

Official Journal

of the European Communities

ISSN 0378-6978

L 180

Volume 32

27 June 1989

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1834/89 of 19 June 1989 amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals** 1
- ★ **Council Regulation (EEC) No 1835/89 of 19 June 1989 setting general rules on the production aid for high-quality flint maize** 3
- ★ **Council Regulation (EEC) No 1836/89 of 19 June 1989 fixing the production aid for sowings in the 1989/90 marketing year of certain varieties of high-quality flint maize** 5
- Commission Regulation (EEC) No 1837/89 of 26 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal 6
- Commission Regulation (EEC) No 1838/89 of 26 June 1989 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- Commission Regulation (EEC) No 1839/89 of 26 June 1989 fixing the sluice-gate prices and levies for eggs and repealing Regulation (EEC) No 940/89 10
- Commission Regulation (EEC) No 1840/89 of 26 June 1989 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin and repealing Regulation (EEC) No 941/89 13
- Commission Regulation (EEC) No 1841/89 of 26 June 1989 fixing the sluice-gate prices and levies for poultrymeat and repealing Regulation (EEC) No 942/89 15
- Commission Regulation (EEC) No 1842/89 of 26 June 1989 fixing the import levies on frozen sheepmeat and goatmeat 20
- ★ **Commission Regulation (EEC) No 1843/89 of 26 June 1989 amending Regulation (EEC) No 2290/83 laying down provisions for the implementation of Articles 50 to 59, 63a and 63b of Council Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty** 22

* Commission Regulation (EEC) No 1844/89 of 26 June 1989 fixing for the 1989/90 marketing year the components intended to ensure protection of the processing industry in the cereals and rice sector in trade between Spain and the Community of Ten	24
* Commission Regulation (EEC) No 1845/89 of 26 June 1989 fixing the maximum moisture content of cereals offered for intervention in certain Member States during the 1989/90 marketing year	31
Commission Regulation (EEC) No 1846/89 of 26 June 1989 fixing the import levies on white sugar and raw sugar	33
Commission Regulation (EEC) No 1847/89 of 26 June 1989 altering the export refunds on white sugar and raw sugar exported in the natural state	35
Commission Regulation (EEC) No 1848/89 of 26 June 1989 altering the export refunds on syrups and certain other sugar sector products exported in the natural state	37
Commission Regulation (EEC) No 1849/89 of 26 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	39
Commission Regulation (EEC) No 1850/89 of 26 June 1989 altering the import levies on products processed from cereals and rice	41
Commission Regulation (EEC) No 1851/89 of 26 June 1989 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat	43
Commission Regulation (EEC) No 1852/89 of 26 June 1989 carrying over the takeover date of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 2374/79	45

II Acts whose publication is not obligatory

Council

89/378/EEC :

* Council Decision of 12 June 1989 concerning the conclusion of a Protocol on financial and technical cooperation between the European Economic Community and Malta	46
* Protocol on financial and technical cooperation between the European Economic Community and Malta	47
* Information concerning the date of entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta, signed in Brussels on 20 March 1989	53

Commission

89/379/EEC :

* Commission Decision of 10 May 1989 fixing an indicative allocation between Member States of 85 % of the commitment appropriations of the ERDF under Objective 5b as defined by Council Regulation (EEC) No 2052/88	54
--	----

89/380/EEC :

* Commission Decision of 16 June 1989 authorizing certain Member States provisionally to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of <i>Pinus</i> L. originating in Japan ...	56
---	----

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1834/89

of 19 June 1989

amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas high-quality flint maize is not grown in the Community; whereas the present mechanism of the common organization of the market makes its price unattractive; whereas there is substantial demand for these varieties by producers of swollen or roasted cereal products; whereas in view of the existence of these outlets the growing of these varieties should be encouraged by means of a temporary production aid scheme;

Whereas such a scheme must engender neither development of production in excess of actual requirements nor an excessive charge to the Community budget; whereas the scheme should therefore be restricted to production in areas suited to the varieties in question that under the terms of cultivation contracts is to go for the particular uses for which these varieties are demanded,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article is inserted in Regulation (EEC) No 2727/75 ⁽⁴⁾, as last amended by Regulation (EEC) No 1213/89 ⁽⁵⁾:

Article 10a

1. Aid shall be granted for the production of certain varieties of high-quality flint maize in the most suitable areas of the Community.

2. The granting of the aid shall be conditional on

- the conclusion of a cultivation contract uncluding an undertaking by the purchaser to process the maize into products falling within CN code 1904 10 10,
- the lodging of security against failure to meet the commitment referred to in the first indent.

3. The aid shall be set per hectare of area cultivated.

The aid shall be granted for three years, for the first time for high-quality flint maize sown during the 1989/90 marketing year.

4. The aid rate shall be fixed using the procedure specified in Article 43 (2) of the Treaty.

5. The Council, acting by qualified majority on a proposal from the Commission, shall adopt general rules for the application of this Article and, in particular, the quality standards to be used for determining for which varieties the aid is to be granted.

6. Detailed rules for the application of this Article, specifying in particular further terms required in cultivation contracts, shall be adopted using the procedure set out in Article 26.

Article 2

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

It shall apply from 1 September 1989.

⁽¹⁾ OJ No C 87, 8. 4. 1989, p. 8.

⁽²⁾ OJ No C 158, 26. 6. 1989.

⁽³⁾ OJ No C 102, 24. 4. 1989, p. 25.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁵⁾ OJ No L 128, 11. 5. 1989, p. 1.

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. ROMERO HERRERA

COUNCIL REGULATION (EEC) No 1835/89

of 19 June 1989

setting general rules on the production aid for high-quality flint maize

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1834/89⁽²⁾, and in particular Article 10a (5) thereof,

Having regard to the proposal from the Commission,

Whereas Article 10a of Regulation (EEC) No 2727/75 states that aid is to be granted for the production in certain areas of the Community of certain varieties of high-quality flint maize; whereas under these provisions the quality standards for selection of these varieties should be determined;

Whereas the specific utilization of the product requires 15 % moisture content to be obtained by pre-reaping drying; whereas such natural drying can be effected only in areas with suitable weather conditions; whereas the aid scheme should therefore be restricted to areas meeting this criterion;

Whereas, if the aid scheme is to operate satisfactorily, Member States must ensure that the terms on which aid is granted are respected; whereas to this end arrangements should be made for areas sown to be declared and for the exercise of supervision by the Member States,

HAS ADOPTED THIS REGULATION:

Article 1

The aid provided for in Article 10a of Regulation (EEC) No 2727/75 shall be granted by Member States for the production of high-quality flint maize. The requirements set out below must be met.

Article 2

The area sown must be tended in the normal way and, following ripening, the crop must be left standing in the field for a period long enough to allow natural drying to a moisture content not exceeding 15 %.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

Article 3

1. For the purposes of this Regulation 'high-quality flint maize' shall be defined as the maize varieties entered in a national seed catalogue that display the following characteristics:

- kernel type: horny,
- kernel tip colour: orange, orange-red, red or dark red,
- flotation test: a maximum of 15 % by weight of the sample floats.

2. The list of varieties meeting the definition of high-quality flint maize set out in paragraph 1 and the suitable areas for the production shall be adopted using the procedure set out in Article 26 of Regulation (EEC) No 2727/75.

Article 4

1. Member States shall introduce the administrative arrangements, including physical inspection, necessary to ensure that the qualifying requirements for the aid are met. These arrangements shall include:

- (a) an obligation to declare areas sown and the certified seed varieties used. The declaration shall count as an application for aid provided that it is accompanied by the crop contract;
- (b) systematic field checks on the accuracy of declarations, referred to in point (a);
- (c) any other procedures determined, where appropriate, using the procedure set out in Article 26 of Regulation (EEC) No 2727/75.

Article 5

The aid to be paid shall be calculated on the basis of the area cultivated.

Article 6

Member States shall notify the Commission of the action taken pursuant to this Regulation and the areas in respect of which aid has been given.

Article 7

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

It shall apply from 1 September 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. ROMERO HERRERA

COUNCIL REGULATION (EEC) No 1836/89**of 19 June 1989****fixing the production aid for sowings in the 1989/90 marketing year of certain varieties of high-quality flint maize**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to 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 1834/89 ⁽²⁾, and in particular Article 10a (4) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the purpose of the production aid is to encourage the growing of high-quality flint maize; whereas the aid must be set at a level that will permit an expansion of the crop but not to a volume out of

proportion with the actual requirements of the Community market;

HAS ADOPTED THIS REGULATION:

Article 1

The production aid for high-quality flint maize provided for in Article 10a of Regulation (EEC) No 2727/75 shall be ECU 155 per hectare for maize sown during the 1989/90 marketing year.

Article 2

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

It shall apply from 1 September 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. ROMERO HERRERA

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 87, 8. 4. 1989, p. 9.

⁽⁴⁾ OJ No C 158, 26. 6. 1989.

⁽⁵⁾ Opinion delivered on 26 April 1989 (not yet published in the Official Journal).

COMMISSION REGULATION (EEC) No 1837/89

of 26 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 23 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 27 June 1989.

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

Done at Brussels, 26 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 26 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	130,40
0712 90 19	36,26	130,40
1001 10 10	60,64	194,07 ⁽¹⁾ ⁽²⁾
1001 10 90	60,64	194,07 ⁽¹⁾ ⁽²⁾
1001 90 91	35,73	127,03
1001 90 99	35,73	127,03
1002 00 00	63,32	131,18 ⁽³⁾
1003 00 10	53,90	125,31
1003 00 90	53,90	125,31
1004 00 10	44,96	100,47
1004 00 90	44,96	100,47
1005 10 90	36,26	130,40 ⁽²⁾ ⁽³⁾
1005 90 00	36,26	130,40 ⁽²⁾ ⁽³⁾
1007 00 90	54,40	139,85 ⁽⁴⁾
1008 10 00	53,90	18,13
1008 20 00	53,90	34,87 ⁽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	192,54
1102 10 00	103,35	198,35
1103 11 10	107,63	314,44
1103 11 90	69,15	206,13

⁽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 1838/89

of 26 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 23 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 27 June 1989.

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

Done at Brussels, 26 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 26 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	1,17
0712 90 19	0	0	0	1,17
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	1,17
1005 90 00	0	0	0	1,17
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 1839/89

of 26 June 1989

fixing the sluice-gate prices and levies for eggs and repealing Regulation (EEC) No 940/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular Articles 3 and 7 (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 2771/75;

Whereas Regulation (EEC) No 2771/75 was amended, with effect on 1 July 1989, by Regulation (EEC) No 1235/89 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 were fixed latterly in Commission Regulation (EEC) No 940/89 of 12 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 940/89, which fixes the amounts for the period 1 May to 31 July 1989, must be repealed;

Whereas the levy on eggs in shell 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 specified in Annex I to Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽⁴⁾, as last amended by Regulation (EEC) No 4155/87⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2773/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the prices for each type of feed grain on the world market shall be

equal to the average of the cif prices determined for that cereal for the period of five months 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 levy on eggs for hatching must be calculated in the same way as the levy on eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2773/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to eggs for hatching;

Whereas the levy on the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the levy on eggs in shell on the basis of the coefficients set out in the Annex to Commission Regulation No 164/67/EEC of 26 June 1967 fixing the factors for calculating levies and sluice-gate prices for derived egg products⁽⁶⁾, as last amended by Regulation (EEC) No 1775/74⁽⁷⁾;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 940/89 for the period ending 31 July 1989, bearing in mind the new definition of quarters introduced by Regulation (EEC) No 1235/89, and prices must therefore be fixed anew for the period 1 July to 30 September 1989;

Whereas the sluice-gate price for eggs in shell is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain specified in Annex II to Regulation (EEC) No 2773/75;

Whereas the price for that quantity of grain must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2773/75;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 101, 13. 4. 1989, p. 10.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽⁶⁾ OJ No 129, 28. 6. 1967, p. 2578/67.

⁽⁷⁾ OJ No L 186, 10. 7. 1974, p. 14.

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months 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 amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2773/75;

Whereas the sluice-gate price for eggs for hatching must be calculated in the same way as the sluice-gate price for eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that specified in Annex II to Regulation (EEC) No 2773/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate prices for the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the sluice-gate prices for eggs in shell, taking into account the value of the basic product, the coefficients for those products fixed in accordance with Article 5 (2) of that Regulation and the standard amount fixed in the Annex to Regulation No 164/67/EEC;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for whole products, account must be taken of the absence of certain marketing costs specific to eggs in shell, and of a percentage reflecting the lower prices generally obtained for eggs intended for processing; whereas these marketing costs — to be deducted from the sluice-gate price for eggs in shell — may be assessed at 0,0967 ECU per kilogram; whereas the percentage to be deducted from that reduced sluice-gate price may be assessed at 20 %;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for separated products, the same reduction in marketing costs as for

whole products should be allowed for; whereas, however, the percentage to be deducted should be lower than that taken for whole products, as the production of separated products requires the use of fresh eggs; whereas this percentage may be assessed at 7 %;

Whereas, Commission Regulation (EEC) No 630/86 of 28 February 1986 on the application of import levies on egg products from Portugal and amending Regulation (EEC) No 176/86 ⁽¹⁾ suspended the application of import levies on egg 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 Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2771/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1) thereof, shall be as set out in the Annex hereto.

2. For imports from Portugal of products specified in paragraph 1, application of the levies specified in the Annex shall be suspended.

Article 2

Regulation (EEC) No 940/89 is hereby repealed.

Article 3

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, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 60, 1. 3. 1986, p. 10.

ANNEX

to the Commission Regulation of 26 June 1989 fixing the sluice-gate prices and levies for eggs

CN code	Sluice-gate price	Levy
1	2	3
	ECU/100 units	ECU/100 units
0407 00 11	54,26	11,45
0407 00 19	11,86	3,46
	ECU/100 kg	ECU/100 kg
0407 00 30	91,45	29,53
0408 11 10	440,59	138,20
0408 19 11	198,68	60,24
0408 19 19	211,75	64,38
0408 91 10	369,45	133,48
0408 99 10	97,65	34,25

COMMISSION REGULATION (EEC) No 1840/89

of 26 June 1989

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin
and repealing Regulation (EEC) No 941/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, amended by Regulation (EEC) No 4001/87⁽²⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties for the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance; whereas they must be fixed by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;

Whereas these have been fixed by Commission Regulation (EEC) No 1839/89 of 26 June 1989 fixing the sluice-gate prices and levies for eggs⁽³⁾, and repealing Regulation (EEC) No 940/89;Whereas Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in the egg sector⁽⁴⁾ was amended, with effect on 1 July 1989, by Regulation (EEC) No 1235/89⁽⁵⁾ 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, since sluice-gate prices and import duties for ovalbumin and lactalbumin were last fixed by Commission Regulation (EEC) No 941/89⁽⁶⁾, of 12 April 1989, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1989 and Regulation (EEC) No 941/89, which fixes the amounts for the period 1 May to 31 July 1989, must be repealed;Whereas the methods for calculating sluice-gate prices and import duties are laid down in Regulation No 200/67/EEC⁽⁷⁾; whereas these methods should be used to calculate the sluice-gate prices and import duties for the coming quarter;Whereas Commission Regulation (EEC) No 632/86 of 28 February 1986 on the application of import duties on ovalbumin and lactalbumin products from Portugal⁽⁸⁾ suspended the application of import levies on ovalbumin and lactalbumin 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 Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import duties provided for in Article 2 of Regulation (EEC) No 2783/75 and the sluice-gate prices provided for in Article 5 thereof, in respect of the products specified in Article 1 shall be as set out in the Annex hereto.

2. Application of the duties shown in the Annex shall be suspended in respect of imports from Portugal of the products specified in paragraph 1.

Article 2

Regulation (EEC) No 941/89 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1989.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 44.

⁽³⁾ See page 10 of this Official Journal.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽⁵⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽⁶⁾ OJ No L 101, 13. 4. 1989, p. 12.

⁽⁷⁾ OJ No 134, 30. 6. 1967, p. 2834/67.

⁽⁸⁾ OJ No L 60, 1. 3. 1986, p. 12.

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

Done at Brussels, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 June 1989 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin and repealing Regulation (EEC) No 941/89

CN code	Sluice-gate price	Import duty
1	2	3
	ECU/100 kg	ECU/100 kg
3502 10 91	420,02	119,89
3502 10 99	56,34	16,24
3502 90 51	420,02	119,89
3502 90 59	56,34	16,24

COMMISSION REGULATION (EEC) No 1841/89

of 26 June 1989

fixing the sluice-gate prices and levies for poultrymeat and repealing Regulation (EEC) No 942/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾ and in particular Articles 3 and 7 (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 2777/75; whereas Regulation (EEC) No 2777/75 was amended, with effect on 1 July 1989, by Regulation (EEC) No 1235/89 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 were fixed latterly in Commission Regulation (EEC) No 942/89 of 12 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 942/89, which fixes the amounts for the period 1 May to 31 July 1989, must be repealed;

Whereas the levy on slaughtered poultry 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 specified in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽⁴⁾, as last amended by Regulation (EEC) No 3986/87⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2778/75; whereas the

price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the price for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months 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 levy on chicks must be calculated in the same way as the levy on slaughtered poultry; whereas however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2778/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to chicks;

Whereas the levy on the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the levy on slaughtered poultry on the basis of the coefficients set out in the Annex to Commission Regulation (EEC) No 3011/79 of 20 December 1979 fixing the coefficients for calculating levies on derived poultrymeat products and repealing Regulation No 199/67/EEC⁽⁶⁾, as amended by Regulation (EEC) No 1507/82⁽⁷⁾;

Whereas, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, in respect of which the rate of duty has been bound within GATT, the levies must not exceed the amount resulting from that binding;

Whereas, sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 942/89 for the period ending 31 July 1989, bearing in mind the new definition of quarters introduced by Regulation (EEC) No 1235/89, and prices must therefore be fixed anew for the period 1 July to 30 September 1989;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 101, 13. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 86.

⁽⁵⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁶⁾ OJ No L 337, 29. 12. 1979, p. 65.

⁽⁷⁾ OJ No L 168, 15. 6. 1982, p. 5.

Whereas the sluice-gate price for slaughtered poultry is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain shown in Annex II to Regulation (EEC) No 2778/75;

Whereas the price for that quantity of cereals must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2778/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months 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 amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2778/75;

Whereas the sluice-gate price for chicks must be calculated in the same way as the sluice-gate price for slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex II to Regulation (EEC) No 2778/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate price for the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the sluice-gate prices for slaughtered poultry on the basis of the coefficients fixed for these products in accordance with Article 5 (3) of that Regulation;

Whereas, Commission Regulation (EEC) No 631/86 of 28 February 1986 on the application of import levies on products from Portugal and amending Regulation (EEC) No 177/86⁽¹⁾, suspended the application of import levies

on poultrymeat 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 Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1), shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, 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 of products specified in paragraph 1 from Portugal, application of the levies specified in the Annex shall be suspended.

Article 2

Regulation (EEC) No 942/89 is hereby repealed.

Article 3

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, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 60, 1. 3. 1986, p. 11.

ANNEX

to the Commission Regulation of 26 June 1989 fixing the sluice-gate prices and levies for poultrymeat

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 00	23,67	5,33	—
0105 19 10	102,97	17,93	—
0105 19 90	23,67	5,33	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	81,35	22,44	—
0105 99 10	95,60	32,72	—
0105 99 20	121,11	33,14	—
0105 99 30	108,37	25,17	—
0105 99 50	126,76	34,60	—
0207 10 11	102,20	28,20	—
0207 10 15	116,32	32,06	—
0207 10 19	126,62	34,93	—
0207 10 31	154,81	35,96	—
0207 10 39	169,70	39,41	—
0207 10 51	112,47	38,49	—
0207 10 55	136,57	46,74	—
0207 10 59	151,75	51,92	—
0207 10 71	173,01	47,34	—
0207 10 79	164,97	50,07	—
0207 10 90	181,09	49,43	—
0207 21 10	116,22	32,06	—
0207 21 90	126,62	34,93	—
0207 22 10	154,81	35,96	—
0207 22 90	169,70	39,41	—
0207 23 11	136,57	46,74	—
0207 23 19	151,75	51,92	—
0207 23 51	173,01	47,34	—
0207 23 59	164,97	50,07	—
0207 23 90	181,09	49,43	—
0207 31 00	1 730,10	473,40	3
0207 39 11	303,72	89,75	—
0207 39 13	139,28	38,42	—
0207 39 15	97,97	27,85	—
0207 39 17	67,83	19,28	—
0207 39 21	191,76	52,90	—
0207 39 23	180,14	49,69	—
0207 39 25	301,46	85,70	—
0207 39 27	67,83	19,28	—
0207 39 31	325,10	75,52	—

CN code	Sluice-gate price	Levy	Conventional rate ... of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 33	186,67	43,35	—
0207 39 35	97,97	27,85	—
0207 39 37	67,83	19,28	—
0207 39 41	247,70	57,54	—
0207 39 43	116,11	26,97	—
0207 39 45	208,99	48,55	—
0207 39 47	301,46	85,70	—
0207 39 51	67,83	19,28	—
0207 39 53	346,44	105,15	—
0207 39 55	303,72	89,75	—
0207 39 57	166,93	57,11	—
0207 39 61	181,47	55,08	—
0207 39 63	199,20	54,37	—
0207 39 65	97,97	27,85	—
0207 39 67	67,83	19,28	—
0207 39 71	247,46	75,11	—
0207 39 73	191,76	52,90	—
0207 39 75	239,21	72,60	—
0207 39 77	180,14	49,69	—
0207 39 81	211,08	67,77	—
0207 39 83	301,46	85,70	—
0207 39 85	67,83	19,28	—
0207 39 90	173,34	49,28	10
0207 41 10	303,72	89,75	—
0207 41 11	139,28	38,42	—
0207 41 21	97,97	27,85	—
0207 41 31	67,83	19,28	—
0207 41 41	191,76	52,90	—
0207 41 51	180,14	49,69	—
0207 41 71	301,46	85,70	—
0207 41 90	67,83	19,28	—
0207 42 10	325,10	75,52	—
0207 42 11	186,67	43,35	—
0207 42 21	97,97	27,85	—
0207 42 31	67,83	19,28	—
0207 42 41	247,70	57,54	—
0207 42 51	116,11	26,97	—
0207 42 59	208,99	48,55	—
0207 42 71	301,46	85,70	—
0207 42 90	67,83	19,28	—
0207 43 11	346,44	105,15	—
0207 43 15	303,72	89,75	—
0207 43 21	166,93	57,11	—
0207 43 23	181,47	55,08	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 25	199,20	54,37	—
0207 43 31	97,97	27,85	—
0207 43 41	67,83	19,28	—
0207 43 51	247,46	75,11	—
0207 43 53	191,76	52,90	—
0207 43 61	239,21	72,60	—
0207 43 63	180,14	49,69	—
0207 43 71	211,08	67,77	—
0207 43 81	301,46	85,70	—
0207 43 90	67,83	19,28	—
0207 50 10	1 730,10	473,40	3
0207 50 90	173,34	49,28	10
0209 00 90	150,73	42,85	—
0210 90 71	1 730,10	473,40	3
0210 90 79	173,34	49,28	10
1501 00 90	180,88	51,42	18
1602 31 11	309,62	71,92	17
1602 31 19	331,61	94,27	17
1602 31 30	180,88	51,42	17
1602 31 90	105,51	30,00	17
1602 39 11	299,42	89,16	—
1602 39 19	331,61	94,27	17
1602 39 30	180,88	51,42	17
1602 39 90	105,51	30,00	17

COMMISSION REGULATION (EEC) No 1842/89
of 26 June 1989
fixing the import levies on frozen sheepmeat and goatmeat

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

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 4025/88 ⁽³⁾, as last amended by Regulation (EEC) No 1463/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4025/88 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 July 1989.

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

Done at Brussels, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 355, 23. 12. 1988, p. 16.

⁽⁴⁾ OJ No L 144, 27. 5. 1989, p. 37.

ANNEX

to the Commission Regulation of 26 June 1989 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 27 from 3 to 9 July 1989	Week No 28 from 10 to 16 July 1989	Week No 29 from 17 to 23 July 1989	Week No 30 from 24 to 30 July 1989	Week No 31 from 31 July to 6 August 1989
0204 30 00	143,748	136,653	133,735	132,318	131,785
0204 41 00	143,748	136,653	133,735	132,318	131,785
0204 42 10	100,624	95,657	93,615	92,623	92,250
0204 42 30	158,123	150,318	147,109	145,550	144,964
0204 42 50	186,872	177,649	173,856	172,013	171,321
0204 42 90	186,872	177,649	173,856	172,013	171,321
0204 43 00	261,621	248,708	243,398	240,819	239,849
0204 50 51	143,748	136,653	133,735	132,318	131,785
0204 50 53	100,624	95,657	93,615	92,623	92,250
0204 50 55	158,123	150,318	147,109	145,550	144,964
0204 50 59	186,872	177,649	173,856	172,013	171,321
0204 50 71	186,872	177,649	173,856	172,013	171,321
0204 50 79	261,621	248,708	243,398	240,819	239,849

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 1843/89

of 26 June 1989

amending Regulation (EEC) No 2290/83 laying down provisions for the implementation of Articles 50 to 59, 63a and 63b of Council Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty⁽¹⁾, as last amended by Regulation (EEC) No 4235/88⁽²⁾, and in particular Article 143 thereof,

Whereas Council Regulation (EEC) No 4235/88 made provision for a further instance of duty-free admission in respect of import of equipment intended for use under scientific cooperation agreements concluded between research establishments in third countries and those in the Community;

Whereas the requisite conditions for the correct implementation of those provisions should be laid down; whereas those provisions may in some respects be based on those already contained in Commission Regulation (EEC) No 2290/83⁽³⁾, as last amended by Regulation (EEC) No 3893/88⁽⁴⁾; whereas it would appear appropriate to deal with all such situations by means of a single instrument;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Duty-Free Arrangements;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2290/83 is hereby amended as follows:

1. The title is replaced by the following:

'Commission Regulation (EEC) No 2290/83 of 29 July 1983 laying down provisions for the implementation

of Articles 50 to 59b, 63a and 63b of Council Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty'.

2. Article 1 is replaced by the following:

Article 1

This Regulation lays down provisions for the implementation of Articles 50 to 59b, 63a and 63b of Regulation (EEC) No 918/83, hereinafter referred to as the "basic Regulation"

3. The following Title VIa is inserted:

"TITLE VIa

**SPECIFIC PROVISIONS RELATING TO THE
ADMISSION FREE OF IMPORT DUTIES OF
EQUIPMENT UNDER ARTICLES 59a AND 59b OF
THE BASIC REGULATION**

Article 18a

1. In order to obtain admission free of import duties of equipment under Articles 59a and 59b of the basic Regulation, the head of the scientific research establishment or organization based outside the Community or his authorized representative shall submit an application to the competent authority of the Member State in which the scientific research establishment or organization based in the Community is situated.

2. The application referred to in paragraph 1 shall contain the following information:

- (a) a copy of the scientific cooperation agreement between research establishments situated in the Community and in third countries;
- (b) the precise trade description of the equipment as well as the quantity and value thereof and, where appropriate, its presumed classification in the tariff nomenclature;
- (c) the country of origin and of consignment of the equipment;
- (d) the place where the equipment is to be used;
- (e) the use for which the equipment is intended and the duration of its use.

⁽¹⁾ OJ No L 105, 23. 4. 1983, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1988, p. 1.

⁽³⁾ OJ No L 220, 11. 8. 1983, p. 20.

⁽⁴⁾ OJ No L 346, 15. 12. 1988, p. 32.

Article 18b

1. Where the competent authority of a Member State in which the establishment or organization based in the Community is situated receives an application for the admission free of import duties of equipment as defined by Article 59a of the basic Regulation, the application and related information shall be sent to the Commission so that it can be examined within the Committee on Duty-Free Arrangements before a decision is taken by the said competent authority.

For the purposes of this examination, additional information shall be sent to the Commission on request.

2. The competent authority referred to in paragraph 1 shall inform the Commission of the decision it has taken concerning admission free of import duties.

Article 18c

The provisions of the second and third subparagraphs of Article 7 (2) and of Articles 7 (3) and 8 shall apply *mutatis mutandis*.

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 Brussels, 26 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 1844/89
of 26 June 1989

**fixing for the 1989/90 marketing year the components intended to ensure
protection of the processing industry in the cereals and rice sector in trade
between Spain and the Community of Ten**

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 487/86 of
25 February 1986 laying down general rules for the
components intended to ensure protection of the
processing industry in the cereals and rice sector and
fixing those relating to Spain ⁽¹⁾, and in particular Article
1 (3) thereof,

Whereas Article 78 (3) of the Act of Accession lays down
that the protection components must be gradually
eliminated by reducing the basic component by 12,5 % at
the beginning of each of the eight marketing years
following accession; whereas each reduction must take
effect from the beginning of the marketing year of the
product in question;

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

Done at Brussels, 26 June 1989.

Whereas the fixed opponents applicable in trade between
Spain and the Community of Ten must be fixed in the
cereals and rice sector for the 1989/90 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the products covered by Council Regulations (EEC)
No 2727/75 ⁽²⁾ and (EEC) No 1418/76 ⁽³⁾, the components
intended to ensure protection of the processing industry
as referred to in Article 78 of the Act of Accession and
levied on imports into the Community of Ten from Spain
and on imports into Spain from the Community of Ten
are fixed in the Annex hereto for the 1989/90 marketing
year.

Article 2

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

It shall apply from 1 July 1989 as regards the products
covered by Regulation (EEC) No 2727/75 and from 1
September 1989 as regards the products covered by
Regulation (EEC) No 1418/76.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 14.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 166, 25. 11. 1976, p. 1.

ANNEX

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets; sago pith:		
0714 10	— Manioc (cassava):		
0714 10 10	— — Pellets of flour and meal	1,51	1,51
	— — Other:		
0714 10 91	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	—	—
0714 10 99	— — — Other	1,51	1,51
0714 90	— Other:		
	— — Arrowroot, salep and similar roots and tubers with high starch content:		
0714 90 11	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	—	—
0714 90 19	— — — Other	1,51	1,51
1006 30	— Semi-milled or wholly milled rice, whether or not polished or glazed:		
	— — Semi-milled rice:		
	— — — Parboiled:		
1006 30 21	— — — — Round grain	6,53	6,53
1006 30 23	— — — — Medium grain	6,49	6,49
	— — — — Long grain:		
1006 30 25	— — — — — Of a length/width ratio greater than 2 but less than 3	6,49	6,49
1006 30 27	— — — — — Of a length/width ratio equal to or greater than 3	6,49	6,49
	— — — Other:		
1006 30 42	— — — — Round grain	6,53	6,53
1006 30 44	— — — — Medium grain	6,49	6,49
	— — — — Long grain:		
1006 30 46	— — — — — Of a length/width ratio greater than 2 but less than 3	6,49	6,49
1006 30 48	— — — — — Of a length/width ratio equal to or greater than 3	6,49	6,49
	— — Wholly milled rice:		
	— — — Parboiled:		
1006 30 61	— — — — Round grain	6,95	6,95
1006 30 63	— — — — Medium grain	6,95	6,95
	— — — — Long grain:		
1006 30 65	— — — — — Of a length/width ratio greater than 2 but less than 3	6,95	6,95
1006 30 67	— — — — — Of a length/width ratio equal to or greater than 3	6,95	6,95

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
1006 30 92	— — — Other :		
1006 30 94	— — — — Round grain	6,95	6,95
	— — — — Medium grain	6,95	6,95
	— — — — Long grain :		
1006 30 96	— — — — — Of a length/width ratio greater than 2 but less than 3	6,95	6,95
1006 30 98	— — — — — Of a length/width ratio equal to or greater than 3	6,95	6,95
1101 00 00	Wheat or meslin flour	11,34	11,34
1102	Cereal flours other than of wheat or meslin :		
1102 10 00	— Rye flour	11,34	11,34
1102 20	— Maize (corn) flour :		
1102 20 10	— — Of a fat content not exceeding 1,5 by weight	3,02	3,02
1102 20 90	— — Other	1,51	1,51
1102 30 00	— Rice flour	1,51	1,51
1102 90	— Other :		
1102 90 10	— — Barley flour	3,02	3,02
1102 90 30	— — Oat flour	3,02	3,02
1102 90 90	— — Other	1,51	1,51
1103	Cereal groats, meal and pellets (1) :		
	— Groats and meal :		
1103 11	— — Of wheat :		
1103 11 10	— — — Durum wheat	11,34	11,34
1103 11 90	— — — Common wheat and spelt	11,34	11,34
1103 12 00	— — Of oats	3,02	3,02
1103 13	— — Of maize (corn) :		
	— — — Of a fat content not exceeding 1,5 % by weight :		
1103 13 11	— — — — For the brewing industry	3,02	3,02
1103 13 19	— — — — Other	3,02	3,02
1103 13 90	— — — Other	1,51	1,51
1103 14 00	— — Of rice	1,51	1,51
1103 19	— — Of other cereals :		
1103 19 10	— — — Of rye	3,02	3,02
1103 19 30	— — — Of barley	3,02	3,02
1103 19 90	— — — Other	1,51	1,51
	— Pellets :		
1103 21 00	— — Of wheat	3,02	3,02
1103 29	— — Of other cereals :		
1103 29 10	— — — Of rye	3,02	3,02
1103 29 20	— — — Of barley	3,02	3,02
1103 29 30	— — — Of oats	3,02	3,02
1103 29 40	— — — Of maize	3,02	3,02
1103 29 50	— — — Of rice	1,51	1,51
1103 29 90	— — — Other	1,51	1,51

(ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006; germ of cereals, whole, rolled, flaked or ground:		
	– Rolled or flaked grains:		
1104 11	– – Of barley:		
1104 11 10	– – – Rolled	1,51	1,51
1104 11 90	– – – Flaked	3,02	3,02
1104 12	– – Of oats:		
1104 12 10	– – – Rolled	1,51	1,51
1104 12 90	– – – Flaked	3,02	3,02
1104 19	– – Of other cereals:		
1104 19 10	– – – Of wheat	3,02	3,02
1104 19 30	– – – Of rye	3,02	3,02
1104 19 50	– – – Of maize	3,02	3,02
	– – – Other:		
1104 19 91	– – – – Flaked rice	3,02	3,02
1104 19 99	– – – – Other	3,02	3,02
	– Other worked grains (for example, hulled, pearled, sliced or kibbled):		
1104 21	– – Of barley:		
1104 21 10	– – – Hulled (shelled or husked)	1,51	1,51
1104 21 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	1,51	1,51
1104 21 50	– – – Pearled	3,02	3,02
1104 21 90	– – – Not otherwise worked than kibbled	1,51	1,51
1104 22	– – Of oats:		
1104 22 10	– – – Hulled (shelled or husked)	1,51	1,51
1104 22 30	– – – Hulled and sliced or kibbled ('Grütze' or 'grutten')	1,51	1,51
1104 22 50	– – – Pearled	1,51	1,51
1104 22 90	– – – Not otherwise worked than kibbled	1,51	1,51
1104 23	– – Of maize:		
1104 23 10	– – – Hulled (shelled or husked) whether or not sliced or kibbled	1,51	1,51
1104 23 30	– – – Pearled	1,51	1,51
1104 23 90	– – – Not otherwise worked than kibbled	1,51	1,51
1104 29	– – Of other cereals:		
1104 29 10	– – – Hulled (shelled or husked), whether or not sliced or kibbled	1,51	1,51
1104 29 30	– – – Pearled	1,51	1,51
	– – – Not otherwise worked than kibbled:		
1104 29 91	– – – – Of wheat	1,51	1,51
1104 29 95	– – – – Of rye	1,51	1,51
1104 29 99	– – – – Other	1,51	1,51
1104 30	– Germ of cereals, whole, rolled, flaked or ground:		
1104 30 10	– – Of wheat	3,02	3,02
1104 30 90	– – Of other cereals	3,02	3,02
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714; flour, meal and powder of the products of Chapter 8:		
1106 20	– Flour and meal of sago, roots or tubers of heading No 0714:		
1106 20 10	– – Denatured	1,51	1,51

CN code	Description	(in ECU/tonne)	
		Components fixed	
		Community of Ten	Spain
1106 20 91	— — Other :		
1106 20 99	— — — For the manufacture of starches	10,28	10,28
	— — — Other	10,28	10,28
1107	Malt, whether or not roasted :		
1107 10	— Not roasted :		
	— — Of wheat :		
1107 10 11	— — — In the form of flour	5,44	5,44
1107 10 19	— — — Other	5,44	5,44
	— — Other :		
1107 10 91	— — — In the form of flour	5,44	5,44
1107 10 99	— — — Other	5,44	5,44
1107 20 00	— Roasted	5,44	5,44
1108	Starches ; inulin		
	— Starches :		
1108 11 00	— — Wheat starch	10,28	10,28
1108 12 00	— — Maize (corn) starch	10,28	10,28
1108 13 00	— — Potato starch (cassava) starch	10,28	10,28
1108 14 00	— — Manioc	10,28	10,28
1108 19	— — Other starches :		
1108 19 10	— — — Rice starch	15,42	15,42
1108 19 90	— — — Other	10,28	10,28
1109 00 00	Wheat gluten, whether or not dried	90,67	90,67
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form ; sugar syrups not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
1702 30	— Glucose and glucose syrup, not containing in the dry state less than 20 % by weight of fructose :		
	— — Other :		
	— — — Other :		
1702 30 91	— — — — White crystalline powder, whether or not agglomerated	48,36	48,36
1702 30 99	— — — — Other	33,25	33,25
1702 40	— Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose :		
1702 40 90	— — Other	33,25	33,25
1702 90	— Other, including invert sugar :		
1702 90 50	— — Maltodextrine and maltodextrine syrup	33,25	33,25
	— — Sugars and molasses, caramelized :		
	— — — Other :		
1702 90 75	— — — — In the form of powder, whether or not agglomerated	48,36	48,36
1702 90 79	— — — — Other	33,25	33,25
2106	Food preparations not elsewhere specified or included :		
2106 90	— Other		
	— — Syrups of sugar, flavoured or with added colourings :		
	— — — Other :		
2106 90 55	— — — — Glucose syrup and maltodextrine	33,25	33,25

(in ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants :		
2302 10	— Of maize (corn) :		
2302 10 10	— — With a starch content not exceeding 35 % by weight	3,00	3,00
2302 10 90	— — Other	3,00	3,00
2302 20	— Of rice :		
2302 20 10	— — With a starch content not exceeding 35 % by weight	3,00	3,00
2302 20 90	— — Other	3,00	3,00
2302 30	— Of wheat :		
2302 30 10	— — Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	3,00	3,00
2302 30 90	— — Other	3,00	3,00
2302 40	— Of other cereals :		
2302 40 10	— — Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through the sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 %	3,00	3,00
2302 40 90	— — Other	3,00	3,00
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets :		
2303 10	— Residues of starch manufacture and similar residues :		
2303 10 11	— — Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product : — — — Exceeding 40 % by weight	90,67	90,67
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	5,44	5,44
2309 10 13	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	5,44	5,44
	— — — — — 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	5,44	5,44
2309 10 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	5,44	5,44

(in ECU/tonne)

CN code	Description	Components fixed	
		Community of Ten	Spain
2309 10 51	— — — Containing more 30 % by weight of starch : — — — — — Containing no milk products or containing less than 10 % by weight of such products	5,44	5,44
2309 10 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	5,44	5,44
2309 90	— Other : — — 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 maltodextrine 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	5,44	5,44
2309 90 33	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products — — — — — Containing more than 10 % but not more than 30 % by weight of starch :	5,44	5,44
2309 90 41	— — — — — Containing no milk products or containing less than 10 % by weight of such products	5,44	5,44
2309 90 43	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products — — — — — Containing more than 30 % by weight of starch :	5,44	5,44
2309 90 51	— — — — — Containing no milk products or containing less than 10 % by weight of such products	5,44	5,44
2309 90 53	— — — — — Containing not less than 10 % but less than 50 % by weight of milk products	5,44	5,44

(¹) In order to distinguish between products falling within subheading 1101 00 00 and heading Nos 1102, 1103 and 1104 of the combined nomenclature on the one hand, and within subheadings 2302 10 to 2302 40 on the other, those products shall be considered as falling within subheadings 1101 00 00 and heading Nos 1102, 1103 and 1104 which simultaneously have :

- a starch content (determined by the modified Ewers polarimetric method) of more than 45 % (by weight) calculated on the dry product,
- an ash content (by weight) calculated on the dry product (after deduction of any added minerals) or 1,6 % or less for rice, 2,5 % or less for wheat or rye, 3 % or less for barley, 4 % or less for buckwheat, 5 % or less for oats and 2 % or less for the other cereals.

Grain of cereals, whole, rolled, flaked or ground, falls in all cases within subheading 1101 00 00 and heading No 1102.

COMMISSION REGULATION (EEC) No 1845/89

of 26 June 1989

fixing the maximum moisture content of cereals offered for intervention in certain Member States during the 1989/90 marketing year

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1213/89 ⁽²⁾, and in particular Article 7 (6) thereof,

Whereas Council Regulation (EEC) No 2731/75 of 29 October 1975 fixing standard qualities for common wheat, rye, barley, maize, sorghum and durum wheat ⁽³⁾, as last amended by Regulation (EEC) No 2094/87 ⁽⁴⁾, in particular fixes a maximum moisture content of 14 % for cereals other than durum wheat; whereas, under Commission Regulation (EEC) No 1569/77 of 11 July 1977 fixing the procedure and conditions for the taking over of cereals by intervention agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 1663/89 ⁽⁶⁾, a maximum moisture content of 14,5 % was fixed; whereas Article 2 (4) of that Regulation also provides that the Member States may be authorized at their request and under certain conditions to apply a moisture content of 15 % for all cereals with the exception of durum wheat;

Whereas certain Member States have submitted requests to that end;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Member States listed in the Annex hereto are hereby authorized to fix a maximum moisture content of 15 % for cereals listed therein and offered for intervention during the 1989/90 marketing year.

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, 26 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 281, 1. 11. 1975, p. 22.

⁽⁴⁾ OJ No L 196, 17. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁶⁾ OJ No L 163, 14. 6. 1989, p. 13.

*ANNEX***Maximum moisture content of cereals offered for intervention during the 1989/90 marketing year**

Member State	Cereal
Belgium	All cereals except durum wheat
Denmark	All cereals except durum wheat and rye
Federal Republic of Germany	All cereals except durum wheat
France	All cereals except durum wheat
Ireland	All cereals except durum wheat
Luxembourg	All cereals except durum wheat
Netherlands	All cereals except durum wheat

COMMISSION REGULATION (EEC) No 1846/89
of 26 June 1989
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1466/89⁽³⁾, as last amended by Regulation (EEC) No 1832/89⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 27 June 1989.

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

Done at Brussels, 26 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 177, 24. 6. 1989, p. 59.

ANNEX

to the Commission Regulation of 26 June 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	27,68 ⁽¹⁾
1701 11 90	27,68 ⁽¹⁾
1701 12 10	27,68 ⁽¹⁾
1701 12 90	27,68 ⁽¹⁾
1701 91 00	30,09
1701 99 10	30,09
1701 99 90	30,09 ⁽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 1847/89

of 26 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 1773/89 ⁽³⁾, as last amended by Regulation (EEC) No 1833/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1773/89 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 1773/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 June 1989.

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

Done at Brussels, 26 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 174, 22. 6. 1989, p. 19.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 61.

ANNEX

to the Commission Regulation of 26 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	21,74 ⁽¹⁾	
1701 11 90 910	23,66 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	21,74 ⁽¹⁾	
1701 12 90 910	23,66 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2364
1701 99 10 100	23,64	
1701 99 10 910	26,44	
1701 99 10 950	24,94	
1701 99 90 100		0,2364

⁽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 1848/89**of 26 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 last amended by Regulation (EEC) No 1743/89 ⁽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 27 June 1989.

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

Done at Brussels, 26 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 171, 20. 6. 1989, p. 44.

ANNEX

to the Commission Regulation of 26 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...		23,64
1702 60 10 000		23,64
1702 60 90 000	0,2364	
1702 90 30 000		23,64
1702 90 60 000	0,2364	
1702 90 71 000	0,2364	
1702 90 90 900	0,2364	
2106 90 30 000		23,64
2106 90 59 000	0,2364	

⁽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 1849/89**of 26 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 last amended by Regulation (EEC) No 1739/89 ⁽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 27 June 1989.

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

Done at Brussels, 26 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 177, 17. 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 171, 20. 6. 1989, p. 34.

ANNEX

to the Commission Regulation of 26 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:	23,64
Raw sugar:	21,74
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):	$23,64 \times \frac{S^{(1)}}{100}$ 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:	
Molasses:	—
Isoglucose ⁽²⁾ :	23,64 ⁽²⁾

The rate fixed above for 100 kg of white or raw sugar used for the dissolution

(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 1850/89

of 26 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 1779/89 ⁽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 23 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 27 June 1989.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽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 174, 22. 6. 1989, p. 28.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 June 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1103 19 10	120,02	240,67	234,63
1103 29 10	120,02	240,67	234,63
1104 19 30	120,02	240,67	234,63
1104 29 10*20 (*)	87,24	176,39	173,37
1104 29 30*20 (*)	104,33	211,58	208,56
1104 29 95	67,61	135,98	132,96

(*) TARIC code : rye.

COMMISSION REGULATION (EEC) No 1851/89

of 26 June 1989

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 4026/88 ⁽³⁾, as last amended by Regulation (EEC) No 1462/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4026/88 to the quota-

tions and other information 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 on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 July 1989.

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

Done at Brussels, 26 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.⁽³⁾ OJ No L 355, 23. 12. 1988, p. 19.⁽⁴⁾ OJ No L 144, 27. 5. 1989, p. 35.

ANNEX

to the Commission Regulation of 26 June 1989 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 27 from 3 to 9 July 1989	Week No 28 from 10 to 16 July 1989	Week No 29 from 17 to 23 July 1989	Week No 30 from 24 to 30 July 1989	Week No 31 from 31 July to 6 August 1989
0104 10 90 ⁽¹⁾	89,925	85,479	83,651	82,762	82,429
0104 20 90 ⁽¹⁾	89,925	85,479	83,651	82,762	82,429
0204 10 00 ⁽²⁾	191,330	181,870	177,980	176,090	175,380
0204 21 00 ⁽²⁾	191,330	181,870	177,980	176,090	175,380
0204 22 10 ⁽²⁾	133,931	127,309	124,586	123,263	122,766
0204 22 30 ⁽²⁾	210,463	200,057	195,778	193,699	192,918
0204 22 50 ⁽²⁾	248,729	236,431	231,374	228,917	227,994
0204 22 90 ⁽²⁾	248,729	236,431	231,374	228,917	227,994
0204 23 00 ⁽²⁾	348,221	331,003	323,924	320,484	319,192
0204 50 11 ⁽²⁾	191,330	181,870	177,980	176,090	175,380
0204 50 13 ⁽²⁾	133,931	127,309	124,586	123,263	122,766
0204 50 15 ⁽²⁾	210,463	200,057	195,778	193,699	192,918
0204 50 19 ⁽²⁾	248,729	236,431	231,374	228,917	227,994
0204 50 31 ⁽²⁾	248,729	236,431	231,374	228,917	227,994
0204 50 39 ⁽²⁾	348,221	331,003	323,924	320,484	319,192
0210 90 11 ⁽³⁾	248,729	236,431	231,374	228,917	227,994
0210 90 19 ⁽³⁾	348,221	331,003	323,924	320,484	319,192

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 1852/89**of 26 June 1989****carrying over the takeover date of beef and veal offered for sale by the
intervention agencies under Regulation (EEC) No 2374/79**

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 7 (3) thereof,Whereas Commission Regulation (EEC) No 2374/79 ⁽³⁾,
as last amended by Regulation (EEC) No 117/89 ⁽⁴⁾, fixes
certain selling prices for beef and veal taken over by the
intervention agencies before 1 June 1988; where the
situation regarding these stocks is such that this date
should be replaced by 1 April 1989;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*In Article 4 '1 June 1988' is replaced by '1 April 1989' of
Regulation (EEC) No 2374/79;*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, 26 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 272, 30. 10. 1979, p. 16.⁽⁴⁾ OJ No L 16, 20. 1. 1989, p. 10.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 June 1989

concerning the conclusion of a Protocol on financial and technical cooperation
between the European Economic Community and Malta

(89/378/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the assent of the European Parliament ⁽¹⁾,

Whereas the Protocol on financial and technical cooperation between the European Economic Community and Malta should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol on financial and technical cooperation between the European Economic Community and Malta is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council shall give the notification provided for in Article 21 of the Protocol ⁽²⁾.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*. It shall take effect on the day of its publication.

Done at Luxembourg, 12 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No C 158, 26. 6. 1989.

⁽²⁾ The date of entry into force of the Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

PROTOCOL

on financial and technical cooperation between the European Economic Community and Malta

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF MALTA,

of the other part,

ANXIOUS to promote the development of the Maltese economy and the objectives of the Agreement establishing an Association between the European Economic Community and Malta,

HAVE DECIDED to conclude this Protocol and to this end have designated as their Plenipotentiaries:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Francisco FERNANDEZ ORDOÑEZ,

Minister for Foreign Affairs of the Kingdom of Spain,

President-in-Office of the Council of the European Communities,

Abel MATUTES,

Member of the Commission of the European Communities,

THE GOVERNMENT OF THE REPUBLIC OF MALTA:

Dr U. MIFSUD BONNICI,

Minister for Education, Culture and Environment,

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Within the framework of the financial and technical cooperation provided for in the Agreement establishing an Association between the European Economic Community and Malta, the Community shall participate, on the terms set out in this Protocol, in the financing of measures intended to contribute to the economic and social development of Malta.

(c) ECU 2 500 000 from the Community's budgetary resources, in the form of contributions to risk capital formation.

2. The loans referred to in paragraph 1 (a) shall carry a 1,5 % interest rate subsidy financed by means of the funds referred to in paragraph 1 (b).

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1993, an aggregate amount of ECU 38 million may be committed as follows:

(a) ECU 23 million in the form of loans from the European Investment Bank, hereinafter referred to as 'the Bank', made from its own resources;

(b) ECU 12 500 000 from the Community's budgetary resources, in the form of grants;

3. The risk capital referred to in paragraph 1 (c) shall contribute to the cooperation objectives and operations defined in Article 3, in particular those indicated in the first indent of paragraph 2 of that Article.

It shall be used primarily to make equity capital or the like available to Maltese private undertakings, public undertakings and undertakings with State participation, in particular those with which natural or legal persons who are nationals of a Community Member State are associ-

ated. It may be used under the same conditions to finance specific studies for the preparation and development of such undertakings' projects and to assist such undertakings in their starting-up period.

It shall be granted and administered by the Bank and may take the form of:

- (a) subordinated loans, where repayment and payment of any interest will not be made until other bank claims have been settled;
- (b) conditional loans, where repayment or duration will depend on the fulfilment of conditions specified at the time when the loan is granted;
- (c) acquisition of temporary minority holdings on behalf of the Community in the capital of undertakings established in Malta;
- (d) finance for the acquisition of holdings, in the form of conditional loans granted to Malta or, with the Maltese Government's agreement, to Maltese undertakings, either directly or through the intermediary of Maltese financial institutions.

Article 3

1. The total amount fixed in Article 2 shall be used primarily for the financing or part-financing of cooperation projects or operations aimed at strengthening the economic links between the Community and Malta in their mutual interest by developing cooperation in the fields of industry, training and research, technology, commerce and other services. Economic infrastructure and capital projects which are complementary to the above operations may also be financed.

2. Priority shall be given to those of the eligible projects and operations having the following aims:

- in the industrial and service sectors, promotion of joint ventures between firms from the Community Member States and Maltese firms, direct contacts, exchange of information, promotion of investment and private-sector capital flows, and support for small and medium-sized enterprises, including craft businesses, in order to promote employment,
- in the field of science and technology, expansion of Malta's training and research capability and the establishment or development of links between Maltese and European private and public sector training and research institutions,
- in the trade sector, diversification and promotion of exports and organization of contacts between Maltese firms and firms from the Community Member States,
- in the priority areas referred to above, practical training schemes linked to projects or operations in firms and research institutions.

3. The Community's financial contributions shall be used to cover internal and external costs necessarily incurred in carrying out approved projects or schemes (including costs in respect of studies, consultants and technical assistance). They may not be used cover current administrative, maintenance or operational expenditure.

Article 4

1. Capital projects shall be eligible for financing either by loans from the Bank, combined with interest rate subsidies on the terms set out in Article 2 (2), or by risk capital, or by grants, or by a combination of these means.

2. Technical and economic cooperation shall normally be financed by grants.

Article 5

1. The amounts to be committed each year shall be as far as possible distributed throughout the period of application of this Protocol.

2. Any funds not committed at the end of the period referred to in Article 2 (1) shall be used until exhausted in accordance with the arrangements laid down in this Protocol.

Article 6

1. Loans granted by the Bank from its own resources shall be made in accordance with the arrangements, conditions and procedures laid down in its statute. They shall, as regards their duration, be subject to terms established on the basis of the economic and financial characteristics of the projects for which these loans are intended, also taking into account the conditions obtaining on the capital markets on which the Bank procures its resources. The interest rate shall be determined in accordance with the Bank's practice at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).

2. The terms and arrangements for contributions to risk capital formation shall be determined on a case-by-case basis.

3. Aid from the Community's budget resources, other than that in the form of interest rate subsidies for loans from the Bank or that intended for risk capital operations, shall be granted and administered by the Commission.

4. The funds referred to in Article 2 may be granted through the intermediary of the State or appropriate Maltese bodies, on condition that they allocate the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects and operations for which they are intended.

Article 7

Aid contributed by the Community for the execution of certain projects may, with the agreement of Malta, take the form of cofinancing in which, in particular, credit and development bodies and institutions of Malta, of Member States or of third States or international finance organizations would take part.

Article 8

The following shall be eligible for financial and technical cooperation :

(a) in general :

— the State of Malta ;

(b) with the agreement of the Maltese Government, for projects or operations approved by it :

- official Maltese development agencies,
- private agencies working in Malta for economic and social development,
- undertakings carrying on their activities in accordance with industrial and business management methods and set up as legal persons within the meaning of Article 12,
- groups of producers who are nationals of Malta and, exceptionally, where no such groups exist, the producers themselves,
- scholarship holders and trainees sent by Malta under the training schemes referred to in Article 3.

Article 9

1. With a view to making optimum use of the instruments and means provided for in this Protocol and achieving the objectives laid down in Article 3, the Community and Malta shall, by mutual agreement on the basis of information provided by Malta, draw up an indicative programme committing both parties and determining the specific objectives of financial and technical cooperation, the priority sectors for intervention and the action programmes envisaged.

2. The indicative programme may be reviewed by mutual agreement to take account of any changes in Malta's economic situation or in the objectives and priorities laid down by its development plan.

3. The Community and Malta shall continue their exchanges of views within the appropriate bodies and shall, at least once during the period of implementation of this Protocol and at the latest before the end of the third year following its entry into force, make an assessment of the implementation of the indicative programme.

Article 10

1. Within the framework laid down in accordance with Article 9, the State of Malta or, with the agreement of its Government, the other possible beneficiaries referred to

in Article 8, shall submit their requests for financial aid to the Community.

2. The Community shall appraise the requests for financing in collaboration with the competent Maltese authorities and other beneficiaries, in accordance with the objectives referred to in Article 9, and shall inform them of the decisions taken on such requests.

Article 11

1. The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Malta or of the other beneficiaries referred to in Article 8.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

2. The projects and action programmes shall be the subject of appropriate evaluation, the outcome of which shall be communicated to both parties, which shall take appropriate measures by mutual agreement.

3. Certain rules for administering the financial aid granted by the Community shall be the subject of an Exchange of Letters or a Framework Agreement between the Commission and Malta upon conclusion of this Protocol.

Article 12

1. All natural and legal persons falling within the scope of the Treaty establishing the European Economic Community and all natural and legal persons of Malta may participate on equal terms in tendering procedures and other procedures for the award of contracts likely to be financed. Any such legal person formed in accordance with the law of a Member State of the European Economic Community or of Malta must have its registered office, its administrative head office or its principal establishment in the territories in which the EEC Treaty is applied or in Malta ; however, where only its registered office is in the said territories or in Malta, the activities of such legal person must be effectively and continuously linked with the economy of those territories or of Malta.

2. In agreement with Malta, natural and legal persons who are nationals of developing countries associated with the Community by comprehensive cooperation or association agreements may exceptionally, on a case-by-case basis, be authorized by the Community to participate in the operations referred to in paragraph 1 which are financed by the Community. The eligibility of such natural or legal persons shall be assessed, *mutatis mutandis*, on the terms set out in paragraph 1.

Article 13

To promote participation by Maltese undertakings in the performance of contracts and to ensure the rapid and effective implementation of projects and operations financed from resources administered by the Commission :

1. An accelerated procedure for issuing invitations to tender involving shorter time limits for the submission of tenders may be used by Malta in agreement with the Commission for works contracts which, because of their scale, are mainly of interest to Maltese undertakings.

The organization of this accelerated procedure shall not rule out the possibility of issuing an international invitation to tender where it appears that the nature of the works to be carried out or the usefulness of widening participation justifies recourse to international competition.

2. In urgent cases or where the nature, small scale or particular characteristics of certain works or supplies so warrant, Malta may exceptionally, in agreement with the Commission, authorize the placing of contracts following restricted invitations to tender, the conclusion of contracts following restricted invitations to tender, the conclusion of contracts by direct agreement and the performance of contracts through public works departments.

The procedures referred to in points 1 and 2 may be used for operations with an estimated cost of less than ECU 3 million.

Article 14

1. Malta shall apply to contracts awarded for the execution of projects or schemes financed by the Community fiscal and customs arrangements no less favourable than those applied *vis-à-vis* the most favoured State or the most favoured international development organization.
2. The content of the arrangements referred to in paragraph 1 shall be established by means of an exchange of letters between the Parties.

Article 15

Malta shall take the necessary measures to ensure that interest and all other payments due to the Bank in respect of transactions concluded under this Protocol are exempted from any national or local tax or levy.

Article 16

Where a loan is accorded to a beneficiary other than the State of Malta, the provision of a guarantee by the latter or of other adequate guarantees shall be required by the Bank as a condition of the grant.

Article 17

Throughout the duration of the loans and risk capital operations provided for in Article 2, Malta shall undertake to:

- (a) place at the disposal of the beneficiaries or of their guarantors the currency necessary for the payment of interest and commission and amortization of loans and risk capital aid guaranteed for the implementation of operations on its territory;
- (b) make available to the Bank the foreign currency necessary for the transfer of all sums received by it in national currency which represent the net revenue and proceeds from transactions involving the acquisition by the Community of holdings in the capital of companies or firms.

Article 18

The results of financial and technical cooperation may be examined within the Association Council which shall establish, where appropriate, the general guidelines for such cooperation.

Article 19

One year before the expiry of this Protocol, the Contracting Parties shall examine what arrangements could be made for financial and technical cooperation during a possible further period.

Article 20

This Protocol shall be annexed to the Agreement establishing an Association between the European Economic Community and Malta.

Article 21

1. This Protocol shall be subject to approval in accordance with the Contracting Parties' own procedures; the Contracting Parties shall notify each other that the procedures necessary to this end have been completed.
2. The Protocol shall enter into force on the first day of the second month following the date on which the notifications provided for in paragraph 1 have been given.

Article 22

This Protocol is drawn up in two original copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each of these texts being equally authentic.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Protocolo.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τῆς υπογραφῆς τοὺς στο παρὸν πρωτόκολλο.

In witness whereof the undersigned Plenipotentiaries have signed this Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben gesteld.

Em fé do que os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final do presente protocolo.

Hecho en Bruselas, a veinte de marzo de mil novecientos ochenta y nueve.

Udfærdiget i Bruxelles, den tyvende marts nitten hundrede og niogfirs.

Geschehen zu Brüssel am zwanzigsten März neunzehnhundertneunundachtzig.

Έγινε στις Βρυξέλλες, στις είκοσι Μαρτίου χίλια εννιακόσια ογδόντα εννέα.

Done at Brussels on the twentieth day of March in the year one thousand nine hundred and eighty-nine.

Fait à Bruxelles, le vingt mars mil neuf cent quatre-vingt-neuf.

Fatto a Bruxelles, addì venti marzo millenovecentottantanove.

Gedaan te Brussel, de twintigste maart negentienhonderd negenentachtig.

Feito em Bruxelas, em vinte de Março de mil novecentos e oitenta e nove.

Por el Consejo de las Comunidades Europeas

For Rådet for De Europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

Pelo Conselho das Comunidades Europeias



Por el Gobierno de la República de Malta

For-regeringen for Republikken Malta

Für die Regierung der Republik Malta

Για την κυβέρνηση της Δημοκρατίας της Μάλτας

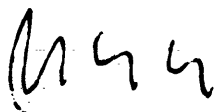
For the Government of the Republic of Malta

Pour le gouvernement de la république de Malte

Per il governo della Repubblica di Malta

Voor de Regering van de Republiek Malta

Pelo Governo da República de Malta



Information concerning the date of entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta, signed in Brussels on 20 March 1989⁽¹⁾

As the instruments of notification of the completion of the procedures necessary for the entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Malta, signed in Brussels on 20 March 1989, were exchanged on 16 June 1989, the Protocol will enter into force, in accordance with Article 21 (2) thereof, on 1 August.

⁽¹⁾ See page 46 of this Official Journal.

COMMISSION

COMMISSION DECISION

of 10 May 1989

fixing an indicative allocation between Member States of 85 % of the commitment appropriations of the ERDF under Objective 5b as defined by Council Regulation (EEC) No 2052/88

(89/379/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, and in particular Article 12 (6) thereof,

Whereas the first subparagraph of Article 12 (6) of the aforementioned Regulation states that, to facilitate the planning of assistance in the regions concerned, the Commission is to establish, for a period of five years and as a guide, the allocation between Member States of 85 % of the commitment appropriations of the ERDF;

Whereas the second subparagraph of Article 12 (6) of the aforementioned Regulation states that this allocation is to be based on the socioeconomic criteria determining the eligibility of regions and areas for ERDF assistance;

Whereas Article 4 of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽²⁾, provides a set of possible eligibility criteria, in part of a qualitative and optional nature;

Whereas the Commission has drawn up the list of regions eligible under Objective 5b by applying those criteria;

Whereas Article 13 of Council Regulation (EEC) No 4254/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards

the European Regional Development Fund⁽³⁾ states that, before 1 January 1989, the Commission is to decide, for a period of five years and as a guide, on the indicative allocation between Member States of 85 % of the commitment appropriations of the ERDF;

Whereas Article 15 of Regulation (EEC) No 4254/88 states that Article 13 thereof is to apply with effect from the date of adoption of the Regulation;

Whereas by Decisions 89/250/EEC⁽⁴⁾ and 89/259/EEC⁽⁵⁾, the Commission has established an indicative allocation for assistance under Objectives 1 and 2, respectively,

HAS ADOPTED THIS DECISION:

Article 1

The indicative allocation between Member States to be established pursuant to the first subparagraph of Article 12 (6) of Regulation (EEC) No 2052/88, in so far as resources to be devoted to Objective 5b as defined by the same Regulation are concerned, is given in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 May 1989.

For the Commission

Bruce MILLAN

Member of the Commission

⁽¹⁾ OJ No L 185, 18. 7. 1988, p. 9.

⁽²⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽³⁾ OJ No L 374, 31. 12. 1988, p. 15.

⁽⁴⁾ OJ No L 101, 13. 4. 1989, p. 41.

⁽⁵⁾ OJ No L 113, 26. 4. 1989, p. 29.

ANNEX

Indicative percentage allocation between Member States covering 85% of the commitment appropriations of the ERDF to be devoted to Objective 5b

1989 to 1993

Member State	Indicative allocation Objective 5b
Belgium	1,2
Denmark	0,7
Federal Republic of Germany	27,5
Greece	—
Spain	7,2
France	37,2
Ireland	—
Italy	16,4
Luxembourg	0,1
Netherlands	2,2
Portugal	—
United Kingdom	7,5
Total	100,0

COMMISSION DECISION

of 16 June 1989

authorizing certain Member States provisionally to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Pinus* L. originating in Japan

(89/380/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 89/359/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by the Member States concerned,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Pinus* L., other than fruit and seeds, originating in non-European countries, may in principle not be introduced into the Community;

Whereas, however, Article 14 (3) of the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas certain Member States requested to be authorized to permit the importation of *Pinus* plants of the bonzai-type, originating in Japan;

Whereas, by Decision 83/355/EEC⁽³⁾, as last amended by Decision 88/165/EEC⁽⁴⁾, the Commission authorized the Member States concerned to provide for such derogations, under certain technical conditions; whereas that authorization expired on 31 December 1988;

Whereas it was necessary to check the inspection and surveillance measures taken by the Japanese authorities in order to prevent the spread of harmful organisms;

Whereas those checks were recently carried out;

Whereas the Commission has established that on the basis of available information and the results of the aforementioned checks there is no risk of spreading harmful organisms, provided that certain improved technical conditions are satisfied;

Whereas the Member States concerned should therefore be authorized to provide for derogations in respect of

certain *Pinus* plants under those improved technical conditions; whereas this authorization should be granted for an appropriate period, subject to its revision in the light of further experience to be gained;

Whereas, however, it has been confirmed that Japanese bonzais are exported from October to March; whereas it is not therefore possible to apply those improved technical conditions during the current export period; whereas therefore the Member States should be authorized to provide for derogations in respect of plants of *Pinus* L. originating in Japan for a further limited period under the provisions of Decision 83/355/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom are hereby authorized from 1 April 1989 to provide under the conditions laid down in paragraph 2 for derogations from Article 4 (1) of Directive 77/93/EEC, with regard to Annex III (A) (1), for plants of *Pinus* L., other than fruit and seeds, originating in Japan.

2. The following conditions shall be satisfied:

- (a) The plants shall be either entirely of the species *Pinus parviflora* Sieb. & Zucc. (*Pinus pentaphylla* Mayr.), or grafted on a rootstock of a *Pinus* species other than *Pinus parviflora*. In the latter case, the rootstock shall not bear any shoots.

The total number of plants shall not exceed quantities which have been determined by the importing State, having regard to available quarantine facilities.

- (b) The plants shall have been grown and trained for at least two subsequent years in officially registered bonzai nurseries. The annual lists of the registered bonzai nurseries shall be made available to the Commission, at the latest by November of each year. These lists shall include the number of plants grown in each of these nurseries, as far as they are deemed suitable for dispatch to the Community in the following year, under the conditions laid down in this Decision.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 153, 6. 6. 1989, p. 28.

⁽³⁾ OJ No L 199, 22. 7. 1983, p. 27.

⁽⁴⁾ OJ No L 72, 18. 3. 1988, p. 59.

- (c) The plants of the genus *Pinus* L. which have been grown in the registered bonzai nurseries or their immediate vicinity shall have been officially inspected at least six times per year and at appropriate times, for presence of harmful organisms of concern.

The inspections shall be carried out at least by visual examination of each field row and by visual examination of all parts above growing medium of at least 10 % of the individual plants, selected at random.

The harmful organisms of concern are

- *Bursaphelenchus xylophilus* (Steiner & Bühner) Nickle et al.,
- *Cercospora pini-densiflorae* Hori & Nambue,
- *Coleosporium paederiae*,
- *Coleosporium phellodendri* Komr.,
- *Cronartium quercuum* (Berk.) Miyabe ex Shirai,
- *Dendrolimus spectabilis* Butler,
- *Peridermium kurilense* Dietel,
- *Popillia japonica* Newman,
- *Thecodiplosis japonensis* Uchida & Inouye,
- any other harmful organism which is not known to occur in the Community.

The plants shall have been found free, in these inspections, from the harmful organisms of concern. Infested plants shall be removed. The remaining plants shall be effectively treated, where appropriate.

- (d) Any detection of harmful organisms of concern in the inspections carried out pursuant to (c) shall be officially recorded, and the record shall be made available to the Commission, upon its request. Any detection of any of the harmful organisms of concern, which are specified in (c) by their scientific names, shall disqualify the nursery from its status under (b). In such case, the registration can be renewed only in the following year.

- (e) The plants intended for the Community shall :

- have been grown, at least during the two last years prior to dispatch, in either an artificial growing medium or in a natural growing medium which has been treated by fumigation or by appropriate heat treatment to ensure freedom from harmful organisms,
- in the case of grafting on a rootstock of a *Pinus* species other than *Pinus parviflora*, the rootstock material shall have derived from sources officially approved as healthy material,
- be potted, at least during the same period, in pots which are placed on shelves at least 20 cm above ground,

— be made recognizable with a marking, exclusive for each individual plant and notified to the official plant-protection organization of Japan, enabling the identification of the registered nursery and the year of potting,

— be found free, in the inspections referred to in (c), from harmful organisms of concern and not be affected by the measures referred to in (d),

— be free from other plant debris.

- (f) The official plant protection organization of Japan shall ensure the identity of the plants from the time of their removal from the nursery until the time of loading for export, through sealing of transport vehicles or appropriate alternatives.

- (g) The plants and the adhering or associated growing medium (hereinafter referred to as 'the material') shall be accompanied by a phytosanitary certificate issued in Japan in accordance with Article 7 of Directive 77/93/EEC, on the basis of the examination laid down in Article 6 of the said Directive relating to the conditions laid down therein, in particular freedom from the harmful organisms of concern, as well as to the requirements specified in (a) to (f).

The certificate shall indicate :

— the name or the names of the registered nursery or nurseries,

— the markings referred to in (e), as far as they enable identification of the registered nursery and the year of potting,

— the specification of any treatment applied,

— under 'Additional Declaration', the statement 'This consignment meets the conditions laid down in Decision 89/380/EEC'.

- (h) The material shall be packed in closed containers which have been officially sealed and bear a distinguishing mark to be reproduced on the phytosanitary certificate, enabling the consignments to be identified.

- (i) The material shall be subjected, before it is released, to official post-entry quarantine for a period of not less than three months of active growth and must be found free, during this quarantine period, from any harmful organism of concern.

- (k) The post-entry quarantine mentioned under (i) shall :

— be supervised by the official plant-protection organization of the Member State concerned and executed by officially approved and trained staff,

— be performed at an officially approved site provided with appropriate facilities sufficient to contain harmful organisms and treat the material in such a way as to eliminate any risk of spreading harmful organisms,

- be performed for each item of material :
 - (i) by visual examination upon arrival and at regular intervals thereafter, having regard to the type of material and its state of development during the quarantine period, for harmful organisms or symptoms caused by any harmful organism,
 - (ii) by appropriate testing on any symptom observed in the visual examination in order to identify the harmful organisms having caused such symptoms.
 - (l) Any lot containing material which has not been found free, during the post-entry quarantine specified under (i), from harmful organisms of concern shall be immediately destroyed, unless special permission for official scientific research has been granted.
 - (m) Member States shall notify, to the Commission and to the other Member States, any contamination by harmful organisms of concern which has been confirmed during the post-entry quarantine specified under (i).
 - (n) Prior to introduction from outside the Community into a Member State, the importer or his agents shall notify each introduction sufficiently in advance to the authority responsible in the Member State concerned, indicating :
 - the type of material,
 - the quantity,
 - the declared date of import,
 - the place or places of first storage after the material has been released.
- They shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (m).
- (o) Any material which has been subjected to the post-entry quarantine specified under (i) in one Member State and has been found free, during that quarantine period, from harmful organisms of concern and which has been maintained under appropriate conditions shall be exempted, for its introduction into one of the other Member States, from the requirement laid down under (i). However, in such case it may be introduced only where the following conditions are satisfied :

- the required phytosanitary certificates shall indicate the site of the quarantine as well as the dates thereof,
- copies of the certificates shall be sent to the plant-protection organization of the introducing Member State, prior to dispatch of the material,
- in the introducing Member State, the material shall be subject to conditions which that Member State may lay down to enable adequate phytosanitary monitoring, without affecting the movement of the consignment to the place of destination.

Article 2

The Member States listed in Article 1 (1) shall inform the other Member States and the Commission of any instance of implementation of this Decision.

Article 3

In the first sentence of Article 3 of Decision 83/355/EEC '31 December 1988' is hereby replaced by '31 March 1989'.

Article 4

The authorization granted in Article 1 shall expire on 31 December 1992. It shall be revoked earlier if it is established that the conditions laid down under Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 5

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Portugal and the United Kingdom.

Done at Brussels, 16 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission