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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1893/89**of 29 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 28 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 30 June 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	37,31	128,38
0712 90 19	37,31	128,38
1001 10 10	62,14	192,25 ⁽¹⁾ ⁽²⁾
1001 10 90	62,14	192,25 ⁽¹⁾ ⁽²⁾
1001 90 91	37,60	121,53
1001 90 99	37,60	121,53
1002 00 00	64,68	132,46 ⁽⁶⁾
1003 00 10	55,35	123,98
1003 00 90	55,35	123,98
1004 00 10	46,41	99,63
1004 00 90	46,41	99,63
1005 10 90	37,31	128,38 ⁽²⁾ ⁽³⁾
1005 90 00	37,31	128,38 ⁽²⁾ ⁽³⁾
1007 00 90	55,35	138,30 ⁽⁴⁾
1008 10 00	55,35	15,65
1008 20 00	55,35	32,47 ⁽⁴⁾
1008 30 00	55,35	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	55,35	0,00
1101 00 00	67,34	184,03
1102 10 00	105,25	200,14
1103 11 10	109,95	311,62
1103 11 90	70,92	196,94

⁽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 1894/89

of 29 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 28 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 30 June 1989.

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

Done at Brussels, 29 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 29 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	1,26
0712 90 19	0	0	0	1,26
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	1,26
1005 90 00	0	0	0	1,26
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 1895/89

of 29 June 1989

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1225/89 ⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria ⁽³⁾, as last amended by Regulation (EEC) No 4014/88 ⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco ⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88 ⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia ⁽⁷⁾, as last amended by Regulation (EEC) No 413/86 ⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey ⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88 ⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon ⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78 ⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender ⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 26 and 27 June 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 30 June 1989.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 29 June 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1896/89
of 29 June 1989

**amending Regulation (EEC) No 1432/89 on the issuing of a standing invitation to
tender for the resale on the internal market of 300 000 tonnes of barley held by
the Italian intervention agency**

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,

Having regard to Commission Regulation (EEC) No
1836/82 of 7 July 1982 laying down the procedure and
conditions for the disposal of cereals held by the
intervention agencies ⁽³⁾, as last amended by Regulation
(EEC) No 2418/87 ⁽⁴⁾,

Whereas the last partial invitation to tender under
Commission Regulation (EEC) No 1432/89 ⁽⁵⁾ should be
postponed;

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

Article 2 (2) of Regulation (EEC) No 1432/89 is replaced
by the following:

'2. The last partial invitation to tender shall expire
on 27 July 1989.'

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, 29 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁵⁾ OJ No L 143, 26. 5. 1989, p. 9.

COMMISSION REGULATION (EEC) No 1897/89

of 28 June 1989

repealing Regulation (EEC) No 1399/89 concerning the stopping of fishing for cod by vessels flying the flag of Germany and Regulation (EEC) No 1435/89 concerning the stopping of fishing for cod by vessels flying the flag of a Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1399/89⁽³⁾ stopped fishing for cod in the waters of NAFO zone 1 (Greenland waters) by vessels flying the flag of Germany or registered in Germany;

Whereas Commission Regulation (EEC) No 1435/89⁽⁴⁾ stopped fishing for cod in the waters of NAFO zone 1 (Greenland waters) by vessels flying the flag of a Member State or registered in a Member State due to the exhaustion of the quota allocated to the Community;

Whereas Council Regulation (EEC) No 1578/89⁽⁵⁾ increased the quotas for cod allocated to Germany and to the United Kingdom in the waters of NAFO zone I (Greenland waters) as provided by Council Regulation

(EEC) No 3950/88 of 11 December 1988 allocating, for 1989, Community catch quotas in Greenland waters⁽⁶⁾; whereas fishing for cod in the waters of NAFO zone I (Greenland waters) by vessels flying the flag of a Member State or registered in a Member State should therefore be permitted; whereas, consequently, it is necessary to revoke Regulations (EEC) No 1399/89 and (EEC) No 1435/89,

HAS ADOPTED THIS REGULATION:

Article 1

Regulations (EEC) No 1399/89 and (EEC) No 1435/89 are hereby repealed.

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, 28 June 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 140, 24. 5. 1989, p. 22.

⁽⁴⁾ OJ No L 143, 26. 5. 1989, p. 12.

⁽⁵⁾ OJ No L 156, 8. 6. 1989, p. 3.

⁽⁶⁾ OJ No L 352, 21. 12. 1988, p. 7.

COMMISSION REGULATION (EEC) No 1898/89

of 29 June 1989

fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) (c) of that Regulation;

Whereas the import levy on molasses must be equal to the threshold price less the cif price; whereas the threshold price for molasses was fixed by Council Regulation (EEC) No 1255/89 of 3 May 1989 fixing, for the 1989/90 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal ⁽³⁾;

Whereas the cif price for molasses is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Regulation (EEC) No 431/68 of the Council of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁴⁾;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on that market adjusted for any deviation from the standard quality for which the threshold price is fixed; whereas the standard quality for molasses was defined by Regulation (EEC) No 785/68 of the Commission of 26 June 1968

determining the standard quality and laying down detailed rules for calculating the cif price for molasses ⁽⁵⁾;

Whereas, when the most favourable purchasing opportunities on the world market are being established, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets and on sales concluded in international trade of which it has knowledge, either directly or through the agency of the Member States; whereas, under the terms of Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided this average can be regarded as being representative of actual market trends;

Whereas the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to a small quantity and is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas any prices or offer taken into consideration which are not for delivery cif Rotterdam must be adjusted, account being taken in particular of the differences in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results obtained by applying Article 6 of Regulation (EEC) No 785/68;

Whereas the cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price;

Whereas the levy must be fixed each week; whereas pursuant to Article 5 of Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 126, 9. 5. 1989, p. 4.

⁽⁴⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁵⁾ OJ No L 145, 27. 6. 1968, p. 12.

application of levies on sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1428/78 ⁽²⁾, the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than ECU 0,06 per 100 kilograms in relation to the levy previously fixed;

Whereas in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas if the levy system is to operate normally, levies should be calculated on currencies 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 correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾,
- 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 correcting factor;

Whereas it follows from applying these provisions that the levy for molasses should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

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, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1899/89
of 29 June 1989
fixing additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2759/75 of the Council of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular the second subparagraph of Article 13 (5) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation (EEC) No 209/88 of 26 January 1988 on fixing the additional amount for imports of pigmeat products from third countries⁽³⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports listed according to product and country of origin in that Annex;

Whereas Regulation (EEC) No 209/88 lays down certain detailed rules, to that end, and in particular for determining the free-at-frontier offers for those products;

whereas, according to the information received by the Commission, offers from third countries in the determination of which not only the prices shown in customs documents but also all other indications concerning the prices ruling in third countries, are taken into account, are developing in such a way that additional amounts should be fixed for those products at the level shown in the Annex;

Whereas, in accordance with Article 1 of Regulation No 121/65/EEC⁽⁴⁾ and with Commission Regulations (EEC) No 564/68⁽⁵⁾, (EEC) No 998/68⁽⁶⁾, (EEC) No 2260/69⁽⁷⁾ and (EEC) No 1570/71⁽⁸⁾, all as amended by Regulation (EEC) No 4159/87⁽⁹⁾, the levy on certain products listed in those Regulations which originate in and come from the Republic of Austria, the People's Republic of Poland, the Hungarian People's Republic, the Socialist Republic of Romania and the People's Republic of Bulgaria should not be increased by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 13 of Regulation (EEC) No 2759/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 3 July 1989.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 21, 27. 1. 1988, p. 5.

⁽⁴⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁶⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽⁸⁾ OJ No L 165, 23. 7. 1971, p. 23.

⁽⁹⁾ OJ No L 392, 31. 12. 1987, p. 43.

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1989 fixing additional amounts for certain pigmeat products

<i>(Ecu/100 kg)</i>		
CN code	Origin of imports (1)	Supplementary amount
0203 11 10	01	15
0203 21 10	01	15

(1) Origin :
01 Finland.

COMMISSION REGULATION (EEC) No 1900/89
of 29 June 1989
fixing the import levies on milk and milk products

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

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

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

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1167/89 ⁽³⁾, as last amended by Regulation (EEC) No 1683/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 121, 29. 4. 1989, p. 20.

⁽⁴⁾ OJ No L 164, 15. 6. 1989, p. 19.

ANNEX

to the Commission Regulation of 29 June 1989 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		12,44
0401 10 90		11,23
0401 20 11		17,68
0401 20 19		16,47
0401 20 91		22,88
0401 20 99		21,67
0401 30 11		60,10
0401 30 19		58,89
0401 30 31		117,29
0401 30 39		116,08
0401 30 91		198,77
0401 30 99		197,56
0402 10 11		75,30
0402 10 19		68,05
0402 10 91	(¹)	0,6805/kg + 24,69
0402 10 99	(¹)	0,6805/kg + 17,44
0402 21 11		147,03
0402 21 17		139,78
0402 21 19		139,78
0402 21 91		192,63
0402 21 99		185,38
0402 29 11	(¹) (²)	1,3978/kg + 24,69
0402 29 15	(¹)	1,3978/kg + 24,69
0402 29 19	(¹)	1,3978/kg + 17,44
0402 29 91	(¹)	1,8538/kg + 24,69
0402 29 99	(¹)	1,8538/kg + 17,44
0402 91 11		31,00
0402 91 19		31,00
0402 91 31		38,75
0402 91 39		38,75
0402 91 51		117,29
0402 91 59		116,08
0402 91 91		198,77
0402 91 99		197,56
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,1366/kg + 21,07
0402 99 39	(¹)	1,1366/kg + 19,86
0402 99 91	(¹)	1,9514/kg + 21,07
0402 99 99	(¹)	1,9514/kg + 19,86

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

CN code	Note	Import levy
0403 10 11		20,09
0403 10 13		25,29
0403 10 19		62,51
0403 10 31	(¹)	0,1405/kg + 23,48
0403 10 33	(¹)	0,1925/kg + 23,48
0403 10 39	(¹)	0,5647/kg + 23,48
0403 90 11		75,30
0403 90 13		147,03
0403 90 19		192,63
0403 90 31	(¹)	0,6805/kg + 24,69
0403 90 33	(¹)	1,3978/kg + 24,69
0403 90 39	(¹)	1,8538/kg + 24,69
0403 90 51		20,09
0403 90 53		25,29
0403 90 59		62,51
0403 90 61	(¹)	0,1405/kg + 23,48
0403 90 63	(¹)	0,1925/kg + 23,48
0403 90 69	(¹)	0,5647/kg + 23,48
0404 10 11		12,96
0404 10 19	(¹)	0,1296/kg + 17,44
0404 10 91	(²)	0,1296/kg
0404 10 99	(²)	0,1296/kg + 17,44
0404 90 11		75,30
0404 90 13		147,03
0404 90 19		192,63
0404 90 31		75,30
0404 90 33		147,03
0404 90 39		192,63
0404 90 51	(¹)	0,6805/kg + 24,69
0404 90 53	(¹)	1,3978/kg + 24,69
0404 90 59	(¹)	1,8538/kg + 24,69
0404 90 91	(¹)	0,6805/kg + 24,69
0404 90 93	(¹)	1,3978/kg + 24,69
0404 90 99	(¹)	1,8538/kg + 24,69
0405 00 10		204,25
0405 00 90		249,19
0406 10 10		238,40
0406 10 90		298,35
0406 20 10	(³)	365,83
0406 20 90		365,83
0406 30 10	(³)	182,09
0406 30 31	(³)	183,61
0406 30 39	(³)	182,09
0406 30 90	(³)	278,81
0406 40 00	(³)	158,11
0406 90 11	(³)	235,77

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

CN code	Note	Import levy
0406 90 13	(³)	238,89
0406 90 15	(³)	238,89
0406 90 17	(³)	238,89
0406 90 19	(³)	365,83
0406 90 21	(³)	235,77
0406 90 23	(³)	201,63
0406 90 25	(³)	201,63
0406 90 27	(³)	201,63
0406 90 29	(³)	201,63
0406 90 31	(³)	201,63
0406 90 33		201,63
0406 90 35	(³)	201,63
0406 90 37	(³)	201,63
0406 90 39	(³)	201,63
0406 90 50	(³)	201,63
0406 90 61		365,83
0406 90 63		365,83
0406 90 69		365,83
0406 90 71		238,40
0406 90 73		201,63
0406 90 75		201,63
0406 90 77		201,63
0406 90 79		201,63
0406 90 81		201,63
0406 90 83		201,63
0406 90 85		201,63
0406 90 89	(³)	201,63
0406 90 91		238,40
0406 90 93		238,40
0406 90 97		298,35
0406 90 99		298,35
1702 10 10		35,49
1702 10 90		35,49
2106 90 51		35,49
2309 10 15		53,46
2309 10 19		69,11
2309 10 39		65,65
2309 10 59		56,27
2309 10 70		69,11
2309 90 35		53,46
2309 90 39		69,11
2309 90 49		65,65
2309 90 59		56,27
2309 90 70		69,11

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

COMMISSION REGULATION (EEC) No 1901/89

of 29 June 1989

derogating from Regulation (EEC) No 920/89 laying down quality standards for carrots, citrus fruit and dessert apples and pears as regards the sizing of apples for 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 1035/72 of 18 May 1972 on the common organization of the market in fruits and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the second subparagraph of Article 2 (3) thereof,

Whereas Annex III to Commission Regulation (EEC) No 920/89⁽³⁾ lays down quality standards for dessert apples and pears; whereas that Regulation enters into force on 1 July 1989;

Whereas those standards provide for the obligation to comply with a minimum size, depending in particular on the quality class of the product; whereas the minimum size laid down for apples of large fruit varieties and that for apples of other varieties classified in class II is not in

line with production and marketing requirements for the 1989/90 marketing year; whereas those minimum sizes should accordingly be increased for that marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year, by way of derogation from the provisions of Part III entitled 'Provisions concerning sizing' of Annex III to Regulation (EEC) No 920/89, the provisions applicable as regards the minimum size for apples shall be as follows:

	<i>Extra</i>	<i>I</i>	<i>II</i>	<i>III</i>
Apples				
Large fruit varieties	70 mm	65 mm	65 mm	50 mm
Other varieties	60 mm	55 mm	55 mm	50 mm

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, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 19.

COMMISSION REGULATION (EEC) No 1902/89

of 29 June 1989

derogating in respect of the opening weeks of the 1989/90 marketing year from
the quality standards applicable to certain varieties of apples and pears

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 1119/89⁽²⁾, and in particular the
second subparagraph of Article 2 (3) thereof,

Whereas, under the quality standards for dessert apples
and pears set out in the Annex III to Commission
Regulation (EEC) No 920/89⁽³⁾, the fruit must be
developed to the point where further ripening will enable
it to attain the maturity appropriate to its varietal charac-
teristics; whereas the minimum sizes laid down by the
standards render this requirement impossible to meet
early in the marketing year in the case of some apple and
pear varieties; whereas larger minimum sizes should be
fixed for a certain period;

Whereas the need for this derogation from the minimum
sizes laid down in the quality standards may not arise
everywhere in the Community; whereas the Member
States should therefore be empowered not to apply the
derogation or to re-apply the standard earlier than the
dates fixed in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Title III of the quality
standards for dessert apples and pears contained in the

Annex III to Regulation (EEC) No 920/89, and subject to
paragraph 2 below, the minimum size required of fruit of
the 1988 harvest marketed within the Community shall
be:

- (a) for apples of the George Cave variety, 60 mm until 6 August 1989;
- (b) for apples of the Grenadier variety, 70 mm until 6 August 1989;
- (c) for apples of the James Grieve and mutations (except the Red James Grieve variety) and Jamba varieties, 70 mm until 27 August 1989;
- (d) for apples of the Gravensteiner and mutations varieties 70 mm until 10 September 1989;
- (e) for apples of the Cox's orange pippin variety and mutations, 65 mm until 24 September 1989;
- (f) for apples of the Worcester pearmain variety, 60 mm until 3 September 1989;
- (g) for apples of the Discovery variety, 60 mm until 13 August 1989;
- (h) for apples of the Summerred variety, 65 mm until 17 September 1989;
- (i) for apples of the Red James Grieve varieties, 70 mm until 10 September 1989;
- (j) for apples of the Spartan variety, 65 mm until 24 September 1989;
- (k) for apples of the Bramley Seedling variety, 80 mm until 10 September 1989;
- (l) for apples of the Katy variety, 60 mm until 27 August 1989;
- (m) for apples of the Elstar, Gloster 69, Ingrid Marie, Jonagold and mutations varieties, 70 mm until 15 October 1989;
- (n) for apples of the Belle de Boskoop and mutations and Mutsu varieties, 70 mm and 75 mm until 12 November 1989;
- (o) for pears of the Dr Jules Guyot and Early Morettini Butter-pear varieties, 60 mm until 20 August 1989;
- (p) for pears of the Bon Chrétien Williams variety, 60 mm until 10 September 1989;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 19.

- (q) for pears of the Beurré Hardy and Alexandrine Douillard varieties, 60 mm until 8 October 1989 ;
- (r) for pears of the Louise Bonne d'Avranches variety, 55 mm until 1 October 1989.

However, Member States may decide, in the light of conditions peculiar to their home production, not to apply this derogation in respect of apples and pears harvested in their territory and marketed within the Community or to bring forward the date on which the derogation shall cease to apply. They shall without delay

inform the other Member States and the Commission of such decision.

- 2. The derogation provided for in paragraph 1 shall not apply in respect of trade in dessert apples and pears with third countries.

Article 2

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

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1903/89**of 29 June 1989****amending Regulation (EEC) No 3719/88 as regards the use of the old forms for import and export licences and advance-fixing certificates for agricultural products**

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 Articles 12 (2), 15 (5), 16 (6) and 24 thereof, and to the corresponding provisions of the other Regulations establishing a common organization of the market in respect of agricultural products,

Whereas Commission Regulation (EEC) No 3719/88 of 16 November 1988 ⁽³⁾ replaces Regulation (EEC) No 3183/80 ⁽⁴⁾ and amends the specimens in Annex I thereto; whereas Regulation (EEC) No 3719/88 provides in particular, as a temporary measure, for the possibility of issuing until 30 June 1989 import and export licences, advance-fixing certificates and extracts thereof, compiled in accordance with the specimens valid on 31 December 1988;

Whereas the technical reasons behind that measure will remain valid beyond the term of validity laid down in

Regulation (EEC) No 3719/88; whereas that term of validity should accordingly be extended;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 47 (2) of Regulation (EEC) No 3719/88, the date '30 June 1989' is hereby replaced by '30 September 1989'.

Article 2

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

It shall apply from July 1989.

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

Done at Brussels, 29 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 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 338, 13. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 1904/89

of 29 June 1989

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil ⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Regulation (EEC) No 616/72 ⁽⁴⁾ of the Commission, as last amended by Regulation (EEC) No 2962/77 ⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾;

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

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

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, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1989 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	63,50
1509 10 90 900	99,00
1509 90 00 100	71,00
1509 90 00 900	105,08
1510 00 90 100	16,50
1510 00 90 900	50,50

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

NB : The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1905/89

of 29 June 1989

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1225/89⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of July and August 1989, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 111,00 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- 52,44 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- 47,32 ECU per 100 kilograms for olive oil utilized in Spain,
- 98,05 ECU per 100 kilograms for olive oil utilized in Portugal.

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, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 15.

COMMISSION REGULATION (EEC) No 1906/89

of 29 June 1989

fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88

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

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3421/88⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3421/88 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 June 1989.

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, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 301, 4. 11. 1988, p. 39.

ANNEX

to the Commission Regulation of 29 June 1989 fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88

(ECU/100 kg)	
Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,00
1509 90 00 100	73,51
1509 90 00 900	110,09
1510 00 90 100	18,00
1510 00 90 900	55,50

NB: The products codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1907/89**of 29 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 1849/89 ⁽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 30 June 1989.

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

Done at Brussels, 29 June 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 148, 1. 6. 1989, p. 26.

⁽⁴⁾ OJ No L 180, 27. 6. 1989, p. 39.

ANNEX

to the Commission Regulation of 29 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 :	21,76
Raw sugar :	20,01
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) :	$21,76 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	The rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—
Isoglucose ⁽²⁾ :	21,76 ⁽³⁾

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 1908/89

of 29 June 1989

amending Regulation (EEC) No 1574/89 introducing a countervailing charge on apples originating in Chile

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

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

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

Whereas Commission Regulation (EEC) No 1574/89 ⁽³⁾, as last amended by Regulation (EEC) No 1828/89 ⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1574/89 'ECU 14,30' is hereby replaced by 'ECU 19,41'.

Article 2

This Regulation shall enter into force on 30 June 1989.

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 154, 7. 6. 1989, p. 15.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 47.

COMMISSION REGULATION (EEC) No 1909/89

of 29 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 1848/89 ⁽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 30 June 1989.

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

Done at Brussels, 29 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 180, 27. 6. 1989, p. 37.

ANNEX

to the Commission Regulation of 29 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		21,76
1702 60 10 000		21,76
1702 60 90 000	0,2176	
1702 90 30 000		21,76
1702 90 60 000	0,2176	
1702 90 71 000	0,2176	
1702 90 90 900	0,2176	
2106 90 30 000		21,76
2106 90 59 000	0,2176	

⁽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 1910/89

of 29 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 1872/89 ⁽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 30 June 1989.

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

Done at Brussels, 29 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 181, 28. 6. 1989, p. 32.

ANNEX

to the Commission Regulation of 29 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	20,01 ⁽¹⁾	
1701 11 90 910	24,01 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	20,01 ⁽¹⁾	
1701 12 90 910	24,01 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2176
1701 99 10 100	21,76	
1701 99 10 910	26,10	
1701 99 10 950	24,60	
1701 99 90 100		0,2176

⁽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 1911/89
of 29 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 1888/89 ⁽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 30 June 1989.

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

Done at Brussels, 29 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 182, 29. 6. 1989, p. 23.

ANNEX

to the Commission Regulation of 29 June 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	27,79 ⁽¹⁾
1701 11 90	27,79 ⁽¹⁾
1701 12 10	27,79 ⁽¹⁾
1701 12 90	27,79 ⁽¹⁾
1701 91 00	27,88
1701 99 10	27,88
1701 99 90	27,88 ⁽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 1912/89
of 29 June 1989
fixing the amount of the subsidy on oil seeds

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

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

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

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

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

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 1442/89⁽⁷⁾, as last amended by Regulation (EEC) No 1803/89⁽⁸⁾;

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

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed

quantities for the 1989/90 year, has not, to date, been fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of ECU 3,44 per 100 kilograms for colza and rape seed, and of ECU 11,55 per 100 kilograms for sunflower seed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for colza, rape and sunflower seed will be confirmed or replaced as from 30 June 1989 to take into account the consequences of the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 30 June 1989.

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 166, 16. 6. 1989, p. 15.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 143, 26. 5. 1989, p. 25.

⁽⁸⁾ OJ No L 176, 23. 6. 1989, p. 42.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	0,580	1,170	1,170	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,943	17,405	17,345	16,875	16,247	16,621
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,84	41,47	41,33	40,25	38,78	39,87
— Netherlands (Fl)	55,62	45,91	45,75	44,56	42,91	44,23
— BLEU (Bfrs/Lfrs)	1 011,27	840,43	837,54	814,84	784,52	802,58
— France (FF)	153,60	131,09	130,62	126,93	122,00	124,90
— Denmark (Dkr)	183,44	155,43	154,89	150,69	145,09	148,43
— Ireland (£ Irl)	17,083	14,590	14,538	14,127	13,578	13,901
— United Kingdom (£)	12,435	11,069	10,982	10,569	10,088	10,194
— Italy (Lit)	33 332	28 960	28 842	27 968	26 909	27 287
— Greece (Dr)	2 409,05	2 685,01	2 613,72	2 446,33	2 314,77	2 238,99
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 243,07	2 735,61	2 726,69	2 646,58	2 553,37	2 574,50
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 468,68	3 965,17	3 938,76	3 819,86	3 696,59	3 645,61

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

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU):						
— Spain	3,080	3,670	3,670	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	23,443	19,905	19,845	19,375	18,747	19,121
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	55,74	47,37	47,23	46,15	44,68	45,77
— Netherlands (Fl)	62,23	52,51	52,35	51,16	49,50	50,82
— BLEU (Bfrs/Lfrs)	1 131,99	961,15	958,25	935,56	905,23	923,29
— France (FF)	172,56	150,34	149,87	146,17	141,24	144,14
— Denmark (Dkr)	205,54	177,75	177,22	173,02	167,41	170,75
— Ireland (£ Irl)	19,193	16,732	16,680	16,269	15,720	16,043
— United Kingdom (£)	14,122	12,822	12,735	12,323	11,841	11,947
— Italy (Lit)	37 420	33 142	33 024	32 150	31 091	31 470
— Greece (Dr)	2 799,10	3 133,48	3 062,19	2 894,80	2 763,24	2 687,46
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 628,61	3 117,85	3 108,93	3 028,82	2 935,61	2 956,74
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	4 938,70	4 445,18	4 418,76	4 299,86	4 176,60	4 125,62

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

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	5,170	5,170	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,865	20,865	18,119	18,119	18,119
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	49,76	49,76	43,23	43,25	43,25
— Netherlands (Fl)	55,46	55,46	47,80	47,85	47,85
— BLEU (Bfrs/Lfrs)	1 007,51	1 007,51	874,91	874,91	874,91
— France (FF)	151,59	151,59	136,00	136,00	136,00
— Denmark (Dkr)	182,28	182,28	161,80	161,80	161,80
— Ireland (£ Irl)	16,858	16,858	15,137	15,137	15,137
— United Kingdom (£)	11,921	11,921	11,288	11,226	11,226
— Italy (Lit)	32 958	32 958	30 102	30 004	30 004
— Greece (Dr)	2 164,70	2 103,88	2 652,97	2 570,25	2 570,25
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 295,35	3 295,35	3 066,42	3 054,10	3 054,10
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 105,91	6 104,89	5 783,81	5 752,44	5 752,44
— in another Member State (Esc)	5 950,74	5 949,74	5 636,83	5 606,25	5 606,25
3. Compensatory aids:					
— in Spain (Pta)	3 247,15	3 247,15	3 018,63	3 006,32	3 006,32
4. Special aid:					
— in Portugal (Esc)	5 950,74	5 949,74	5 636,83	5 606,25	5 606,25

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

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

ANNEX IV

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

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,068970	2,065050	2,061490	2,057880	2,057880	2,048500
Fl	2,332810	2,328090	2,323380	2,318910	2,318910	2,303890
Bfrs/Lfrs	43,316800	43,298000	43,278099	43,261000	43,261000	43,178600
FF	7,023930	7,024460	7,023870	7,023750	7,023750	7,025830
Dkr	8,062760	8,063750	8,065120	8,067260	8,067260	8,076100
£ Irl	0,776905	0,776446	0,776338	0,776348	0,776348	0,777019
£	0,679917	0,682611	0,685422	0,688095	0,688095	0,696169
Lit	1 498,78	1 503,13	1 507,07	1 510,94	1 510,94	1 522,21
Dr	178,46100	182,15000	185,27400	188,91600	188,91600	196,29600
Esc	172,97300	173,87600	174,60000	175,90600	175,90600	179,15100
Pta	131,78400	132,11600	132,44500	132,91800	132,91800	134,46100

COMMISSION REGULATION (EEC) No 1913/89

of 29 June 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 5

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 5 June 1989, the level of the premium is fixed at 0 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

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

Article 3

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

It shall apply with effect from 5 June 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	0,000	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	0,000	0
0204 21 00	0,000	0
0204 50 11		0
0204 22 10	0,000	
0204 22 30	0,000	
0204 22 50	0,000	
0204 22 90	0,000	
0204 23 00	0,000	
0204 30 00	0,000	
0204 41 00	0,000	
0204 42 10	0,000	
0204 42 30	0,000	
0204 42 50	0,000	
0204 42 90	0,000	
0204 43 00	0,000	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	0,000	
0210 90 19	0,000	
1602 90 71 :		
— unboned (bone-in)	0,000	
— boned or boneless	0,000	

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

COMMISSION REGULATION (EEC) No 1914/89

of 29 June 1989

fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3996/87⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1111/89 of 27 April 1989 fixing for the 1989/90 marketing year the guide price for dried fodder⁽³⁾;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded

during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1963/88⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 35.

⁽³⁾ OJ No L 118, 29. 4. 1989, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 173, 5. 7. 1988, p. 9.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %; a conversion rate based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies a conversion 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 on the aforesaid corrective factor;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these

two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

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, 29 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 29 June 1989 fixing the rate of the aid for dried fodder

Aid applicable from 1 July 1989 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	54,828	66,405	68,068	11,828	23,405	25,068

Aid in case of advance fixing for the month of:

(ECU/tonne)

August 1989	55,936	67,530	69,176	12,936	24,530	26,176
September 1989	55,087	66,668	68,327	12,087	23,668	25,327
October 1989	57,974	69,598	71,214	14,974	26,598	28,214
November 1989	59,254	70,898	72,494	16,254	27,898	29,494
December 1989	59,254	70,898	72,494	16,254	27,898	29,494
January 1990	57,859	69,482	71,099	14,859	26,482	28,099
February 1990 (1)	0,000	0,000	0,000	0,000	0,000	0,000
March 1990 (1)	0,000	0,000	0,000	0,000	0,000	0,000

(1) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 June 1989

on a specific programme for the provision of facilities for fishing ports
presented by Spain under Council Regulation (EEC) No 4028/86

(Only the Spanish text is authentic)

(89/389/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, and in particular Article 27 thereof,

Whereas the Spanish Government transmitted to the Commission on 30 November 1988 a specific programme for the provision of facilities at fishing ports, termed 'the programme' below;

Whereas the programme meets the requirements of Article 2 of Council Regulation (EEC) No 355/77⁽²⁾, as last amended by Regulation (EEC) No 1760/87⁽³⁾;

Whereas the programme will further the aims of the common fisheries policy;

Whereas the programme forms a coherent whole with the specific programme relating to the processing and marketing of fishery products in Spain approved by Commission Decision 87/396/EEC⁽⁴⁾;

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

Article 1

The specific programme (1989/93) for the provision of facilities at fishing ports presented by Spain on 30 November 1988, an outline of which is given in Annex 1 hereto, is approved subject to the requirements set out in Annex II.

Article 2

This Decision does not predetermine the granting of Community financial aid for individual investment projects.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 16 June 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽³⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 208, 30. 7. 1987, p. 44.

ANNEX I

OUTLINE OF THE SPECIFIC PROGRAMME FOR THE PROVISION OF FACILITIES AT SPANISH FISHING PORTS

1. General purpose

To improve facilities at fishing ports and so improve supply quality through superior organization of production and marketing.

2. Area covered

The entire Spanish coastline, except the Canary Islands, Ceuta and Melilla.

3. Duration

The programme covers the period 1 January 1989 to 31 December 1993.

4. Objectives and investment forecasts

The objectives of this programme are the modernization and fitting out of Spanish fishing ports in order to improve the ways in which fisheries products are produced, landed and offered for sale.

The total investment amount required during the programme to attain the objectives is Ptas 21 143 300 000 or ECU 158 780 000 ⁽¹⁾, split as follows:

	(million Ptas)	(million ecus)
(A) All investments covered by Regulation (EEC) No 355/77	4 369,6	32,82
(B.1) The supplies	2 806,0	21,07
(B.2) Cold storage plant	2 611,7	19,61
(B.3) Water supplies	554,0	4,16
(B.4) Fishing-landing equipment	1 109,0	8,32
(B.5) Fuel supplies	327,5	2,45
(B.6) The improvement of back-up facilities	7 720,0	57,97
(B.7) Alterations to or the provisions of facilities at quays in order to improve safety conditions during embarkation and landing of products	1 645,5	12,35
TOTAL	21 143,3	158,78

(a) The financial estimates as well as the apportionment between the different types of investment are indicative only.

(b) The Commission recalls that among the investments are included:

- installations for primary processing of fisheries products (ECU 33 million) covered by Regulation (EEC) No 355/77 which must be financed as a priority conforming that Regulation,
- installations for cold storage (ECU 20 million) which in certain cases are eligible under Regulation (EEC) No 355/77 and which must equally be financed as a priority in conformity with this Regulation,
- measures to improve back-up facilities for fishing vessels ECU 57 970 000 and the alterations to or the provisions of facilities at quays in order to improve safety conditions during embarkation and landings of products (ECU 12 350 000, which include certain investments, which although forming part of a measure to develop port installations, are not listed as eligible in Annex I to Regulation (EEC) No 2321/88 ⁽²⁾,

Thus, once projects are submitted for aid under this Regulation, it is for the Commission to study them and decide on whether or not they are eligible.

⁽¹⁾ ECU 1 = Ptas 131,161 (2. 1. 1989).

⁽²⁾ OJ No L 202, 27. 7. 1988, p. 18.

5. National aids

The national aid envisaged is 10 % of the total amount of the investment.

The above investments will qualify for subsidies from the State and from the market organization on regulation fund (FROM) and for subsidized loans and grants from the 'Comunidades Autonomas'.

ANNEX II

REMARKS

The Commission finds that the programme presented by the Spanish Government as a framework for future Community and national financial assistance is an adequate basis for promoting development of facilities at fishing ports and of the processing and marketing of fishery products.

The Commission must point out that development of facilities at ports and of processing and marketing must be geared to the probable trend of resource volumes and to the results and objectives of the multiannual guidance programmes for the fishing fleet and for aquaculture.

The Commission must also point to the necessity of compliance, in projects and programmes financed through the structural funds and Community financial instruments, of compliance with Community rules on public contracts (').

(') Directive 71/305/EEC of 26 July 1971 (OJ No. L 185, 16. 8. 1971), as last amended by Directive 78/669/EEC (OJ No L 225, 16. 8. 1978, p. 71).

COMMISSION DECISION

of 16 June 1989

on a specific programme for the provision of facilities for fishing ports on the Portuguese mainland presented by Portugal under Council Regulation (EEC) No 4028/86

(Only the Portuguese text is authentic)

(89/390/EEC)

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

Having regard to Council Regulation (EEC) No 4028/86 of 18 December 1986 on Community measures to improve and adapt structures in the fisheries and aquaculture sector⁽¹⁾, and in particular Article 27 thereof,

Whereas the Commission by Decision 87/397/EEC⁽²⁾ of 6 July 1987 approved the programme submitted by the Portuguese Government within the framework of Council Regulation (EEC) No 355/77 concerning the processing and marketing of fish and aquaculture products⁽³⁾, as last amended by Regulation (EEC) No 1760/87⁽⁴⁾;

Whereas among the priority actions of this programme mention is made of the development of fishing port facilities both on the Portuguese mainland and on the Azores and Madeira;

Whereas the Portuguese Government transmitted to the Commission on 28 October 1988 a specific programme for the provision of facilities at fishing ports on the Portuguese mainland, termed 'the programme' below, for the purpose of a better delineation of the actions to be undertaken;

Whereas the programme complies with the provisions of Article 2 of Regulation (EEC) No 355/77 and of Article 27 (2) of Regulation (EEC) No 4028/86;

Whereas the abovementioned programme contributes to the realization of the objectives of the common fisheries policy;

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

HAS ADOPTED THIS DECISION:

Article 1

The specific programme for the provision of facilities at fishing ports on the Portuguese mainland submitted by Portugal on 28 October 1988, an outline of which is given in Annex 1 hereto, is approved subject to the requirements set out in Annex II.

Article 2

This Decision is without prejudice to the granting of Community financial aid for individual investment projects.

Article 3

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 16 June 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 376, 31. 12. 1986, p. 7.

⁽²⁾ OJ No L 208, 30. 7. 1987, p. 49.

⁽³⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽⁴⁾ OJ No L 167, 26. 6. 1987, p. 1.

*ANNEX I***OUTLINE OF THE SPECIFIC PROGRAMME FOR THE PROVISION OF FACILITIES AT PORTUGUESE FISHING PORTS****1. General purpose**

To improve facilities at fishing ports and so improve supply quality through an improved organization of production and marketing of fish products.

2. Area covered

The entire coastline of the Portuguese mainland.

3. Duration

The programme covers the period 1 January 1988 to 31 December 1992.

4. Objectives and investment forecasts

- (a) The programme's objectives are the modernization and equipping of 19 fishing ports on the Portuguese mainland in order to improve production, landing and more particularly selling conditions of fish products.
- (b) The total forecast investment to be undertaken during the period of the programme in order to attain the objectives is Esc 2 225 000 000 or ECU 13 140 000, broken down as follows:

Actions	(million Esc.)	(million ecus)
— Integrated investments (2 ports)	1 701	9,91
— Computerisation of new auction halls (4 ports)	76	0,44
— Equipping new auction halls to be constructed (9 ports)	446	2,60
— Equipping other auction halls (4 ports)	32	0,19
TOTAL	2 255	13,14

Any other investment located in a fishing port and eligible under Regulation (EEC) No 355/77, is contained within this programme's framework.

The figures and the breakdown between the different investment types are merely indicative.

5. National aids

The forecast national aid is 20 % of the total investment.

The above investments will qualify for subsidies from the State and for subsidized loans.

*ANNEX II***REMARKS**

- 1. The Commission finds that the programme presented by the Portuguese Government as a framework for future Community and national financial assistance is an adequate basis for promoting the development of facilities at fishing ports and of the processing and marketing of fishery products.
- 2. The Commission points out that development of facilities at ports and of processing and marketing must be geared to the probable trend of the volume of resources and to the results and objectives of the multi-annual guidance programmes for the fishing fleet and for aquaculture.
- 3. The Commission notes that the investments foreseen by the present programme relate particularly to the installations and equipment linked to the primary processing of fish products covered by Regulation (EEC) No 355/77 and should be given priority financing in accordance with this Regulation.
- 4. The Commission underlines that it is necessary that projects and programmes financed through the structural funds and Community financial Instruments comply with Community rules on public procurement.

CORRIGENDA

Corrigendum to Council Directive 87/405/EEC of 25 June 1987 amending Directive 84/534/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes

(Official Journal of the European Communities No L 220 of 8 August 1987)

On page 60 in Article 1.1 :

for: '... industrial and building sites.'

read: '... civil engineering and building sites.'

Corrigendum to Council Regulation (EEC) No 1726/89 of 14 June 1989 temporarily suspending the autonomous Common Customs Tariff duty on certain industrial products (in the chemical and allied sectors)

(Official Journal of the European Communities No L 173 of 21 June 1989)

On page 4 in the third column of Annex II opposite CN code 3901 90 00 :

for: '0'.

read: '4 %'.
