclohexane, falling within CN code 2903 51 00, and cysteine, falling within CN code 2930 90 10, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply 15

Contents (continued)

* Commission Regulation (EEC) No 1759/89 of 20 June 1989 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia	16
* Commission Regulation (EEC) No 1760/89 of 20 June 1989 amending Annex II to Council Regulation (EEC) No 4134/86 concerning certain textile products originating in Taiwan	18
* Commission Regulation (EEC) No 1761/89 of 20 June 1989 exempting certain Member States from the obligation to buy in certain fruit and vegetables	22
* Commission Regulation (EEC) No 1762/89 of 20 June 1989 on statistical information relating to the payment of export refunds on certain agricultural products exported in the form of goods covered by Council Regulation (EEC) No 3035/80	23
* Commission Regulation (EEC) No 1763/89 of 20 June 1989 amending Regulation (EEC) No 548/86 as regards the payment of accession compensatory amounts	26
* Commission Regulation (EEC) No 1764/89 of 20 June 1989 fixing for the 1989/90 marketing year the reference prices for pears	27
Commission Regulation (EEC) No 1765/89 of 20 June 1989 amending Regulation (EEC) No 1689/89 introducing a countervailing charge on peaches, including nectarines, originating in Spain (except the Canary Islands)	29
Commission Regulation (EEC) No 1766/89 of 20 June 1989 altering the import levies on products processed from cereals and rice	30
Commission Regulation (EEC) No 1767/89 of 20 June 1989 on the issue of import licences for fresh sour cherries originating in Yugoslavia	32

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1750/89
of 19 June 1989
extending Regulation (EEC) No 3972/86 on food-aid policy and food-aid
management

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

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

Article 1

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

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

Whereas Regulation (EEC) No 3972/86 ⁽¹⁾, as extended by Regulation (EEC) No 1870/88 ⁽³⁾, is applicable until 30 June 1989 ; whereas it should again be extended for one year ;

In the second subparagraph of Article 13 of Regulation (EEC) No 3972/86, the date of 30 June 1989 shall be replaced by that of 30 June 1990.

Article 2

Whereas the Treaty does not provide, for the action concerned, powers other than those of Article 235,

This Regulation shall enter into force on 1 July 1989.

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

Done at Luxembourg, 19 June 1989.

For the Council

The President

C. SOLCHAGA CATALAN

⁽¹⁾ OJ No C 309, 19. 11. 1987, p. 9.

⁽²⁾ OJ No C 345, 21. 12. 1987, p. 210.

⁽³⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽⁴⁾ OJ No L 168, 1. 7. 1988, p. 7.

COUNCIL REGULATION (EEC) No 1751/89**of 19 June 1989****extending Regulation (EEC) No 2507/88 on the implementation of storage programmes and early warning systems**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas Regulation (EEC) No 2507/88 ⁽³⁾ is applicable until 30 June 1989; whereas it should be extended for one year;

Whereas the Treaty does not provide, for the action concerned, powers other than those of Article 235,

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 13 of Regulation (EEC) No 2507/88, the date of 30 June 1989 shall be replaced by that of 30 June 1990.

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Luxembourg, 19 June 1989.

*For the Council**The President*

C. SOLCHAGA CATALAN

⁽¹⁾ OJ No C 91, 8. 4. 1988, p. 8.

⁽²⁾ OJ No C 235, 12. 9. 1988, p. 166.

⁽³⁾ OJ No L 220, 11. 8. 1988, p. 1.

COUNCIL REGULATION (EEC) No 1752/89
of 19 June 1989

**extending Regulation (EEC) No 2508/88 on the implementation of co-financing
operations for the purchase food products or seeds by international bodies or
non-governmental organizations**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas Regulation (EEC) No 2508/88 ⁽¹⁾ is applicable until 30 June 1989; whereas it should be extended for one year;

Whereas the Treaty does not provide, for the action concerned, powers other than those of Article 235,

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 9 of Regulation (EEC) No 2508/88, the date of 30 June 1989 shall be replaced by that of 30 June 1990.

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Luxembourg, 19 June 1989.

For the Council

The President

C. SOLCHAGA CATALAN

⁽¹⁾ OJ No C 109, 26. 4. 1988, p. 6.

⁽²⁾ OJ No C 235, 12. 9. 1988, p. 166.

⁽³⁾ OJ No L 220, 11. 8. 1988, p. 4.

COMMISSION REGULATION (EEC) No 1753/89

of 20 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 19 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 21 June 1989.

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

Done at Brussels, 20 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

ANNEX

to the Commission Regulation of 20 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	191,05 ⁽¹⁾ ⁽²⁾
1001 10 90	60,64	191,05 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	125,26
1001 90 99	35,73	125,26
1002 00 00	63,32	127,07 ⁽³⁾
1003 00 10	53,90	124,50
1003 00 90	53,90	124,50
1004 00 10	44,96	96,72
1004 00 90	44,96	96,72
1005 10 90	36,26	126,68 ⁽²⁾ ⁽³⁾
1005 90 00	36,26	126,68 ⁽²⁾ ⁽³⁾
1007 00 90	54,40	134,78 ⁽⁴⁾
1008 10 00	53,90	13,44
1008 20 00	53,90	11,48 ⁽⁴⁾
1008 30 00	53,90	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	53,90	0,00
1101 00 00	65,71	190,06
1102 10 00	103,35	192,60
1103 11 10	107,63	309,76
1103 11 90	69,15	203,45

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 1754/89

of 20 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 19 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 21 June 1989.

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

Done at Brussels, 20 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 20 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	1,67
0712 90 19	0	0	0	1,67
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	1,67
1005 90 00	0	0	0	1,67
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 1755/89**of 20 June 1989****fixing the sluice-gate prices and levies on pigmeat and repealing Regulation (EEC) No 960/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75;

Whereas Regulation (EEC) No 2759/75 was amended, with effect on 1 July 1989, by Regulation (EEC) No 1249/89 as regards the quarterly fixing of the sluice-gate prices and levies so that henceforward such fixing is to take place according to quarters of the calendar year, namely on 1 January, 1 April, 1 July and 1 October;

Whereas, as the levies and sluice-gate prices were fixed latterly in Commission Regulation (EEC) No 960/89 of 13 April 1989⁽³⁾, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1989 and Regulation (EEC) No 960/89, which fixes the amounts for the period 1 May to 31 July 1989, must be repealed;

Whereas the levy on pig carcasses is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain determined in accordance with Article 1 of Regulation (EEC) No 2764/75 of the Council of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcasses⁽⁴⁾, as last amended by Regulation (EEC) No 4160/87⁽⁵⁾, the composition whereof is indicated therein;

Whereas the value within the Community of that quantity of feed grain must be determined in accordance with

Article 2 of Regulation (EEC) No 2764/75; whereas the value for the same quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas Article 3 of that Regulation provides that the price of each cereal on the world market is to be equal to the average of the cif prices of that cereal; whereas the cif prices are recorded for the five-month period ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1989;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year; whereas, however, in this year of changeover in quarterly periods, the sluice-gate prices applicable for the four quarters to 1 May 1989 are to be maintained as they were fixed quarterly for the purposes of calculating the second component of the levy;

Whereas the levies on the products specified in Article 1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other than pig carcasses must be derived from the levy on pig carcasses on the basis of the coefficients fixed for such products pursuant to Article 10 (4) of Regulation (EEC) No 2759/75 in Annex I to Commission Regulation (EEC) No 3944/87 of 21 December 1987 fixing coefficients for calculating levies on pigmeat products⁽⁶⁾;

Whereas the levies on the products specified in Article 1 (1) (c) of Regulation (EEC) No 2759/75 are made up of two components;

Whereas the first component must be derived from the levy on pig carcasses on the basis of the coefficients fixed in Annex II to Regulation (EEC) No 3944/87;

Whereas the second component must be equal to 7 %, and for products falling within CN code ex 1602 to 10 % of the average offer prices for imports during the 12 months to 1 April; whereas those averages should be determined bearing in mind all the information available on imports into the Community from third countries, taking into account the representative character of prices;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 102, 14. 4. 1989, p. 31.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 21.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 46.

⁽⁶⁾ OJ No L 373, 31. 12. 1987, p. 25.

Whereas, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10 in respect of which the rate of duty has been bound under the General Agreement on Tariffs and Trade (GATT), the levies must not exceed the amount resulting from that binding;

Whereas, for pig carcasses and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate price for pig carcasses⁽¹⁾, as last amended by Council Regulation (EEC) No 3909/87⁽²⁾, the sluice-gate prices must be fixed in advance for each quarter; whereas as sluice-gate prices were last fixed by Regulation (EEC) No 960/89 for the period 1 May to 31 July 1989, bearing in mind the new definition of quarters introduced by Regulation (EEC) No 1249/89, the sluice-gate price must be fixed anew for the period 1 July to 30 September 1989;

Whereas the sluice-gate price for pig carcasses is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 January to 31 May 1989;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accordance with Article 3 (2) of Regulation (EEC) No 2766/75, be 38,69 ECU per 100 kilograms of pig carcasses:

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcasses, must be derived from the sluice-gate price for pig carcasses on the basis of the coefficients laid down by Regulation (EEC) No 3944/87;

Whereas, Commission Regulation (EEC) No 616/86 of 28 February 1986 on the application of import levies on pigmeat products from Portugal⁽³⁾ suspended the application of import levies on pigmeat products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other hand; whereas the situation still pertains;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 30 September 1989 the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof and the sluice-gate prices provided for in Article 12 of Regulation (EEC) No 2759/75 for the products referred to in Article 1 of Regulation (EEC) No 2766/75 shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

3. For imports from Portugal of products specified in paragraph 1 and in free circulation in that Member State, application of the levies specified in the Annex shall be suspended.

Article 2

Regulation (EEC) No 960/89 is repealed.

Article 3

This Regulation shall enter into force on 1 July 1989.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 45.

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

Done at Brussels, 20 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 June 1989 fixing the sluice-gate prices and levies on pigmeat

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
0103 91 10	91,36	39,47	—
0103 92 11	77,70	33,57	—
0103 92 19	91,36	39,47	—
0203 11 10	118,81	51,32	—
0203 12 11	172,27	74,42	—
0203 12 19	133,07	57,48	—
0203 19 11	133,07	57,48	—
0203 19 13	192,47	83,15	—
0203 19 15	103,36	44,65	—
0203 19 55	192,47	83,15	—
0203 19 59	192,47	83,15	—
0203 21 10	118,81	51,32	—
0203 22 11	172,27	74,42	—
0203 22 19	133,07	57,48	—
0203 29 11	133,07	57,48	—
0203 29 13	192,47	83,15	—
0203 29 15	103,36	44,65	—
0203 29 55	192,47	83,15	—
0203 29 59	192,47	83,15	—
0206 30 21	143,76	62,10	7
0206 30 31	104,55	45,17	4
0206 41 91	143,76	62,10	7
0206 49 91	104,55	45,17	4
0209 00 11	47,52	20,53	—
0209 00 19	52,28	22,58	—
0209 00 30	28,51	12,32	—
0210 11 11	172,27	74,42	—
0210 11 19	133,07	57,48	—
0210 11 31	335,04	144,73	—
0210 11 39	263,76	113,94	—
0210 12 11	103,36	44,65	—
0210 12 19	172,27	74,42	—
0210 19 10	152,08	65,69	—
0210 19 20	166,33	71,85	—
0210 19 30	133,07	57,48	—
0210 19 40	192,47	83,15	—
0210 19 51	192,47	83,15	—
0210 19 59	192,47	83,15	—
0210 19 60	263,76	113,94	—
0210 19 70	331,48	143,19	—
0210 19 81	335,04	144,73	—
0210 19 89	335,04	144,73	—
0210 90 31	143,76	62,10	—
0210 90 39	104,55	45,17	—
1501 00 11	38,02	16,42	3
1501 00 19	38,02	16,42	—
1601 00 10	166,33	89,09	24
1601 00 91	279,20	153,00	—

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
1601 00 99	190,10	101,29	—
1602 10 00	133,07	78,27	26
1602 20 90	154,45	87,99	25
1602 41 10	291,08	161,81	—
1602 42 10	243,56	131,10	—
1602 49 11	291,08	168,19	—
1602 49 13	243,56	137,90	—
1602 49 15	243,56	135,54	—
1602 49 19	160,39	85,57	—
1602 49 30	133,07	76,80	—
1602 49 50	79,60	55,48	—
1602 90 10	154,45	87,99	26
1602 90 51	160,39	85,57	—
1902 20 30	79,60	60,28	—

NB: The CN codes and the footnotes are defined in Commission Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1) as amended.

COMMISSION REGULATION (EEC) No 1756/89**of 20 June 1989****fixing the aid for cotton**

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1353/89⁽⁴⁾, as last amended by Regulation (EEC) No 1682/89⁽⁵⁾;

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

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 year, has not, to date, been fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of 24,005 ECU per 100 kilograms;

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 36,352 ECU per 100 kilograms.

2. However, the amounts of the aid will be confirmed or replaced with effect from 21. June 1989 to take account for the 1989/90 marketing year, as the case may be, which appear to have been offered in the largest quantities.

Article 2

This Regulation shall enter into force on 21 June 1989.

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

Done at Brussels, 20 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 135, 19. 5. 1989, p. 13.

⁽⁵⁾ OJ No L 164, 15. 6. 1989, p. 18.

COMMISSION REGULATION (EEC) No 1757/89

of 19 June 1989

concerning the stopping of fishing for sand-eel by vessels flying the flag of a Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4196/88 of 21 December 1988 allocating, for 1989, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen⁽³⁾, provides for sand-eel quotas for 1989;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of sand-eel in the waters of

ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of a Member State or registered in a Member State have reached the quota allocated for 1989,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of sand-eel in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1989.

Fishing for sand-eel in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the above mentioned vessels after the date of entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the following day 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

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 369, 31. 12. 1988, p. 45.

COMMISSION REGULATION (EEC) No 1758/89
of 20 June 1989

re-establishing the levying of customs duties on hexachlorocyclohexane, falling within CN code 2903 51 00, and cysteine, falling within CN code 2930 90 10, 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 Articles 1 and 12 of Regulation (EEC) No 4257/88, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceiling fixed in column 7 of Annex I;

Whereas, as provided for in Article 13 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of hexachlorocyclohexane, falling within CN code 2903 51 00, and cysteine, falling within CN code 2930 90 10, the individual ceiling was fixed at ECU 340 000 and ECU 1 000 000 respectively; whereas, on 2 June 1989, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 June 1989, the levying of customs duties, suspended pursuant to Regulation (EEC) No 4257/88, shall be re-established on imports into the Community of the following products originating in China:

Order No	CN code	Description
10.0117	2903 51 00	1,2,3,4,5,6-Hexachlorocyclohexane
10.0290	2930 90 10	Cysteine, cystine and their derivatives

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, 20 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. 1759/89
of 20 June 1989

**re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia**

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

Having regard to the Cooperation Agreement between the
European Economic Community and the Socialist Federal
Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1
thereto,

Having regard to Council Regulation (EEC) No 4234/88
of 19 December 1988 establishing ceilings and
Community surveillance for imports of certain products
originating in Yugoslavia (1989)⁽²⁾, and in particular
Article 1 thereof,

Whereas the abovementioned Protocol 1 and Article 15 of
the Cooperation Agreement provide that the products
listed in Article 1 hereto are imported exempt of customs
duty into the Community, subject to the annual ceiling
shown, above which the customs duties applicable to
third countries may be re-established;

Whereas imports into the Community of those products,
originating in Yugoslavia, have reached those ceilings;

whereas the situation on the Community market requires
that customs duties applicable to third countries on the
products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 24 June to 31 December 1989, the levying of
customs duties applicable to third countries shall be
re-established on imports into the Community of the
products listed in the Annex hereto originating in
Yugoslavia.

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, 20 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 372, 31. 12. 1988, p. 15.

ANNEX

Order No	CN code	Description of goods	Ceiling (tonnes)
01.0010	3102 ⁽¹⁾ 3102 10 10	Mineral or chemical fertilizers, nitrogenous : — — Urea containing more than 45 % by weight of nitrogen on the dry anhydrous product	3 712
01.0030	3105 ⁽¹⁾	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium ; other fertilizers ; goods of this chapter in tablers or similar forms or in packages of a gross weight not exceeding 10 kg	51 780
01.0140	7004 7004 10 7004 10 30 7004 10 50 7004 10 90 7004 90 7004 90 50 7004 90 70 7004 90 91 7004 90 93 7004 90 95 7004 90 99	Drawn glass and blown glass, in sheets, whether or not having an absorbent or reflecting layer, but not otherwise worked : — Glass, coloured throughout the mass (body tinted), opacified, flashed or having an absorbent or reflecting layer : — — Antique glass — — Horticultural sheet glass — — Other — Other glass : — — Antique glass — — Horticultural sheet glass — — Other, of a thickness : — — — Not exceeding 2,5 mm — — — Exceeding 2,5 mm but not exceeding 3,5 mm — — — Exceeding 3,5 mm but not exceeding 4,5 mm — — — Exceeding 4,5 mm	7 141
01.0190	7604 7605	Aluminium bars, rods and profiles, excluding CN code 7604 21 00 Aluminium wire :	1 875

⁽¹⁾ Yugoslavia may not export to Italy quantities larger than those consolidated in the GATT.

COMMISSION REGULATION (EEC) No 1760/89

of 20 June 1989

amending Annex II to Council Regulation (EEC) No 4134/86 concerning certain textile products originating in Taiwan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4134/86 of 22 December 1986 on the arrangements for imports of certain textile products originating in Taiwan ⁽¹⁾, as last amended by Regulation (EEC) No 3311/88 ⁽²⁾, and in particular Article 2 (9) thereof,

Whereas Article 2 (9) of Regulation (EEC) No 4134/86 provides that the quantitative limits laid down in Annex II may be adjusted in accordance with the procedure laid down in Article 11 to take account of the entry into force of the combined nomenclature ;

Whereas it is therefore necessary to amend Annex II to Regulation (EEC) No 4134/86 ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the committee set up by Council Regulation (EEC) No 1023/70 ⁽³⁾,

HAS ADOPTED THIS REGULATION :

Article 1

Annex II to Regulation (EEC) No 4134/86 is hereby amended in accordance with the Annex hereto.

*Article 2*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1989.

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

Done at Brussels, 20 June 1989.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 386, 31. 12. 1986, p. 1.⁽²⁾ OJ No L 293, 27. 10. 1988, p. 58.⁽³⁾ OJ No L 124, 8. 6. 1970, p. 1.

ANNEX

GROUP I B

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 1 January to 31 December		
						1989	1990	1991
4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pull-overs (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	Taiwan	1 000 pieces	D	3 990	4 006	4 031
	6105 20 10				F	1 300	1 328	1 351
	6105 20 90				I	492	522	551
	6105 90 10				BNL	2 214	2 233	2 249
	6109 10 00				UK	1 908	1 937	1 965
	6109 90 10				IRL	44	47	49
	6109 90 30				DK	113	118	122
	6110 20 10				GR	23	26	29
	6110 30 10				E	37	39	47
					P	11	13	15
					EEC	10 132	10 269	10 419
5	6101 10 90	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers, anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Taiwan	1 000 pieces	D	5 543	5 563	5 584
	6101 20 90				F	689	728	766
	6101 30 90				I	884	910	935
	6102 10 90				BNL	5 369	5 374	5 380
	6102 20 90				UK	8 156	8 174	8 190
	6102 30 90				IRL	41	42	44
	6110 10 10				DK	183	187	190
	6110 10 31				GR	16	18	20
	6110 10 39				E	31	39	49
	6110 10 91				P	10	12	14
	6110 10 99				EEC	20 922	21 047	21 172
	6110 20 91							
	6110 20 99							
	6110 30 91							
	6110 30 99							
7	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	Taiwan	1 000 pieces	D	2 071	2 078	2 083
	6106 20 00				F	114	119	126
	6106 90 10				I	116	122	127
	6206 20 00				BNL	624	626	629
	6206 30 00				UK	322	325	328
	6206 40 00				IRL	4	4	4
					DK	21	22	23
					GR	6	6	6
					E	17	19	21
					P	4	4	4
					EEC	3 299	3 325	3 351

GROUP II B

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 1 January to 31 December		
						1989	1990	1991
78	6203 41 30	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77	Taiwan	tonnes	D	1 922	1 922	1 925
	6203 42 59				F	370	399	428
	6203 43 39				I	269	290	311
	6203 49 39				BNL	589	595	600
					UK	462	498	534
	6204 61 80				IRL	30	31	32
	6204 61 90				DK	58	63	68
	6204 62 59				GR	18	20	22
	6204 62 90				E	33	43	56
	6204 63 39				P	5	7	9
	6204 63 90							
	6204 69 39				EEC	3 756	3 868	3 985
	6204 69 50							
	6210 40 00							
	6210 50 00							
	6211 31 00							
	6211 32 90							
	6211 33 90							
	6211 41 00							
	6211 42 90							
	6211 43 90							

GROUP III B

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 1 January to 31 December		
						1989	1990	1991
10	6111 10 10	Gloves, mittens and mitts, knitted or crocheted	Taiwan	1 000 pairs	D	4 565	4 671	4 775
	6111 20 10				F	2 159	2 288	2 423
	6111 30 10				I	1 528	1 658	1 798
	ex 6111 90 00				BNL	3 767	3 786	3 805
					UK	3 096	3 260	3 428
	6116 10 10				IRL	119	124	129
	6116 10 90				DK	270	293	317
	6116 91 00				GR	73	79	86
	6116 92 00				E	885	958	1 037
	6116 93 00				P	73	79	86
	6116 99 00							
					EEC	16 535	17 196	17 884
67	5807 90 90	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (including drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling-rugs, other knitted or crocheted articles including parts of garments or of clothing accessories	Taiwan	tonnes	D	303	311	320
					F	141	154	167
	6113 00 10				I	74	85	97
	6117 10 00				BNL	142	145	147
	6117 20 00				UK	215	223	233
	6117 80 10				IRL	8	8	8
	6117 80 90				DK	15	17	19
	6117 90 00				GR	11	12	13
					E	19	24	28
					P	6	7	8
	6301 20 10							
	6301 30 10							
	6301 40 10							
	6301 90 10							
	6302 10 10							
	6302 10 90							
	6302 40 00							
	6303 11 00							
	6303 12 00							
	6303 19 00							
	6304 11 00							
	6304 91 00							
	ex 6305 20 00							
	6305 31 10							
	ex 6305 39 00							
	ex 6305 90 00							
	6307 10 10							
	6307 90 10							
					EEC	934	986	1 040

COMMISSION REGULATION (EEC) No 1761/89

of 20 June 1989

exempting certain Member States from the obligation to buy in certain fruit and vegetables

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 19a (4) thereof,Whereas Commission Regulation (EEC) No 1852/85 of 2 July 1985 laying down detailed rules of application with a view to exempt Member States from the obligation to buy in certain types of fruit and vegetables ⁽³⁾ specified what information the Member States were to provide to the Commission with a view to their being exempted if they so requested, as provided for in Article 19a (4) of Regulation (EEC) No 1035/72, from intervention purchasing;

Whereas this information must concern either the proportion of each of the products indicated in Article 19a of Regulation (EEC) No 1035/72 marketed through recognized producer organizations or the proportion harvested in the Member State concerned during the last three marketing years;

Whereas the Member States have supplied this information; whereas the conditions for exemption laid down in Regulation (EEC) No 1852/85 are met by certain Member

States for certain products for the 1989/90 marketing year; whereas those Member States which have so applied should therefore be exempted from the obligation to make intervention purchases,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States are hereby exempted from the obligations to make intervention purchases, as provided for in Article 19a of Regulation (EEC) No 1035/72, of pears from 1 July to 31 August 1989, and peaches, apricots, tomatoes and aubergines during the 1989/90 marketing year:

Belgium
Denmark
Germany
Ireland
Luxembourg
Netherlands
United Kingdom

This exemption shall apply in respect of Greece only to the pears during the period referred to above.

*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, 20 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 174, 4. 7. 1985, p. 24.

COMMISSION REGULATION (EEC) No 1762/89

of 20 June 1989

on statistical information relating to the payment of export refunds on certain agricultural products exported in the form of goods covered by Council Regulation (EEC) No 3035/80

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⁾,

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals ⁽³⁾, as last amended by Regulation (EEC) No 1213/89 ⁽⁴⁾,

Having regard to Regulation (EEC) No 2771/75 of the Council of 29 October 1975 on the common organization of the market in eggs ⁽⁵⁾, as last amended by Regulation (EEC) No 1235/89 ⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽⁷⁾, as last amended by Regulation (EEC) No 1219/89 ⁽⁸⁾,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector ⁽⁹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽¹⁰⁾,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 and the corresponding provisions of the other Regulations on the common organization of markets referred to in the citations of this Regulation provide for the granting of export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty;

Whereas Council Regulation (EEC) No 3035/80 ⁽¹¹⁾, as last amended by Regulation (EEC) No 3209/88 ⁽¹²⁾, lays down, for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, general rules for the granting of export refunds and the criteria for fixing their amount;

Whereas Article 28 of Regulation (EEC) No 804/68 provides that the Member States and the Commission are to communicate to each other the information necessary for the implementation of that Regulation and that rules for the communication and distribution of such information are to be adopted in accordance with the procedure laid down in Article 30 of the Regulation; whereas identical measures are laid down in the corresponding provisions of the other Regulations on the common organization of markets referred to in the citations of this Regulation;

Whereas it is essential for the Commission, in order to be able to monitor satisfactorily measures adopted concerning export refunds granted on agricultural products exported in the form of goods not covered by Annex II to the Treaty, to have at its disposal certain statistical information; whereas such information should therefore be transmitted to it by the competent authorities of the Member States;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The competent authorities of the Member States shall, at the latest by the end of month, after each quarter of the calendar year, communicate the necessary statistical information to the Commission at the following address:

Commission of the European Communities,
Division III/B/2,
200 rue de la Loi,
B-1049 Brussels.

Article 2

1. For the purposes of this Regulation 'groups of products' shall mean the groups listed in column (1) of the Annex.

For the purposes of paragraph 2, 'refunds granted' shall mean refunds which have been granted in the manner referred to in Chapter 2 or 3 of Title 2 or in Article 47 of Commission Regulation (EEC) No 3665/87 ⁽¹³⁾.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽⁶⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽⁹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽¹⁰⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽¹¹⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽¹²⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽¹³⁾ OJ No L 351, 14. 12. 1987, p. 1.

2. The necessary statistical information referred to in Article 1 shall comprise :

- the amount of the refunds granted the previous quarter on exports of goods covered by Regulation (EEC) No 3035/80, and the volume of such exports in tonnes or other units of measure, indicating the unit, broken down by group of products,
- within each of the groups of products referred to in the first indent, the amount of the refunds granted the previous quarter for each of the basic agricultural

products referred to in Annex A to Regulation (EEC) No 3035/80, and the quantities thereof on which that amount was granted.

Article 3

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

It shall apply to refunds granted from 1 January 1990 onwards.

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

Done at Brussels, 20 June 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

Group of products No	Relevant HS/CN Headings	Group of products No	Relevant HS/CN Headings
(1)	(2)	(1)	(2)
1	0403 10 51 to 99	26	1905 90
2	0710 40 0711 90 30 2001 90 30 2004 90 10 2005 80 2008 99 85	27	2001 90 40 2004 10 91 2005 20 10 2008 11 10 2008 91 2008 99 91
3	1302 31 1302 32 1302 39	28	2101
4	1517 10 10 1517 90 10	29	2102
5	1518 00 10	30	2103
6	1520 90 00	31	2104
7	1702 50 00	32	2105
8	1702 90 10	33	2106 10
9	1704 10	34	2106 90 10 2106 90 91 to 99
10	1704 90 30	35	2202 10
11	1704 90 51 to 99	36	2202 90 10
12	1806	37	2202 90 91 to 99
13	1901 10	38	2203
14	1901 20	39	2205
15	1901 90 11 1901 90 19	40	2208 20 2208 30 91 and 99 ⁽¹⁾ 2208 50 2208 90 31 to 79
16	1901 90 90	41	2520 20
17	1902 11 1902 19	42	2839 90
18	1902 20 1902 30	43	ex 29
19	1902 40	44	ex 30
20	1903	45	ex 35
21	1904	46	ex 38
22	1905 10	47	ex 39
23	1905 20	48	ex 48
24	1905 30	49	3307 49 3307 90 ex 34
25	1905 40		

⁽¹⁾ Whiskies, other than those referred to in Council Regulation (EEC) No 1188/81.

COMMISSION REGULATION (EEC) No 1763/89

of 20 June 1989

amending Regulation (EEC) No 548/86 as regards the payment of accession compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals on account of the accession of Spain⁽¹⁾, and in particular Article 8 thereof, and to the corresponding provisions of the other Regulations laying down general rules for the system of accession compensatory amounts applicable to agricultural products,

Whereas Article 9 (2) of Commission Regulation (EEC) No 548/86 of 27 February 1986 laying down detailed rules for the application of accession compensatory amounts⁽²⁾, as last amended by Regulation (EEC) No 3494/88⁽³⁾, provides that, except in case of *force majeure*, no claim for payment will be entertained unless the relevant documents are submitted within 12 months following the date on which the customs authorities accepted the export declaration; whereas it seems justified to make this provision more flexible by aligning it with provisions governing the payment of refunds contained in Article 48 of Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁴⁾, as last amended by Regulation (EEC) No 3983/88⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

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

Done at Brussels, 20 June 1989.

Article 1

Article 9 (2) of Regulation (EEC) No 548/86 is hereby replaced by the following:

'2. Except in cases of *force majeure*, the claim for payment of accession compensatory amounts or for the release of the security shall be lodged within 12 months following the date of acceptance of the export declaration.

Where proof that all the requirements laid down by the Community rules have been complied with is produced within six months of expiry of the period referred to in the first subparagraph, the accession compensatory amount shall be 85 % of the amount which would have been paid if all the requirements had been complied with.

Where the accession compensatory amount has been advanced in accordance with Article 8 (1) and proof that all the requirements laid down by Community rules have been complied with is produced within six months of expiry of the period referred to in the first subparagraph, the amount to be reimbursed shall be 85 % of the amount of the security.'

Article 2

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

It shall apply also, on request of the interested parties, to transactions carried out since 1 March 1986.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 55, 1. 3. 1986, p. 52.

⁽³⁾ OJ No L 306, 11. 11. 1988, p. 24.

⁽⁴⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 354, 22. 12. 1988, p. 22.

COMMISSION REGULATION (EEC) No 1764/89

of 20 June 1989

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

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 Article 27 (1) thereof,

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

Whereas pears are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas pears harvested during a given crop year are marketed from June of one year to May of the following year; whereas the quantities marketed in June and May of the following year are so small that there is no need to fix reference prices; whereas the reference prices should therefore be fixed for the period 1 July up to and including 30 April of the following year;

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

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying the 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 are to 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 pears (CN codes 0808 20 31, 33, 35 and 39) expressed in ECU per 100 kilograms net of packed products of class 1, of all sizes, shall be as follows;

July:	46,78
August:	39,72
September:	39,42
October:	42,59
November:	45,65
December:	48,97
January to April inclusive:	51,01.

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, 20 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1765/89

of 20 June 1989

amending Regulation (EEC) No 1689/89 introducing a countervailing charge on peaches, including nectarines, originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 1689/89 ⁽³⁾ introduced a countervailing charge on peaches, including nectarines, 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 introduced 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 peaches, including nectarines, originating in Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Accession ⁽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 1689/89 'ECU 30,76' is hereby replaced by 'ECU 10,91'.

Article 2

This Regulation shall enter into force on 21 June 1989.

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

Done at Brussels, 20 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 164, 15. 6. 1989, p. 36.⁽⁴⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 1766/89

of 20 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 1744/89 ⁽⁸⁾;Whereas Council Regulation (EEC) No 1906/87 ⁽⁹⁾ amended Council Regulation (EEC) No 2744/75 ⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

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

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

Whereas these exchange rates being those recorded on 19 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 21 June 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁷⁾ OJ No L 144, 27. 5. 1989, p. 13.⁽⁸⁾ OJ No L 171, 20. 6. 1989, p. 46.⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 20 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 June 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 ⁽¹⁾	56,92	127,08	122,25
0714 10 91	53,90	124,06	122,25
0714 10 99	56,92	127,08	122,25
0714 90 11	53,90	124,06	122,25 ⁽²⁾
0714 90 19	56,92	127,08	122,25 ⁽²⁾
1102 90 10	103,06	229,35	223,31
1102 90 30	86,97	182,31	176,27
1103 12 00	86,97	182,31	176,27
1103 19 30	103,06	229,35	223,31
1103 29 20	103,06	229,35	223,31
1103 29 30	86,97	182,31	176,27
1104 11 10	58,00	129,56	126,54
1104 11 90	113,84	254,16	248,12
1104 12 10	48,88	102,91	99,89
1104 12 90	95,96	201,90	195,86
1104 21 10	89,26	201,52	198,50
1104 21 30	89,26	201,52	198,50
1104 21 50	140,79	316,19	310,15
1104 21 90	58,00	129,56	126,54
1104 22 10	83,95	179,29	176,27
1104 22 30	83,95	179,29	176,27
1104 22 50	74,96	159,71	156,69
1104 22 90	48,88	102,91	99,89
1106 20 10	56,92	127,08	120,43 ⁽²⁾
1107 10 91	106,82	231,71 ⁽²⁾	220,83
1107 10 99	82,57	175,88	165,00
1107 20 00	94,43	203,17 ⁽²⁾	192,29

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

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

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

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

**COMMISSION REGULATION (EEC) No 1767/89
of 20 June 1989**

on the issue of import licences for fresh sour cherries originating in Yugoslavia

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

Having regard to Council Regulation (EEC) No 1200/88 of 28 April 1988 establishing a surveillance mechanism for imports of sour cherries, fresh, originating in Yugoslavia ⁽¹⁾,

Whereas Yugoslavia has undertaken to limit its exports of that product to the Community to an annual quantity of 3 000 tonnes; whereas Regulation (EEC) No 1200/88 provides that the Commission is to suspend the issuing of import licences once imports reach the abovementioned quantity;

Whereas Commission Regulation (EEC) No 1385/88 ⁽²⁾ lays down special detailed rules for the application of the system of import licences for fresh cherries originating in Yugoslavia;

Whereas at present the quantities covered by applications for import licences for fresh cherries originating in

Yugoslavia reach 3 000 tonnes, even taking account of quantities made available by licences which are not used or are partly used; whereas the issuing of licences should be suspended until 31 December 1989.

HAS ADOPTED THIS REGULATION:

Article 1

For imports of fresh sour cherries falling within CN codes ex 0809 20 10 and ex 0809 20 90 originating in Yugoslavia, the issuing of import licences requested after 13 June 1989 is suspended until 31 December 1989.

Article 2

This Regulation shall enter into force on 21 June 1989.

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

Done at Brussels, 20 June 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 115, 3. 5. 1988, p. 7.

⁽²⁾ OJ No L 128, 21. 5. 1988, p. 19.