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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1915/89

of 30 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 1834/89 ⁽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 first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1989/90 marketing year by Council Regulations (EEC) No 2734/75 ⁽⁵⁾, (EEC) No 1214/89 ⁽⁶⁾, (EEC) No 1218/89 ⁽⁷⁾ and Commission Regulation (EEC) No 1588/89 ⁽⁸⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Commission Regulation

No 156/67/EEC ⁽⁹⁾, as last amended by Regulation (EEC) No 31/76 ⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Council Regulations (EEC) No 2731/75 ⁽¹¹⁾, as last amended by Regulation (EEC) No 2094/87 ⁽¹²⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Commission Regulations No 158/67/EEC ⁽¹³⁾, as last amended by Regulation (EEC) No 2124/87 ⁽¹⁴⁾, and No 159/67/EEC ⁽¹⁵⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulation (EEC) No 486/85 ⁽¹⁶⁾, as last amended by Regulation (EEC) No 967/89 ⁽¹⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 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 281, 1. 11. 1975, p. 34.

⁽⁶⁾ OJ No L 128, 11. 5. 1989, p. 2.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 7.

⁽⁸⁾ OJ No L 156, 8. 6. 1989, p. 23.

⁽⁹⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹⁰⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽¹²⁾ OJ No L 196, 17. 7. 1987, p. 1.

⁽¹³⁾ OJ No 128, 27. 6. 1967, p. 2536/67.

⁽¹⁴⁾ OJ No L 197, 18. 7. 1987, p. 22.

⁽¹⁵⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

⁽¹⁶⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽¹⁷⁾ OJ No L 103, 15. 4. 1989, p. 1.

- 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 29 June 1989;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied

pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation No 156/67/EEC and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain, the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by ECU 0,73 or more,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the 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 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

ANNEX

to the Commission Regulation of 30 June 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	34,31	126,52
0712 90 19	34,31	126,52
1001 10 10	13,87	147,16 ⁽¹⁾ ⁽²⁾
1001 10 90	13,87	147,16 ⁽¹⁾ ⁽²⁾
1001 90 91	13,66	100,70
1001 90 99	13,66	100,70
1002 00 00	41,42	110,21 ⁽³⁾
1003 00 10	32,09	101,82
1003 00 90	32,09	101,82
1004 00 10	23,49	77,27
1004 00 90	23,49	77,27
1005 10 90	34,31	126,52 ⁽²⁾ ⁽³⁾
1005 90 00	34,31	126,52 ⁽²⁾ ⁽³⁾
1007 00 90	52,35	136,26 ⁽⁴⁾
1008 10 00	32,09	0,00
1008 20 00	32,09	6,98 ⁽⁴⁾
1008 30 00	32,09	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	32,09	0,00
1101 00 00	32,13	153,98
1102 10 00	70,99	167,30
1103 11 10	35,82	242,42
1103 11 90	34,71	166,30

⁽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 1916/89

of 30 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 1834/89⁽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 scale of premiums to be added to the import levies fixed in advance for cereals must include a premium for the current month and a premium for each of the three following months; whereas the amount of each premium must be the same throughout the Community;

Whereas Regulation (EEC) No 2745/75 of the Council⁽⁵⁾ laid down rules for the advance fixing of levies on cereals;

Whereas, under the terms of that Regulation, where the cif price for a cereal determined on the day on which the scale of premiums is fixed is higher than the cif forward delivery price for that cereal, the scale of the premium should, as a general rule, be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 13 of Regulation (EEC) No 2727/75 on the day on which the scale of premiums is fixed; whereas the cif forward delivery price is also determined in accordance with Article 13 of Regulation (EEC) No 2727/75 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas, in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during that month; whereas, in the

case of imports to be effected during the last two months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place;

Whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the last two months for which the import licence is valid;

Whereas the premium shall be ECU 0 if the cif price determined on the day on which the premiums are fixed is equal to the cif forward delivery price or exceeds that price by not more than ECU 0,151 per tonne;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specific limits;

Whereas Article 3 of CN code Regulation (EEC) No 1579/74 of the Commission of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and rice and for the advance fixing of this levy for these products and for compound feeding-stuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78⁽⁷⁾, provides for the addition of a premium to the levy fixed in advance for products falling within CN code 1107; whereas this premium is, per 100 kilograms of processed product, equal to the premium applicable on the day of application for an import licence to the quantity of basic product taken as a basis for the calculation of the variable component of the levy;

Whereas, pursuant to Regulation (EEC) No 971/73 of the Commission of 9 April 1973 on the advance fixing of the levy on wheat and meslin flour⁽⁸⁾, a premium is added to the levy fixed in advance for the products falling within CN code 1101 00 00 referred to in Article 1(c) of Regulation (EEC) No 2727/75; whereas this premium is, per tonne of processed product, equal to the premium applicable on the date of application for an import licence for the basic product, account being taken of the quantity of the basic cereal required for the production of one tonne of flour;

Whereas, in accordance with Article 18(1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 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 281, 1. 11. 1975, p. 76.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 95, 11. 4. 1973, p. 10.

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 coefficient provided for in Article 2b (2) 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 29 June 1989;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered

only if application of the abovementioned provisions entails a change of more than 0,151 ECU,

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 originating in 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 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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 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 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	1,13	1,13	0,00
0712 90 19	0	1,13	1,13	0,00
1001 10 10	0	0	0	1,68
1001 10 90	0	0	0	1,68
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	1,13	1,13	0,00
1005 90 00	0	1,13	1,13	0,00
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 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1917/89
of 30 June 1989
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1219/89⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30⁽³⁾, as amended by Regulation (EEC) No 1546/87⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88⁽⁵⁾, as last amended by Regulation (EEC) No 1813/89⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2699/88 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 128, 11. 5. 1989, p. 9.
⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.
⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 27.
⁽⁶⁾ OJ No L 177, 24. 6. 1989, p. 13.

ANNEX

to the Commission Regulation of 30 June 1989 fixing the import levies on rice and broken rice

(ECU / tonne)

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	147,19	301,59
1006 10 23	—	195,86	126,97	261,14
1006 10 25	—	195,86	126,97	261,14
1006 10 27	—	195,86	126,97	261,14
1006 10 92	—	—	147,19	301,59
1006 10 94	—	195,86	126,97	261,14
1006 10 96	—	195,86	126,97	261,14
1006 10 98	—	195,86	126,97	261,14
1006 20 11	—	—	184,89	376,99
1006 20 13	—	244,82	159,61	326,42
1006 20 15	—	244,82	159,61	326,42
1006 20 17	—	244,82	159,61	326,42
1006 20 92	—	—	184,89	376,99
1006 20 94	—	244,82	159,61	326,42
1006 20 96	—	244,82	159,61	326,42
1006 20 98	—	244,82	159,61	326,42
1006 30 21	13,05	—	239,26	502,37
1006 30 23	12,97	395,02	251,46	526,69
1006 30 25	12,97	395,02	251,46	526,69
1006 30 27	12,97	395,02	251,46	526,69
1006 30 42	13,05	—	239,26	502,37
1006 30 44	12,97	395,02	251,46	526,69
1006 30 46	12,97	395,02	251,46	526,69
1006 30 48	12,97	395,02	251,46	526,69
1006 30 61	13,90	—	255,16	535,03
1006 30 63	13,90	423,46	269,95	564,61
1006 30 65	13,90	423,46	269,95	564,61
1006 30 67	13,90	423,46	269,95	564,61
1006 30 92	13,90	—	255,16	535,03
1006 30 94	13,90	423,46	269,95	564,61
1006 30 96	13,90	423,46	269,95	564,61
1006 30 98	13,90	423,46	269,95	564,61
1006 40 00	0	—	32,61	71,22

(⁽¹⁾) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

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

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

NB: The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Commission Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986, p. 25).

COMMISSION REGULATION (EEC) No 1918/89

of 30 June 1989

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1219/89⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88⁽³⁾, as last amended by Regulation (EEC) No 1814/89⁽⁴⁾;

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 shown in the Annex hereto,

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries 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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 15.

ANNEX

to the Commission Regulation of 30 June 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1919/89

of 30 June 1989

altering the specific agricultural conversion rates applicable in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 1636/87⁽²⁾, and in particular Article 2 (4) thereof,Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 9 (2) thereof,Whereas by Commission Regulation (EEC) No 3294/86⁽⁵⁾, as last amended by Regulation (EEC) No 1815/89⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3521/88⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Spanish peseta, sterling, recorded in accordance with Regulation (EEC) No 3153/85 during the period 21 to 27 June 1989 requires the specific agricultural conversion rates applicable for Spain to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by 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, 30 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.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.⁽⁶⁾ OJ No L 177, 24. 6. 1989, p. 17.⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.⁽⁸⁾ OJ No L 307, 12. 11. 1988, p. 28.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

ECU 1	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	199,394
	= Pta	147,890
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 693,30
	= Fl	2,63785
	= £	0,757430

COMMISSION REGULATION (EEC) No 1920/89

of 30 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 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) of that Regulation;

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price; whereas the threshold price for each of these products 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 raw sugar and white sugar 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 raw sugar was defined by Regulation

(EEC) No 431/68 and that for white sugar by Regulation (EEC) No 793/72⁽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, however, pursuant to Regulation (EEC) No 784/68 of the Commission of 26 June 1968 laying down detailed rules for calculating cif prices for white sugar and raw sugar⁽⁶⁾, 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 small quantities and is not representative of the market; whereas offer prices which can be assumed not to be representative of the actual market trends must also be disregarded;

Whereas any offer or prices taken into consideration which are not for goods delivered in bulk cif Rotterdam must be adjusted; whereas when this adjustment is being made account must be taken of the difference 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 the price or the offer relates to goods in bags, it must be reduced by ECU 0,73 per 100 kilograms under the terms of Article 4 of Regulation (EEC) No 784/68;

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 15 of Regulation (EEC) No 1785/81 must be added to or deducted from the offers taken into consideration in the case of white sugar; whereas, in the case of raw sugar, the corrective factors provided for in Article 5 of Regulation (EEC) No 784/68 must be applied;

Whereas, pursuant to Article 7 of Regulation (EEC) No 784/68, a special cif price may be established for sugar which has been specially treated or specially packed if the offer price for such sugar is lower than the cif price established pursuant to the provisions referred to above;

(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 94, 21. 4. 1972, p. 1.

(⁶) OJ No L 145, 27. 6. 1968, p. 10.

Whereas a 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 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 0,24 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 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 subparagraph 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, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient ;

Whereas it follows from applying these provisions that the levies for white sugar and raw sugar should be as 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 1 July 1989.

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

Done at Brussels, 30 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 30 June 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	26,04 ⁽¹⁾
1701 11 90	26,04 ⁽¹⁾
1701 12 10	26,04 ⁽¹⁾
1701 12 90	26,04 ⁽¹⁾
1701 91 00	26,72
1701 99 10	26,72
1701 99 90	26,72 ⁽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 1921/89

of 30 June 1989

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of the Commission of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Regulation (EEC) No 2727/75 of the Council⁽⁵⁾, as last amended by Regulation (EEC) No 1834/89⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,2672	—
1702 20 90	0,2672	—
1702 30 10	—	36,39
1702 40 10	—	36,39
1702 60 10	—	36,39
1702 60 90	0,2672	—
1702 90 30	—	36,39
1702 90 60	0,2672	—
1702 90 71	0,2672	—
1702 90 90	0,2672	—
2106 90 30	—	36,39
2106 90 59	0,2672	—

COMMISSION REGULATION (EEC) No 1922/89
of 30 June 1989

**fixing the reduced levy on imports into Portugal of certain quantities of raw
sugar intended for Portuguese refineries**

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, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 1502/89 ⁽⁴⁾, fixes

the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 18,72 per 100 kilograms.

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, 30 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 148, 1. 6. 1989, p. 15.

COMMISSION REGULATION (EEC) No 1923/89

of 30 June 1989

fixing the export refunds on syrups and certain other sugar 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 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 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Regulation (EEC) No 766/68 of the Council of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Regulation (EEC) No 394/70 of the Commission of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

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

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, 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, 30 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 30 June 1989 fixing 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		21,44
1702 60 10 000		21,44
1702 60 90 000	0,2144	
1702 90 30 000		21,44
1702 90 60 000	0,2144	
1702 90 71 000	0,2144	
1702 90 90 900	0,2144	
2106 90 30 000		21,44
2106 90 59 000	0,2144	

⁽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.

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 1924/89

of 30 June 1989

fixing the production refund for white sugar used in the chemical industry

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 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 2306/88, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 748/89⁽⁵⁾, specifies the method to be used for

establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 25,720 for three months from 1 July to 30 September 1989. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

Article 2

This Regulation shall enter into force on 1 July 1989.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 201, 25. 7. 1978, p. 26.

⁽⁵⁾ OJ No L 80, 23. 3. 1989, p. 51.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1925/89
of 30 June 1989
fixing countervailing charges on 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 Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1239/89 ⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 2358/71 provides that where the free-at-frontier offer price, plus customs duties, for a type of hybrid maize and hybrid sorghum for sowing and coming from a non-member country, is lower than the corresponding reference price, a countervailing charge on hybrid maize and hybrid sorghum shall be levied on imports of the hybrid from that country, subject to obligations resulting from binding under GATT; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier price plus customs duties;

Whereas the reference prices for the 1989/90 marketing year for hybrid maize and hybrid sorghum for sowing were fixed in Commission Regulation (EEC) No 1950/89 ⁽³⁾;

Whereas the free-at-frontier offer prices for each country of provenance are determined using all available relevant information; whereas such relevant information is defined in Article 1 (1), (2) and (3) of Commission Regulation (EEC) No 1665/72 ⁽⁴⁾; whereas Article 3 of the same Regulation provides that the free-at-frontier offer prices for each country of provenance shall be determined from the most favourable purchasing opportunities for the products in question calculated in accordance with Articles 1 and 2 of the Regulation; whereas information on offers which have no economic effect on the market in particular because of the

insignificant quantities for which they are made are to be disregarded for the purpose of calculating these prices;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1665/72, an adjustment must be made in the case of price information relating to a stage other than free-at-Community-frontier; whereas, pursuant to Article 4 (2) of that Regulation, the countervailing charge must be amended where a significant variation in the free-at-frontier offer price is recorded;

Whereas, as a result of the application of the aforementioned provisions to the information currently available to the Commission, the countervailing charge in respect of certain types of hybrid is to be fixed at the amounts indicated in the Annex to this Regulation;

Whereas, consequently, Commission Regulation (EEC) No 2310/88 ⁽⁵⁾, as last amended by Regulation (EEC) No 1520/89 ⁽⁶⁾, which fixed the countervailing charges for the preceding period, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charges on seeds are fixed as shown in the Annexes hereto.

Article 2

Regulation (EEC) No 2310/88 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 35.

⁽³⁾ See page 96 of this Official Journal.

⁽⁴⁾ OJ No L 175, 2. 8. 1972, p. 49.

⁽⁵⁾ OJ No L 201, 27. 7. 1988, p. 77.

⁽⁶⁾ OJ No L 148, 1. 6. 1989, p. 56.

ANNEX I

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CN code	Amount of countervailing charge ⁽¹⁾	Country of origin ⁽²⁾
1005 10 11	9,3	048
	13,6	064
	13,8	404
	41,4	400
	41,4	1
1005 10 13	21,7	062
	25,5	064
	26,0	068
	40,5	066
	40,5	2
1005 10 15	14,1	404
	16,1	064
	16,3	038
	24,1	048
	38,0	066
	38,0	3

ANNEX II

Countervailing charge on hybrid sorghum for sowing

(ECU/100 kg)

CN code	Amount of countervailing charge	Country of origin ⁽²⁾
1007 00 10	15,3	400

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value.
In the case of Spain and Portugal it may not exceed the rate obtained
by alignment on the CCT in accordance with the timetable specified in
the Act of Accession.

⁽²⁾ Origin identification :

- 1 Other countries with the exception of Romania, Austria and Chile
 - 2 Other countries with the exception of Canada, Chile, Japan,
Austria, Argentina, the United States and Yugoslavia
 - 3 Other countries with the exception of Bulgaria, Austria, the United
States, Chile, Argentina and South Africa
- 038 Austria
048 Yugoslavia
062 Czechoslovakia
064 Hungary
066 Romania
068 Bulgaria
400 the United States
404 Canada.

COMMISSION REGULATION (EEC) No 1926/89

of 30 June 1989

fixing the monetary coefficient applicable on imports of dried grapes

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1125/89 ⁽²⁾, and in particular Article 9 (6) thereof,

Having regard to Commission Regulation (EEC) No 2237/85 of 30 July 1985 laying down detailed rules for the application of the minimum import price system for dried grapes ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 2237/85 provides that the Commission shall fix a monetary coefficient equal to the real monetary gap between the agricultural conversion rate for the currency of a Member State and the central rate, or, where applicable, the market rate when that gap is equal to or more than 2,5 percentage points;

Whereas Article 4 (2) of Regulation (EEC) No 2237/85 provides that the monetary coefficient shall be fixed before the commencement of the marketing year and, subsequently, on the first Monday of the months of November, January, March, May and July;

Whereas Commission Regulation (EEC) No 2303/88 ⁽⁴⁾, as amended by Regulation (EEC) No 3519/88 ⁽⁵⁾, fixes the minimum import price applicable to dried grapes during the marketing year 1988/89 as well as the countervailing

charges to be imposed where that price is not observed; whereas the import prices as set out in Annex II of that Regulation are calculated as specific percentages of the minimum import price; whereas as a result the monetary coefficient should apply both to the minimum import prices and the import prices,

HAS ADOPTED THIS REGULATION:

Article 1

After having converted the minimum import prices and the import prices as set out in Annexes I and II of Regulation (EEC) No 2303/88 into one of the following national currencies by applying the agricultural conversion rate, the resulting amount shall be multiplied by the following coefficient:

— for the Greek drachma:	1,270
— for the pound sterling:	1,074
— for the French franc:	1,050
— for the Irish pound:	1,051
— for the Italian lira:	1,025
— for the Spanish peseta:	0,943.

Article 2

This Regulation shall enter into force on 3 July 1989.

It shall remain applicable during the period of validity of Regulation (EEC) No 2237/85.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 209, 6. 8. 1985, p. 24.

⁽⁴⁾ OJ No L 201, 27. 7. 1988, p. 43.

⁽⁵⁾ OJ No L 307, 12. 11. 1988, p. 26.

COMMISSION REGULATION (EEC) No 1927/89

of 30 June 1989

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1834/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1219/89 ⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Regulation (EEC) No 2746/75 of the Council ⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76 ⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export

system for products processed from cereals and from rice ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68 ⁽⁹⁾, as amended by Regulation (EEC) No 2764/71 ⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas Commission Regulation (EEC) No 2806/71⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾,
- 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 rela-

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 June 1989 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	107,86	1104 22 10 900	—
1102 20 10 300	92,45	1104 22 30 100	19,87
1102 20 10 900	—	1104 22 30 900	—
1102 20 90 100	92,45	1104 22 50 000	—
1102 20 90 900	—	1104 23 10 100	115,56
1102 30 00 000	—	1104 23 10 300	88,60
1102 90 10 100	64,25	1104 23 10 900	—
1102 90 10 900	43,69	1104 29 10 100	—
1102 90 30 100	21,04	1104 29 10 900	—
1102 90 30 900	—	1104 29 91 000	41,43
1103 12 00 100	21,04	1104 29 95 000	41,43
1103 12 00 900	—	1104 30 10 000	7,27
1103 13 11 100	138,67	1104 30 90 000	19,26
1103 13 11 300	107,86	1107 10 11 000	51,78
1103 13 11 500	92,45	1107 10 91 000	76,24
1103 13 11 900	—	1108 11 00 100	58,18
1103 13 19 100	138,67	1108 11 00 900	—
1103 13 19 300	107,86	1108 12 00 100	123,26
1103 13 19 500	92,45	1108 12 00 900	—
1103 13 19 900	—	1108 13 00 100	123,26
1103 13 90 100	92,45	1108 13 00 900	—
1103 13 90 900	—	1108 14 00 100	—
1103 14 00 000	—	1108 14 00 900	—
1103 19 10 000	41,43	1108 19 10 100	109,50
1103 19 30 100	66,39	1108 19 10 900	—
1103 19 30 900	—	1108 19 90 100	—
1103 21 00 000	29,67	1108 19 90 900	—
1103 29 20 000	43,69	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	78,58	1702 30 51 000	161,01
1104 11 90 100	64,25	1702 30 59 000	123,26
1104 11 90 900	—	1702 30 91 000	161,01
1104 12 90 100	23,38	1702 30 99 000	123,26
1104 12 90 300	18,70	1702 40 90 000	123,26
1104 12 90 900	—	1702 90 50 100	161,01
1104 19 10 000	29,67	1702 90 50 900	123,26
1104 19 50 110	123,26	1702 90 75 000	168,72
1104 19 50 130	100,15	1702 90 79 000	117,10
1104 19 50 150	—	2106 90 55 000	123,26
1104 19 50 190	—	2302 10 10 000	11,92
1104 19 50 900	—	2302 10 90 100	11,92
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	64,25	2302 20 10 000	11,92
1104 21 10 900	—	2302 20 90 100	11,92
1104 21 30 100	64,25	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	11,92
1104 21 50 100	85,66	2302 30 90 000	11,92
1104 21 50 300	68,53	2302 40 10 000	11,92
1104 21 50 900	—	2302 40 90 000	11,92
1104 22 10 100	18,70	2303 10 11 100	61,63
		2303 10 11 900	—

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 1928/89**of 30 June 1989****fixing the export refunds on cereal-based compound feedingstuffs**

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 1834/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Regulation (EEC) No 2743/75 of the Council of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 944/87 ⁽⁵⁾, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87 ⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁸⁾, as amended by Regulation (EEC) No 296/88 ⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 30, 2. 2. 1988, p. 9.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal;

whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

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, 30 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 30 June 1989 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	4,24
	09	—
2309 10 11 190	01	1,75
	09	—
2309 10 11 210	01	8,47
	09	—
2309 10 11 290	01	3,49
	09	—
2309 10 11 310	01	16,95
	09	—
2309 10 11 390	01	6,98
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	4,24
	09	—
2309 10 13 190	01	1,75
	09	—
2309 10 13 210	01	8,47
	09	—
2309 10 13 290	01	3,49
	09	—
2309 10 13 310	01	16,95
	09	—
2309 10 13 390	01	6,98
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	4,24
	09	—
2309 10 31 190	01	1,75
	09	—
2309 10 31 210	01	8,47
	09	—
2309 10 31 290	01	3,49
	09	—
2309 10 31 310	01	16,95
	09	—
2309 10 31 390	01	6,98
	09	—
2309 10 31 410	01	25,42
	09	—
2309 10 31 490	01	10,48
	09	—
2309 10 31 510	01	33,90
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	13,97
	09	—
2309 10 31 610	01	42,37
	09	—
2309 10 31 690	01	17,46
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	4,24
	09	—
2309 10 33 190	01	1,75
	09	—
2309 10 33 210	01	8,47
	09	—
2309 10 33 290	01	3,49
	09	—
2309 10 33 310	01	16,95
	09	—
2309 10 33 390	01	6,98
	09	—
2309 10 33 410	01	25,42
	09	—
2309 10 33 490	01	10,48
	09	—
2309 10 33 510	01	33,90
	09	—
2309 10 33 590	01	13,97
	09	—
2309 10 33 610	01	42,37
	09	—
2309 10 33 690	01	17,46
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	4,24
	09	—
2309 10 51 190	01	1,75
	09	—
2309 10 51 210	01	8,47
	09	—
2309 10 51 290	01	3,49
	09	—
2309 10 51 310	01	16,95
	09	—
2309 10 51 390	01	6,98
	09	—
2309 10 51 410	01	25,42
	09	—
2309 10 51 490	01	10,48
	09	—
2309 10 51 510	01	33,90
	09	—
2309 10 51 590	01	13,97
	09	—
2309 10 51 610	01	42,37
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 10 51 690	01	17,46
	09	—
2309 10 51 710	01	50,85
	09	—
2309 10 51 790	01	20,95
	09	—
2309 10 51 810	01	55,47
	09	—
2309 10 51 890	01	22,86
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	4,24
	09	—
2309 10 53 190	01	1,75
	09	—
2309 10 53 210	01	8,47
	09	—
2309 10 53 290	01	3,49
	09	—
2309 10 53 310	01	16,95
	09	—
2309 10 53 390	01	6,98
	09	—
2309 10 53 410	01	25,42
	09	—
2309 10 53 490	01	10,48
	09	—
2309 10 53 510	01	33,90
	09	—
2309 10 53 590	01	13,97
	09	—
2309 10 53 610	01	42,37
	09	—
2309 10 53 690	01	17,46
	09	—
2309 10 53 710	01	50,85
	09	—
2309 10 53 790	01	20,95
	09	—
2309 10 53 810	01	55,47
	09	—
2309 10 53 890	01	22,86
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	4,24
	09	—

(ECU/tonne)		
Product code	Destination (°)	Amount of refund
2309 90 31 190	01	1,75
	09	—
2309 90 31 210	01	8,47
	09	—
2309 90 31 290	01	3,49
	09	—
2309 90 31 310	01	16,95
	09	—
2309 90 31 390	01	6,98
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	4,24
	09	—
2309 90 33 190	01	1,75
	09	—
2309 90 33 210	01	8,47
	09	—
2309 90 33 290	01	3,49
	09	—
2309 90 33 310	01	16,95
	09	—
2309 90 33 390	01	6,98
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	4,24
	09	—
2309 90 41 190	01	1,75
	09	—
2309 90 41 210	01	8,47
	09	—
2309 90 41 290	01	3,49
	09	—
2309 90 41 310	01	16,95
	09	—
2309 90 41 390	01	6,98
	09	—
2309 90 41 410	01	25,42
	09	—
2309 90 41 490	01	10,48
	09	—
2309 90 41 510	01	33,90
	09	—
2309 90 41 590	01	13,97
	09	—
2309 90 41 610	01	42,37
	09	—
2309 90 41 690	01	17,46
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	4,24
	09	—
2309 90 43 190	01	1,75
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 90 43 210	01	8,47
	09	—
2309 90 43 290	01	3,49
	09	—
2309 90 43 310	01	16,95
	09	—
2309 90 43 390	01	6,98
	09	—
2309 90 43 410	01	25,42
	09	—
2309 90 43 490	01	10,48
	09	—
2309 90 43 510	01	33,90
	09	—
2309 90 43 590	01	13,97
	09	—
2309 90 43 610	01	42,37
	09	—
2309 90 43 690	01	17,46
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	4,24
	09	—
2309 90 51 190	01	1,75
	09	—
2309 90 51 210	01	8,47
	09	—
2309 90 51 290	01	3,49
	09	—
2309 90 51 310	01	16,95
	09	—
2309 90 51 390	01	6,98
	09	—
2309 90 51 410	01	25,42
	09	—
2309 90 51 490	01	10,48
	09	—
2309 90 51 510	01	33,90
	09	—
2309 90 51 590	01	13,97
	09	—
2309 90 51 610	01	42,37
	09	—
2309 90 51 690	01	17,46
	09	—
2309 90 51 710	01	50,85
	09	—
2309 90 51 790	01	20,95
	09	—
2309 90 51 810	01	55,47
	09	—

(ECU/tonne)

Product code	Destination ⁽¹⁾	Amount of refund
2309 90 51 890	01	22,86
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	4,24
	09	—
2309 90 53 190	01	1,75
	09	—
2309 90 53 210	01	8,47
	09	—
2309 90 53 290	01	3,49
	09	—
2309 90 53 310	01	16,95
	09	—
2309 90 53 390	01	6,98
	09	—
2309 90 53 410	01	25,42
	09	—
2309 90 53 490	01	10,48
	09	—
2309 90 53 510	01	33,90
	09	—
2309 90 53 590	01	13,97
	09	—
2309 90 53 610	01	42,37
	09	—
2309 90 53 690	01	17,46
	09	—
2309 90 53 710	01	50,85
	09	—
2309 90 53 790	01	20,95
	09	—
2309 90 53 810	01	55,47
	09	—
2309 90 53 890	01	22,86
	09	—
2309 90 53 900	—	—

⁽¹⁾ The destinations are as follows:

01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,

09 Other destinations.

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 1929/89

of 30 June 1989

fixing production refunds in the cereals and rice sectors

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 1834/89⁽²⁾, and in particular Article 11a (5) thereof,Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors⁽³⁾, and in particular Article 6 thereof,Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors⁽⁴⁾, as last amended by Regulation (EEC) No 165/89⁽⁵⁾, provides that the production refund shall be fixed on a quarterly basis using the difference between the purchase price for maize applicable in the first month of the period in question and the cif price used for calculation of the maize import levy, multiplied by a coefficient of 1,6; whereas the same Article provides

for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable in the cereals and rice sectors in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with amended Regulation (EEC) No 2169/86 shall be as follows in 86,50 ecus per tonne.

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, 30 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 180, 27. 6. 1989, p. 1.⁽³⁾ OJ No L 94, 9. 4. 1986, p. 6.⁽⁴⁾ OJ No L 189, 11. 7. 1986, p. 12.⁽⁵⁾ OJ No L 20, 25. 1. 1989, p. 14.

COMMISSION REGULATION (EEC) No 1930/89

of 30 June 1989

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1219/89 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾;
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the export refunds on rice and broken rice

Product code	Destination (*)	Amount of refunds (ECU/tonne)
1006 20 11 000	—	—
1006 20 13 000	01	135,56
1006 20 15 000	01	135,56
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	135,56
1006 20 96 000	01	135,56
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	135,56
1006 30 25 000	01	135,56
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	135,56
1006 30 46 000	01	135,56
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	169,45
	03	181,45
	05	181,45
	06	186,45
	07	186,45
	08	181,45
	09	181,45
	10	186,45
	11	186,45
	12	186,45
	13	169,45
	14	186,45
1006 30 63 900	01	169,45
	13	169,45
1006 30 65 100	01	169,45
	03	181,45
	05	181,45
	06	186,45
	07	186,45
	08	181,45
	09	181,45
	10	186,45
	11	186,45
	12	186,45
	13	169,45
	14	186,45
1006 30 65 900	01	169,45
	13	169,45
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	169,45
	03	181,45
	05	181,45
	06	186,45
	07	186,45
	08	181,45
	09	181,45
	10	186,45
	11	186,45
	12	186,45
	13	169,45
	14	186,45
1006 30 94 900	01	169,45
	13	169,45
1006 30 96 100	01	169,45
	03	181,45
	05	181,45
	06	186,45
	07	186,45
	08	181,45
	09	181,45
	10	186,45
	11	186,45
	12	186,45
	13	169,45
	14	186,45
1006 30 96 900	01	169,45
	13	169,45
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zone II b),
- 06 Zone IV a),
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 1988, p. 9).

The export refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in Commission Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986, p. 25), as amended.

COMMISSION REGULATION (EEC) No 1931/89

of 30 June 1989

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1219/89⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Regulation No 474/67/EEC of the Commission⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accor-

dance with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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 for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1989.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the corrective amount applicable to the refund on rice and broken rice

Product code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
1006 20 11 000	—	—	—	—
1006 20 13 000	0	0	0	0
1006 20 15 000	0	0	0	0
1006 20 17 000	—	—	—	—
1006 20 92 000	—	—	—	—
1006 20 94 000	0	0	0	0
1006 20 96 000	0	0	0	0
1006 20 98 000	—	—	—	—
1006 30 21 000	—	—	—	—
1006 30 23 000	0	0	0	0
1006 30 25 000	0	0	0	0
1006 30 27 000	—	—	—	—
1006 30 42 000	—	—	—	—
1006 30 44 000	0	0	0	0
1006 30 46 000	0	0	0	0
1006 30 48 000	—	—	—	—
1006 30 61 000	—	—	—	—
1006 30 63 100	0	0	0	0
1006 30 63 900	0	0	0	0
1006 30 65 100	0	0	0	0
1006 30 65 900	0	0	0	0
1006 30 67 100	—	—	—	—
1006 30 67 900	—	—	—	—
1006 30 92 000	—	—	—	—
1006 30 94 100	0	0	0	0
1006 30 94 900	0	0	0	0
1006 30 96 100	0	0	0	0
1006 30 96 900	0	0	0	0
1006 30 98 100	—	—	—	—
1006 30 98 900	—	—	—	—
1006 40 00 000	—	—	—	—

COMMISSION REGULATION (EEC) No 1932/89

of 30 June 1989

fixing the refunds applicable for July 1989 to cereal and rice sector products
supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1834/89⁽²⁾, and in particular the fourth subparagraph of Article 16(2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1219/89⁽⁴⁾, and in particular Article 11(2) thereof,Whereas Article 2 of Regulation (EEC) No 2681/74 of the Council of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

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

Done at Brussels, 30 June 1989.

Whereas Article 3 of Regulation (EEC) No 2746/75 of the Council⁽⁶⁾ and Article 6 of Regulation (EEC) No 2744/75 of the Council⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for July 1989 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 July 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 180, 27. 6. 1989, p. 1.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 30 June 1989 fixing the refunds applicable for July 1989 to cereal and rice sector products supplied as Community and national food aid

Product code	Refund
1001 10 90 000	50,00
1001 90 99 000	28,50
1002 00 00 000	10,00
1003 00 90 000	48,00
1004 00 90 000	—
1005 90 00 000	48,00
1006 20 92 000	153,16
1006 20 94 000	153,16
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 000	191,45
1006 30 94 100	191,45
1006 30 94 900	191,45
1006 30 96 100	191,45
1006 30 96 900	191,45
1006 40 00 000	—
1007 00 90 000	48,00
1101 00 00 110	33,50
1101 00 00 120	33,50
1101 00 00 130	33,50
1102 20 10 100	107,86
1102 30 00 000	—
1102 90 10 100	64,25
1103 11 10 500	80,00
1103 11 90 100	38,50
1103 13 19 100	138,67
1103 14 00 000	—
1104 12 90 100	23,38
1104 21 50 100	85,66

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 1933/89

of 30 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⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 1887/89⁽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 Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for sunflower seed for the 1988/89 marketing year were fixed by Council Regulation (EEC) No 2214/88⁽⁷⁾;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1989/90 marketing year were fixed by Regulations (EEC) No 1228/89⁽⁸⁾ and (EEC) No 1229/89⁽⁹⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 1228/89;

Whereas the abatement of the subsidy for sunflower seed which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulation (EEC) No 3042/88⁽¹⁰⁾;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1988/89 and 1989/90 marketing years; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation (EEC) No 2869/87⁽¹¹⁾;

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;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Regulation No 115/67/EEC of the Council of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to

⁽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 182, 29. 6. 1989, p. 22.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽⁹⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽¹⁰⁾ OJ No L 271, 1. 10. 1988, p. 104.

⁽¹¹⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹⁴⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by ECU 0,242;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should

be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 2215/88⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 1966/89⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 9.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ See page 130 of this Official Journal.

and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽²⁾, as amended by Regulation (EEC) No 1930/88⁽³⁾, provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain;

Whereas Council Regulation (EEC) No 1920/87⁽⁴⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal; whereas the amount of this subsidy should be fixed;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁵⁾, as last amended by Regulation (EEC) No 431/89⁽⁶⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate;

(b) for the other Member States, the difference between:

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ecus and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ecu in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.

2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 170, 2. 7. 1988, p. 3.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 50, 22. 2. 1989, p. 7.

3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed 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 will be confirmed or replaced as from

1 July 1989 to take account of the consequences of the application of the system of maximum guaranteed quantities.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

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

(amounts per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')
1. Gross aids (ECU):						
— Spain	1,170	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	19,324	19,402	19,480	19,519	19,649	19,927
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	45,96	46,15	46,33	46,43	46,74	47,58
— Netherlands (Fl)	50,97	51,18	51,39	51,53	51,87	52,89
— BLEU (Bfrs/Lfrs)	933,10	936,86	940,63	942,51	948,79	962,21
— France (FF)	146,16	146,77	147,38	147,69	148,67	150,82
— Denmark (Dkr)	172,56	173,26	173,96	174,31	175,47	177,95
— Ireland (£ Irl)	16,267	16,336	16,404	16,438	16,547	16,786
— United Kingdom (£)	12,531	12,590	12,614	12,597	12,681	12,739
— Italy (Lit)	32 186	32 317	32 434	32 427	32 643	32 899
— Greece (Dr)	3 121,32	3 089,76	3 053,15	3 000,20	3 020,15	2 946,99
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 019,38	3 030,91	3 042,41	3 039,02	3 059,40	3 071,76
(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)	4 338,21	4 352,65	4 354,72	4 338,82	4 309,77	4 296,99

(') 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 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)
1. Gross aids (ECU):						
— Spain	3,670	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	21,824	21,902	21,980	22,019	22,149	22,427
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	51,87	52,05	52,23	52,34	52,65	53,48
— Netherlands (Fl)	57,57	57,77	57,98	58,12	58,47	59,49
— BLEU (Bfrs/Lfrs)	1 053,81	1 057,58	1 061,35	1 063,23	1 069,51	1 082,93
— France (FF)	165,40	166,02	166,63	166,94	167,92	170,06
— Denmark (Dkr)	194,89	195,59	196,28	196,63	197,79	200,27
— Ireland (£ Irl)	18,409	18,477	18,546	18,580	18,689	18,928
— United Kingdom (£)	14,284	14,344	14,367	14,351	14,435	14,493
— Italy (Lit)	36 369	36 500	36 616	36 610	36 826	37 081
— Greece (Dr)	3 569,79	3 538,23	3 501,61	3 448,67	3 468,62	3 395,46
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 401,62	3 413,15	3 424,65	3 421,26	3 441,64	3 454,00
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	480,01	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	4 818,21	4 832,65	4 834,73	4 818,83	4 789,78	4 777,00

(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 7	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)
1. Gross aids (ECU):					
— Spain	5,170	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,912	19,595	19,726	19,904	20,188
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	49,87	46,69	46,99	47,43	48,10
— Netherlands (Fl)	55,58	51,69	52,03	52,56	53,31
— BLEU (Bfrs/Lfrs)	1 009,78	946,18	952,51	961,10	974,82
— France (FF)	151,96	147,59	148,62	150,01	152,20
— Denmark (Dkr)	182,70	174,98	176,15	177,74	180,28
— Ireland (£ Irl)	16,899	16,426	16,541	16,696	16,940
— United Kingdom (£)	11,957	12,462	12,516	12,595	12,794
— Italy (Lit)	33 037	32 604	32 805	33 015	33 490
— Greece (Dr)	2 174,09	3 023,09	2 983,73	2 944,18	2 995,00
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 302,30	3 284,74	3 304,06	3 319,05	3 362,49
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 115,26	6 095,06	6 105,07	6 111,93	6 102,47
— in another Member State (Esc)	5 959,85	5 940,17	5 949,92	5 956,61	5 947,38
3. Compensatory aids:					
— in Spain (Pta)	3 253,62	3 236,47	3 255,80	3 270,78	3 314,22
4. Special aid:					
— in Portugal (Esc)	5 959,85	5 940,17	5 949,92	5 956,61	5 947,38

(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 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
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 1934/89

of 30 June 1989

fixing the export refunds 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⁾,

Having regard to Regulation No 142/67/EEC of the Council of 21 June 1967 on export refunds on colza, rape and sunflower seeds ⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽⁴⁾, as last amended by Regulation (EEC) No 1887/89 ⁽⁵⁾,

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 ⁽⁶⁾, as last amended by Regulation (EEC) No 2216/88 ⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Regulation (EEC) No 2041/75 of the Commission of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats ⁽⁸⁾, as last amended by Regulation (EEC) No 2662/87 ⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1989/90 marketing year were fixed by Regulations (EEC) NO 1228/89 ⁽¹⁰⁾ and (EEC) No 1229/89 ⁽¹¹⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86 ⁽¹²⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the refund 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 refund 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;

Whereas Article 1 of Regulation (EEC) No 651/71 of the Commission of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds ⁽¹³⁾, as last amended by Regulation (EEC) No 1815/84 ⁽¹⁴⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 182, 29. 6. 1989, p. 22.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹⁰⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽¹¹⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹³⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁴⁾ OJ No L 170, 29. 6. 1984, p. 46.

weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽²⁾, as last amended by Regulation (EEC) No 431/89⁽³⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate;
- (b) for the other Member States, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be deter-

mined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.
4. However, the amount of the refund in the case of advance fixing for the 1989/90 marketing year for colza and rape seed will be confirmed or replaced as from 1 July 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 1 July 1989.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 50, 22. 2. 1989, p. 7.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the export refunds on oil seeds

	<i>(amounts per 100 kilograms)</i>					
	Current 7 (1)	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1. Gross refunds (ECU):						
— Spain	16,000	16,000	—	—	—	—
— Portugal	18,440	18,440	—	—	—	—
— other Member States	15,000	15,000	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	35,95	35,95	—	—	—	—
— Netherlands (Fl)	39,81	39,57	—	—	—	—
— BLEU (Bfrs/Lfrs)	724,30	724,30	—	—	—	—
— France (FF)	111,38	111,38	—	—	—	—
— Denmark (Dkr)	133,95	133,95	—	—	—	—
— Ireland (£ Irl)	12,396	12,396	—	—	—	—
— United Kingdom (£)	8,908	8,908	—	—	—	—
— Italy (Lit)	24 870	24 870	—	—	—	—
— Greece (Dr)	2 146,37	2 071,65	—	—	—	—
— Spain (Pta)	2 606,26	2 574,12	—	—	—	—
— Portugal (Esc)	3 487,81	3 486,68	—	—	—	—

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

COMMISSION REGULATION (EEC) No 1935/89

of 30 June 1989

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 3870/88⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1789/89⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1247/89⁽⁸⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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 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⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,
- 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 pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 176, 23. 6. 1989, p. 11.

⁽⁷⁾ OJ No L 129, 11. 5. 1989, p. 7.

⁽⁸⁾ OJ No L 129, 11. 5. 1989, p. 9.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

products from third countries ; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price ;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1938/89⁽¹⁾ ; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year ;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

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

the 1989/90 marketing year has been provisionally calculated on the basis of the abatement for the 1988/89 marketing year,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1989/90 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 July 1989 to take account of the consequences of the application of the arrangements for that marketing year.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ See page 68 of this Official Journal.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
Peas used :							
— in Spain	5,503	5,503	5,661	5,819	5,977	6,135	6,293
— in Portugal	5,545	5,545	5,703	5,861	6,019	6,177	6,335
— in another Member State	5,860	5,860	6,018	6,176	6,334	6,492	6,650
Field beans used :							
— in Spain	5,860	5,860	6,018	6,176	6,334	6,492	6,650
— in Portugal	5,545	5,545	5,703	5,861	6,019	6,177	6,335
— in another Member State	5,860	5,860	6,018	6,176	6,334	6,492	6,650

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to the consequences of the application of the maximum guaranteed quantity arrangements for that marketing year.

Products used in animal feed :

(ECU per 100 kg)

	Current 7 (1)	1st period 8 (1)	2nd period 9 (1)	3rd period 10 (1)	4th period 11 (1)	5th period 12 (1)	6th period 1 (1)
A. Peas used :							
— in Spain	7,517	7,862	8,236	8,393	9,198	9,355	9,513
— in Portugal	7,192	7,548	7,928	8,086	8,912	9,069	9,227
— in another Member State	7,630	7,971	8,342	8,500	9,297	9,454	9,612
B. Field beans used :							
— in Spain	7,517	7,862	8,236	8,393	9,198	9,355	9,513
— in Portugal	7,192	7,548	7,928	8,086	8,912	9,069	9,227
— in another Member State	7,630	7,971	8,342	8,500	9,297	9,454	9,612
C. Sweet lupins harvested in Spain and used :							
— in Spain	9,714	10,174	10,461	10,461	11,324	11,324	11,324
— in Portugal	9,279	9,754	10,052	10,052	10,943	10,943	10,943
— in another Member State	9,864	10,319	10,603	10,603	11,457	11,457	11,457
D. Sweet lupins harvested in another Member State and used :							
— in Spain	9,604	10,064	10,351	10,351	11,214	11,214	11,214
— in Portugal	9,169	9,644	9,942	9,942	10,833	10,833	10,833
— in another Member State	9,754	10,209	10,493	10,493	11,347	11,347	11,347

(1) Subject, in cases of advance fixing for the 1989/90 marketing year, to the consequences of the application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	282,96	282,96	290,59	298,22	305,85	313,48	321,11
— Denmark (Dkr)	52,33	52,33	53,74	55,15	56,56	57,97	59,38
— Federal Republic of Germany (DM)	13,84	13,84	14,21	14,58	14,96	15,33	15,70
— Greece (Dr)	827,98	827,98	856,43	884,88	913,33	941,79	970,24
— Spain (Pta)	903,69	903,69	928,05	952,42	976,79	1 001,15	1 025,52
— France (FF)	45,11	45,11	46,33	47,54	48,76	49,97	51,19
— Ireland (£ Irl)	5,021	5,021	5,156	5,291	5,427	5,562	5,697
— Italy (Lit)	9 857	9 857	10 122	10 388	10 654	10 920	11 185
— Netherlands (Fl)	15,46	15,46	15,87	16,29	16,71	17,12	17,54
— Portugal (Esc)	1 125,13	1 125,13	1 155,47	1 185,80	1 216,14	1 246,48	1 276,81
— United Kingdom (£)	3,613	3,613	3,724	3,836	3,947	4,058	4,169

(°) Subject, in cases of advance fixing for the 1989/90 marketing year, to the consequences of the application of the maximum guaranteed quantity arrangements for that marketing year.

Amounts to be deducted in the case of :

- Peas used in Spain (Pta): 55,05,
- Peas, and field beans used in Portugal (Esc): 60,48.

ANNEX III

Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	368,43	384,89	402,81	410,44	448,92	456,50	464,13
— Denmark (Dkr)	68,14	71,18	74,49	75,91	83,02	84,42	85,84
— Federal Republic of Germany (DM)	18,02	18,82	19,70	20,07	21,95	22,32	22,69
— Greece (Dr)	1 165,87	1 230,97	1 300,08	1 328,54	1 478,97	1 507,23	1 535,69
— Spain (Pta)	1 176,65	1 229,23	1 286,44	1 310,81	1 433,72	1 457,93	1 482,30
— France (FF)	58,73	61,36	64,22	65,43	71,57	72,78	73,99
— Ireland (£ Irl)	6,537	6,829	7,147	7,283	7,965	8,100	8,235
— Italy (Lit)	12 834	13 407	14 031	14 297	15 638	15 902	16 167
— Netherlands (Fl)	20,13	21,03	22,00	22,42	24,52	24,94	25,36
— Portugal (Esc)	1 464,98	1 530,45	1 601,68	1 632,02	1 785,04	1 815,19	1 845,52
— United Kingdom (£)	4,900	5,148	5,414	5,525	6,101	6,211	6,322
Amounts to be deducted in the case of use :							
— Spain (Pta)	17,43	16,81	16,35	16,50	15,27	15,27	15,27
— Portugal (Esc)	84,10	81,22	79,49	79,49	73,92	73,92	73,92

(°) Subject, in cases of advance fixing for the 1989/90 marketing year, to the consequences of the application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX IV

Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (FB/Flux)	0,00	0,00	0,00	26,49	0,00	0,00	0,00	0,00	0,00	0,00	15,48
— Denmark (Dkr)	0,00	0,00	0,00	4,90	0,00	0,00	0,00	0,00	0,00	0,00	2,86
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,30	0,00	0,00	0,00	0,00	0,00	0,00	0,76
— Greece (Dr)	0,00	0,00	0,00	104,71	0,00	0,00	0,00	0,00	0,00	0,00	61,18
— Spain (Pta)	0,00	0,00	0,00	84,59	0,00	0,00	0,00	0,00	0,00	0,00	49,42
— France (FF)	0,00	0,00	0,00	4,22	0,00	0,00	0,00	0,00	0,00	0,00	2,47
— Ireland (£ Irl)	0,000	0,000	0,000	0,470	0,000	0,000	0,000	0,000	0,000	0,000	0,275
— Italy (Lit)	0	0	0	923	0	0	0	0	0	0	539
— Netherlands (Fl)	0,00	0,00	0,00	1,45	0,00	0,00	0,00	0,00	0,00	0,00	0,85
— Portugal (Esc)	0,00	0,00	0,00	105,32	0,00	0,00	0,00	0,00	0,00	0,00	61,53
— United Kingdom (£)	0,000	0,000	0,000	0,399	0,000	0,000	0,000	0,000	0,000	0,000	0,233

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 7 (')	1st period 8 (')	2nd period 9 (')	3rd period 10 (')	4th period 11 (')	5th period 12 (')	6th period 1 (')
Products harvested in :							
— BLEU (Bfrs/Lfrs)	368,43	384,89	402,81	410,44	448,92	456,50	464,13
— Denmark (Dkr)	68,14	71,18	74,49	75,91	83,02	84,42	85,84
— Federal Republic of Germany (DM)	18,02	18,82	19,70	20,07	21,95	22,32	22,69
— Greece (Dr)	1 165,87	1 230,97	1 300,08	1 328,54	1 478,97	1 507,23	1 535,69
— Spain (Pta)	1 176,65	1 229,23	1 286,44	1 310,81	1 433,72	1 457,93	1 482,30
— France (FF)	58,73	61,36	64,22	65,43	71,57	72,78	73,99
— Ireland (£ Irl)	6,537	6,829	7,147	7,283	7,965	8,100	8,235
— Italy (Lit)	12 834	13 407	14 031	14 297	15 638	15 902	16 167
— Netherlands (Fl)	20,13	21,03	22,00	22,42	24,52	24,94	25,36
— Portugal (Esc)	1 464,98	1 530,45	1 601,68	1 632,02	1 785,04	1 815,19	1 845,52
— United Kingdom (£)	4,900	5,148	5,414	5,525	6,101	6,211	6,322
Amounts to be deducted in the case of use :							
— Spain (Pta)	17,43	16,81	16,35	16,50	15,27	15,27	15,27
— Portugal (Esc)	84,10	81,22	79,49	79,49	73,92	73,92	73,92

(') Subject, in cases of advance fixing for the 1989/90 marketing year, to the consequences of the application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VI

Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

Use of the products	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	26,49	0,00	0,00	0,00	0,00	0,00	0,00	15,48
— Denmark (Dkr)	0,00	0,00	0,00	4,90	0,00	0,00	0,00	0,00	0,00	0,00	2,86
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,30	0,00	0,00	0,00	0,00	0,00	0,00	0,76
— Greece (Dr)	0,00	0,00	0,00	104,71	0,00	0,00	0,00	0,00	0,00	0,00	61,18
— Spain (Pta)	0,00	0,00	0,00	84,59	0,00	0,00	0,00	0,00	0,00	0,00	49,42
— France (FF)	0,00	0,00	0,00	4,22	0,00	0,00	0,00	0,00	0,00	0,00	2,47
— Ireland (£ Irl)	0,000	0,000	0,000	0,470	0,000	0,000	0,000	0,000	0,000	0,000	0,275
— Italy (Lit)	0	0	0	923	0	0	0	0	0	0	539
— Netherlands (Fl)	0,00	0,00	0,00	1,45	0,00	0,00	0,00	0,00	0,00	0,00	0,85
— Portugal (Esc)	0,00	0,00	0,00	105,32	0,00	0,00	0,00	0,00	0,00	0,00	61,53
— United Kingdom (£)	0,000	0,000	0,000	0,399	0,000	0,000	0,000	0,000	0,000	0,000	0,233

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	470,99	492,96	506,67	506,67	547,91	547,91	547,91
— Denmark (Dkr)	87,10	91,17	93,70	93,70	101,33	101,33	101,33
— Federal Republic of Germany (DM)	23,03	24,10	24,78	24,78	26,79	26,79	26,79
— Greece (Dr)	1 540,50	1 627,36	1 681,58	1 681,58	1 844,60	1 844,60	1 844,60
— Spain (Pta)	1 504,19	1 574,36	1 618,16	1 618,16	1 749,85	1 749,85	1 749,85
— France (FF)	75,09	78,59	80,77	80,77	87,35	87,35	87,35
— Ireland (£ Irl)	8,357	8,747	8,990	8,990	9,722	9,722	9,722
— Italy (Lit)	16 406	17 172	17 649	17 649	19 086	19 086	19 086
— Netherlands (Fl)	25,73	26,93	27,68	27,68	29,93	29,93	29,93
— Portugal (Esc)	1 872,79	1 960,15	2 014,68	2 014,68	2 178,65	2 178,65	2 178,65
— United Kingdom (£)	6,376	6,707	6,913	6,913	7,534	7,534	7,534
Amounts to be deducted in the case of use in :							
— Spain (Pta)	23,13	22,36	21,90	21,90	20,51	20,51	20,51
— Portugal (Esc)	112,32	108,48	105,79	105,79	98,69	98,69	98,69

(°) Subject, in cases of advance fixing for the 1989/90 marketing year, to the consequences of the application of the maximum guaranteed quantity arrangements for that marketing year.

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	19,26	0,00	0,00	0,00	0,00	0,00	0,00	11,25
— Denmark (Dkr)	0,00	0,00	0,00	3,56	0,00	0,00	0,00	0,00	0,00	0,00	2,08
— Federal Republic of Germany (DM)	0,00	0,00	0,00	0,94	0,00	0,00	0,00	0,00	0,00	0,00	0,55
— Greece (Dr)	0,00	0,00	0,00	76,16	0,00	0,00	0,00	0,00	0,00	0,00	44,49
— Spain (Pta)	0,00	0,00	0,00	61,52	0,00	0,00	0,00	0,00	0,00	0,00	35,94
— France (FF)	0,00	0,00	0,00	3,07	0,00	0,00	0,00	0,00	0,00	0,00	1,79
— Ireland (£ Irl)	0,000	0,000	0,000	0,342	0,000	0,000	0,000	0,000	0,000	0,000	0,200
— Italy (Lit)	0	0	0	671	0	0	0	0	0	0	392
— Netherlands (Fl)	0,00	0,00	0,00	1,05	0,00	0,00	0,00	0,00	0,00	0,00	0,61
— Portugal (Esc)	0,00	0,00	0,00	76,59	0,00	0,00	0,00	0,00	0,00	0,00	44,75
— United Kingdom (£)	0,000	0,000	0,000	0,290	0,000	0,000	0,000	0,000	0,000	0,000	0,169

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4582	7,85212	2,05853	175,744	130,025	6,90403	0,768411	1 478,50	2,31943	170,569	0,670080

COMMISSION REGULATION (EEC) No 1936/89

of 30 June 1989

fixing the aid for cotton

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1353/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 1820/89 ⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginning cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 36,291 ECU per 100 kilograms.

2. However, the amounts of the aid will be confirmed or replaced with effect from 1 July 1989 to take account for the 1989/90 marketing year, as the case may be, of the consequences of the application of the system of maximum guaranteed quantities.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 135, 19. 5. 1989, p. 13.

⁽⁵⁾ OJ No L 177, 24. 6. 1989, p. 31.

COMMISSION REGULATION (EEC) No 1937/89

of 30 June 1989

fixing the aid for soya beans

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

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

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

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

Whereas the amount of the aid referred to in Article 2 (1)
of Regulation (EEC) No 1491/85 was fixed by Commis-
sion Regulation (EEC) No 521/89 ⁽⁴⁾, as last amended by
Regulation (EEC) No 1714/89 ⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 58, 1. 3. 1989, p. 39.

⁽⁵⁾ OJ No L 171, 20. 6. 1989, p. 40.

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	25,752	25,752
— Portugal	15,442	25,752 (*)	25,752
— another Member State	15,442	25,752	25,752

(*) Special aid.

COMMISSION REGULATION (EEC) No 1938/89

of 30 June 1989

fixing the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (6) (b) thereof,

Having regard to Council Regulation (EEC) No 2036/82 of 19 July 1982 adopting general rules concerning special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1789/89⁽⁴⁾, and in particular Article 2 (1) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽⁵⁾, as last amended by Regulation (EEC) No 3870/88⁽⁶⁾, and in particular Article 26a (7) thereof,

Whereas Council Regulation (EEC) No 1246/89⁽⁷⁾ fixed the guide price for peas and field beans for the 1989/90 marketing year;

Whereas, in accordance with Article 2a of Regulation (EEC) No 1431/82, the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas Council Regulation (EEC) No 1247/89⁽⁸⁾ fixed the amount of these monthly increases;

Whereas under Regulation (EEC) No 2036/82 the world market price for peas and field beans, as referred to in Article 3 (2) of Council Regulation (EEC) No 1431/82, is to be determined on the basis of offers made on the world market, disregarding those which cannot be considered representative of actual market trends; whereas in cases

where no offer can be used for determining the world market price, this price is determined from prices recorded on the markets of the principal exporting countries; whereas in cases where no offer either on the world market or on those of the principal exporting countries can be used for determining the world market price this price is fixed at a level equal to the guide price for the products in question;

Whereas, under Commission Regulation (EEC) No 2049/82⁽⁹⁾ as last amended by Regulation (EEC) No 1238/87⁽¹⁰⁾, and under Regulation (EEC) No 2036/82 the average world market price is to be established per 100 kilograms of products in bulk, delivered at Rotterdam, of sound quality; whereas, for the purpose of establishing this price, only the most favourable offers to deliveries closest in distance, excluding those relating to products being transported by ship, are used for offers and prices that do not comply with the conditions laid down above, the necessary adjustments must be made, and in particular those referred to in Article 5 of Regulation (EEC) No 2049/82;

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 % , a rate of exchange based on their central rate, multiplied by the correcting factor referred to in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹¹⁾, as amended by Regulation (EEC) No 1636/87⁽¹²⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas in cases where aid is fixed in advance its amount is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82;

Whereas pursuant to Articles 121 (3) and 307 (3) of the Act of Accession the aid granted on products harvested and processed in either of these Member States is to be

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁴⁾ OJ No L 176, 23. 6. 1989, p. 11.

⁽⁵⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁷⁾ OJ No L 129, 11. 5. 1989, p. 7.

⁽⁸⁾ OJ No L 129, 11. 5. 1989, p. 9.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹²⁾ OJ No L 153, 13. 6. 1987, p. 1.

reduced by the customs duties charged by the Member State on peas and field beans imported from third countries ;

Whereas, pursuant to Article 26 a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas the aid must be fixed before the beginning of each marketing year and may be adjusted if the world market price alters markedly ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has not, to date, been fixed ; whereas the amount of the subsidy for the 1989/90 marketing year has been calculated on the basis of the abatement valid for the year 1988/89 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The world market price as specified in Article 2 of Regulation (EEC) No 2036/82 shall be 21 ECU/100 kg.

Article 2

1. The amount of the gross aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in Annex I.
2. The amount of final aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in Annex II.
3. However, the amount of aid for peas and field beans shall be confirmed or replaced with effect from 1 July 1989 to take account, where applicable, of the consequences of the application of the maximum guaranteed quantities system for the 1989/90 marketing year in cases of advance fixing.

Article 3

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Peas used :							
— in Spain	5,503	5,503	5,661	5,819	5,977	6,135	6,293
— in Portugal	5,545	5,545	5,703	5,861	6,019	6,177	6,335
— in another Member State	5,860	5,860	6,018	6,176	6,334	6,492	6,650
Field beans used :							
— in Spain	5,860	5,860	6,018	6,176	6,334	6,492	6,650
— in Portugal	5,545	5,545	5,703	5,861	6,019	6,177	6,335
— in another Member State	5,860	5,860	6,018	6,176	6,334	6,492	6,650

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 7 (°)	1st period 8 (°)	2nd period 9 (°)	3rd period 10 (°)	4th period 11 (°)	5th period 12 (°)	6th period 1 (°)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	282,96	282,96	290,59	298,22	305,85	313,48	321,11
— Denmark (Dkr)	52,33	52,33	53,74	55,15	56,56	57,97	59,38
— Federal Republic of Germany (DM)	13,84	13,84	14,21	14,58	14,96	15,33	15,70
— Greece (Dr)	827,98	827,98	856,43	884,88	913,33	941,79	970,24
— Spain (Pta)	903,69	903,69	928,05	952,42	976,79	1 001,15	1 025,52
— France (FF)	45,11	45,11	46,33	47,54	48,76	49,97	51,19
— Ireland (£ Irl)	5,021	5,021	5,156	5,291	5,427	5,562	5,697
— Italy (Lit)	9 857	9 857	10 122	10 388	10 654	10 920	11 185
— Netherlands (Fl)	15,46	15,46	15,87	16,29	16,71	17,12	17,54
— Portugal (Esc)	1 125,13	1 125,13	1 155,47	1 185,80	1 216,14	1 246,48	1 276,81
— United Kingdom (£)	3,613	3,613	3,724	3,836	3,947	4,058	4,169

Amounts to be deducted in the case of:

- peas used in Spain (Pta) 55,05
- peas and field beans used in Portugal (Esc) 60,48

ANNEX III

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	175,744	130,025	6,90403	0,768411	1 478,50	2,31943	170,569	0,670080

(°) Subject, in cases of advance fixing for the 1989/90 marketing year, to consequences of application of the maximum guaranteed quantity arrangements for that marketing year.

COMMISSION REGULATION (EEC) No 1939/89

of 30 June 1989

fixing for July 1989 the levy applicable in Spain to products subject to the price control system

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 3729/88 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 235,471 per tonne of oil for July 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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 326, 30. 11. 1988, p. 21.

COMMISSION REGULATION (EEC) No 1940/89

of 30 June 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1834/89⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	01	10,00
1001 90 91 000	01	0
1001 90 99 000	04	10,00
	05	10,00
	02	0
1002 00 00 000	03	10,00
	05	10,00
	02	0
1003 00 10 000	01	0
1003 00 90 000	04	10,00
	02	0
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	40,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	38,50
1101 00 00 120	01	38,50
1101 00 00 130	01	33,50
1101 00 00 150	01	23,50
1101 00 00 170	01	0
1101 00 00 180	01	0
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	38,50
1102 10 00 200	01	38,50
1102 10 00 300	01	38,50
1102 10 00 500	01	38,50
1102 10 00 900	—	—
1103 11 10 100	01	50,00
1103 11 10 200	01	40,00
1103 11 10 500	01	20,00
1103 11 10 900	01	10,00
1103 11 90 100	01	38,50
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

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

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

COMMISSION REGULATION (EEC) No 1941/89

of 30 June 1989

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	0	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 120	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 130	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 150	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 170	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 180	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 200	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 300	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 500	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	- 50,00	- 50,00	- 50,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

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

COMMISSION REGULATION (EEC) No 1942/89

of 30 June 1989

fixing the export refunds on 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 1834/89⁽²⁾, and in particular the fourth subpa-
ragraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Regulation (EEC) No 2744/75 of the Council of
29 October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as last
amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the
specific criteria to be taken into account when the refund
on these products is being calculated;

Whereas it follows from applying these detailed rules to
the present situation on the market in products processed

from cereals and rice that the export refund should be
fixed at an amount which will cover the difference
between Community prices and world market prices;

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

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 rela-
tion 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 Regula-
tion (EEC) No 1676/85⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1636/87⁽⁷⁾,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded for a given period in rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regu-
lation (EEC) No 2727/75 subject to Regulation (EEC) No
2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 July 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
Product code	Refund
1107 10 19 000	10,00
1107 10 99 000	50,00
1107 20 00 000	60,00

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 1943/89

of 30 June 1989

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 1834/89⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent, and the aforesaid coefficient;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period 1	7th period 2	8th period 3	9th period 4	10th period 5	11th period 6
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1944/89

of 30 June 1989

fixing 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 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 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3209/88⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 2306/88⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 471/87⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽⁶⁾ OJ No L 48, 17. 2. 1987, p. 10.

⁽⁷⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽⁸⁾ OJ No L 114, 27. 4. 1989, p. 1.
⁽⁹⁾ OJ No L 323, 29. 11. 1980, p. 27.
⁽¹⁰⁾ OJ No L 286, 20. 10. 1988, p. 6.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

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, 30 June 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1989 fixing 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:	21,44	
Raw sugar:	19,72	
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):	$21,44 \times \frac{S^{(1)}}{100}$	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⁾ :	21,44 ⁽³⁾	

(¹) 'S' represents in 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 1945/89

of 30 June 1989

fixing the rates of the refunds applicable to certain cereal and rice products
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 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 the first sentence of the
fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽³⁾, as last amended by Regulation (EEC)
No 1219/89 ⁽⁴⁾, and in particular the first sentence of the
fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75
and Article 17 (1) of Regulation (EEC) No 1418/76
provides that the difference between quotations of prices
on the world market for the products listed in Article 1 of
each of those Regulations and the prices within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11
November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds ⁽⁵⁾, as last amended by Regulation (EEC) No
3209/88 ⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80
provides that, when the rate of the refunds is being fixed,
account should be taken, where appropriate, of produc-
tion refunds, aids or other measures having equivalent
effect applicable in all Member States in accordance with
the Regulation on the common organization of the
market in the product in question to the basic products
listed in Annex A to that Regulation or to assimilated
products; whereas such production refunds are granted
under the conditions laid down in Council Regulation
(EEC) No 2742/75 of 29 October 1975 on production
refunds in the cereals and rice sectors ⁽⁷⁾, as last amended
by Regulation (EEC) No 1009/86 ⁽⁸⁾, and Council Regula-
tion (EEC) No 1009/86 of 25 March 1986 establishing
general rules applying to production refunds in the
cereals and rice sector;

Whereas account should be taken, for the purposes of
Article 4 (3) of Regulation (EEC) No 3035/80, of the
production refund provided for in Regulation (EEC) No
2742/75 applicable during the month in which exporta-
tion occurs; whereas, moreover, in the absence of
evidence that no production refund was granted under
Regulation (EEC) No 1009/86 the export refund should
be further reduced by the amount of the production
refund applicable on the day of acceptance of the export
declaration; whereas this system is the only one which
discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4
March 1980 on the advance payment of export refunds in
respect of agricultural products ⁽⁹⁾, as amended by Regula-

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

tion (EEC) No 2026/83⁽¹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽²⁾ lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽³⁾, it is necessary to differentiate the refund on goods falling within subheadings 1902 11 00 and 1902 19 of the combined nomenclature according to their destination;

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

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the accept-

ance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 30 June 1989.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 30 June 1989 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	7,603 7,680
1001 90 99	Common wheat, and meslin (mixed wheat and rye) : — For the manufacture of starch — Other than for the manufacture of starch : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	2,909 2,880 2,909
1002 00 00	Rye	4,143
1003 00 90	Barley	4,283
1004 00 90	Oats	1,169
1005 90 00	Maize, other than hybrid maize for sowing : — For the manufacture of starch — Other than for the manufacture of starch	7,704 7,704
1006 20	Round grain husked rice	37,491
	Medium grain husked rice	33,523
	Long grain husked rice	33,523
ex 1006 30	Round grain wholly milled rice	48,375
	Medium grain wholly milled rice	48,584
	Long grain wholly milled rice	48,584
1006 40 00	Broken rice : — For the manufacture of starch — Other than for the manufacture of starch	7,204 7,204
1007 00 90	Sorghum	5,938
1101 00 00	Wheat or meslin flour : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	3,149 3,181
1102 10 00	Rye flour	13,400
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	11,785 11,904
1103 11 90	Common wheat groats and meal : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	3,149 3,181

COMMISSION REGULATION (EEC) No 1946/89

of 30 June 1989

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 763/89 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁷⁾, as last amended by Regulation (EEC) No 698/86 ⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁹⁾, as last amended by Regulation (EEC) No 2951/88 ⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹¹⁾, as last amended by Regulation (EEC) No 1471/88 ⁽¹²⁾, has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 266, 27. 9. 1988, p. 28.

⁽¹¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹²⁾ OJ No L 134, 31. 5. 1988, p. 1.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

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, 30 June 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1989 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2) : a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 50,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	95,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6) : a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 163,00 155,00

COMMISSION REGULATION (EEC) No 1947/89**of 30 June 1989****extending Regulations (EEC) No 316/86, (EEC) No 3561/86 and (EEC) No 3886/87
fixing, in respect of 1985, 1986 and 1987 crops, export refunds for raw tobacco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 727/70 of the Council of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1251/89 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain varieties of tobacco from the 1985, 1986 and 1987 crops by Commission Regulations (EEC) No 316/86 ⁽³⁾, (EEC) No 3561/86 ⁽⁴⁾ and (EEC) No 3886/87 ⁽⁵⁾ respectively, as last amended by Regulation (EEC) No 3664/88 ⁽⁶⁾;

Whereas the final date for granting those refunds was set at 30 June 1989; whereas, in respect of certain varieties of that tobacco, export possibilities after that date have presented themselves; whereas it is advisable to grant refunds in respect of the varieties in question from the 1985, 1986 and 1987 harvests, in order to enable those exports to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 2 of Regulation (EEC) No 316/86 '30 June 1989' is hereby replaced by '31 December 1989'.
2. In Article 2 of Regulation (EEC) No 3561/86 '30 June 1989' is hereby replaced by '31 December 1989'.
3. In Article 2 of Regulation (EEC) No 3886/87 '30 June 1989' is hereby replaced by '31 December 1989'.

Article 2

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 16.

⁽³⁾ OJ No L 39, 14. 2. 1986, p. 17.

⁽⁴⁾ OJ No L 327, 22. 11. 1986, p. 23.

⁽⁵⁾ OJ No L 365, 24. 12. 1987, p. 35.

⁽⁶⁾ OJ No L 318, 25. 11. 1988, p. 18.

COMMISSION REGULATION (EEC) No 1948/89
of 30 June 1989

authorizing certain intervention agencies to put up for sale by tender 200 000 tonnes of common wheat for export in the form of flour

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 1834/89 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾, as amended by Regulation (EEC) No 195/89 ⁽⁴⁾, provides that the sale of cereals held by intervention agencies must be by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the southern regions of the Community, the common wheat harvest is available as from the beginning of the marketing year; whereas, in the northern regions of the Community, the common wheat harvest is not available before August; whereas, as a result, millers working for export in the north of Europe do not enjoy the same supply conditions; whereas, for the sake of fairness, provision should be made for supplies to the latter in July from intervention stocks at terms competitive with the market prices for the new harvest;

Whereas a conversion rate should be set to determine the quantity of flour to be exported on the basis of the common wheat used;

Whereas, to ensure that the operation is carried out smoothly, it should be stipulated that securities may be released only after completion of customs export formalities to avoid any disturbance of the market;

Whereas the Member States are to take all additional measures compatible with the provisions in force to ensure that the scheme operates smoothly and that the Commission is kept informed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies of the Member States listed below are hereby authorized to issue an invitation to tender for the sale on the Community market of 200 000 tonnes of common wheat in accordance with Article 4 of Regulation (EEC) No 1836/82, as follows:

	tonnes
Belgium	—
Denmark	—
Germany	100 000
France	100 000
Netherlands	—
United Kingdom	—
Luxembourg	—
Ireland	—

Article 2

1. The invitation to tender shall be open from 1 to 31 July 1989.

2. The common wheat awarded must be processed into flour for human consumption and exported to third countries.

Tenders shall be valid only if they:

- are accompanied by an application for an export licence for common wheat flour having an ash content of 0 to 600 mg per 100 g with an application for advance fixing of the refund set for the relevant quality,
- are accompanied by an application for advance fixing of the monetary compensatory amount for common wheat flour of one of the Member States listed in Article 1,
- are accompanied by evidence that the tenderer has lodged a security of ECU 5 per tonne,
- are accompanied by a written undertaking from the tenderer to lodge, at the latest on payment of the goods, a security covering any difference between the price provided for in Article 5 (3) of Regulation (EEC) No 1836/82 and that indicated in the tender.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

Article 3

By way of derogation from Article 5 (3) of Regulation (EEC) No 1836/82, the minimum price to be complied with shall be fixed in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, at a level ensuring equality of supply conditions throughout the Community with respect to the new harvest.

Article 4

1. By way of derogation from Article 21 (1) of Commission Regulation (EEC) No 3719/88 ⁽¹⁾, export licences issued shall, for the determination of their term of validity, be deemed to have been issued on the date of submission of the tender.

2. Export licences issued under the present invitation to tender shall be valid from the date of issue within the meaning of paragraph 1 until the end of the second month thereafter.

3. Export licences issued under this invitation to tender must bear the following entry in section 18:

'Invitation to tender issued by Regulation (EEC) No 0000/89 — Tender from'

Article 5

For the determination of the quantity of flour to be exported, the quantity of common wheat awarded shall be delivered by a coefficient of 1,37.

Article 6

1. The securities referred to in the third indent of the second subparagraph of Article 2 (2) shall be released:

- for the quantities for which the tender has not been accepted, or
- in all other cases, in accordance with Title V of Commission Regulation (EEC) No 2220/85 ⁽²⁾.

2. The securities referred to in the fourth indent of the second subparagraph of Article 2 (2) shall be released for the corresponding quantities of flour for which evidence of export has been furnished.

3. The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be payment of the selling price and export within the time limit laid down for the common wheat flour under the export licence referred to in Article 4.

Evidence to be furnished shall be that applicable for the security for the export licence issued following award of the contract.

Article 7

The intervention agencies concerned shall take all necessary steps to ensure compliance with the provisions of this Regulation. They shall provide each other with all necessary information and shall inform the Commission weekly, within the Management Committee for Cereals, of progress of the invitation to tender.

Article 8

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 205, 3. 8. 1985, p. 5.

COMMISSION REGULATION (EEC) No 1949/89**of 30 June 1989****amending Regulation (EEC) No 1706/89 fixing the export refunds on milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Commission Regulation (EEC) No 1706/89⁽³⁾ fixes the export refunds on milk and milk products except as regards products falling within CN code 2309 involving skimmed-milk powder for use as feed and skimmed milk processed into compound feedingstuffs, in view of the aid granted on those products;

Whereas, in accordance with Commission Regulation (EEC) No 1735/89 of 19 June 1989 on the recovery on export of aids granted in respect of skimmed-milk powder for use as feed and skimmed milk processed into compound feedingstuffs⁽⁴⁾, measures have been provided for to recover in full on export the aid granted; whereas,

in order that the relevant products falling within CN code 2309 are treated in the same way, the abovementioned Regulation should be supplemented by fixing refunds for those products;

Whereas the measures provided for in this Regulation are in accordance with the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1706/89 is hereby supplemented by the refunds fixed for certain products falling within CN code 2309 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, 30 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 166, 16. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 171, 20. 6. 1989, p. 23.

ANNEX

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

Product code	Destination	Amount of refund
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		15,00
2309 10 15 300		20,00
2309 10 15 400		25,00
2309 10 15 500		30,00
2309 10 15 700		35,00
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		15,00
2309 10 19 300		20,00
2309 10 19 400		25,00
2309 10 19 500		30,00
2309 10 19 600		35,00
2309 10 19 700		37,50
2309 10 19 800		40,00
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		15,00
2309 10 70 200		20,00
2309 10 70 300		25,00
2309 10 70 500		30,00
2309 10 70 600		35,00
2309 10 70 700		40,00
2309 10 70 800		44,00
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		15,00
2309 90 35 300		20,00
2309 90 35 400		25,00
2309 90 35 500		30,00
2309 90 35 700		35,00
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		15,00
2309 90 39 300		20,00
2309 90 39 400		25,00
2309 90 39 500		30,00
2309 90 39 600		35,00
2309 90 39 700		37,50
2309 90 39 800		40,00
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		15,00
2309 90 70 200		20,00
2309 90 70 300		25,00
2309 90 70 500		30,00
2309 90 70 600		35,00
2309 90 70 700		40,00
2309 90 70 800		44,40
2309 90 70 900		—

COMMISSION REGULATION (EEC) No 1950/89

of 30 June 1989

fixing the reference prices for hybrid maize and hybrid sorghum for sowing 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 Regulation (EEC) No 2358/71 of the Council of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1239/89 ⁽²⁾, and in particular Article 6 ⁽⁵⁾ thereof,

Whereas Article 6 (1) of Regulation (EEC) No 2358/71 provides that a reference price for each type of hybrid maize and hybrid sorghum for sowing is to be fixed annually; whereas those reference prices must be fixed on the basis of the free-at-frontier prices recorded during the last three marketing years except for abnormally low prices; whereas, pursuant to Article 2 of Regulation (EEC) No 1578/72 of the Council of 20 July 1972 laying down general rules for fixing reference prices and for determining free-at-frontier offer prices for hybrid maize and hybrid sorghum for sowing ⁽³⁾, as last amended by Regulation (EEC) No 1984/86 ⁽⁴⁾, only prices for imports from third countries which are representative in terms of quantity and quality of the product should be taken into consideration;

Whereas imports of the types of hybrid maize for sowing falling within CN code 1005 10 19 may not be considered

as representative on account of the very small quantity involved; whereas no reference prices may therefore be fixed for those types of maize;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year, the reference prices for hybrid maize and hybrid sorghum for sowing falling within CN codes 1005 10 11, 1005 10 13, 1005 10 15 and 1007 00 10 shall be as set out in the Annex hereto.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 35.

⁽³⁾ OJ No L 168, 26. 7. 1972, p. 1.

⁽⁴⁾ OJ No L 171, 28. 6. 1986, p. 3.

ANNEX

(ECU/100 kg)		
CN code	Description	Reference prices
	Maize :	
	– Seed :	
	– – Hybrid ⁽¹⁾ :	
1005 10 11	– – – Double hybrids and top cross hybrids	95
1005 10 13	– – – Three-cross hybrids	105
1005 10 15	– – – Simple hybrids	220
	Grain sorghum :	
1007 00 10	– Hybrids for sowing	120

⁽¹⁾ Entry under this CN code is subject to conditions to be determined by the competent authorities.

COMMISSION REGULATION (EEC) No 1951/89

of 30 June 1989

fixing for the 1989/1990 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup and/or in natural fruit juice

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1125/89⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and, thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis; whereas the volume of imports makes the non-member country price unrepresentative; whereas the production aid must be calculated by reference to a price based on the Community market price;

Whereas the minimum price to be paid to producers in Spain and Portugal and the production aid for the products obtained are to be determined as provided for in Articles 118 and 304 of the Act of Accession of Spain and Portugal; whereas the representative period for determining the minimum price is laid down in Council Regulation (EEC) No 461/86 of 25 February 1986 laying down, on account of the accession of Spain and Portugal,

rules on the production aid system in respect of processed fruit and vegetables⁽⁴⁾; whereas the application of these provisions leads to the result that the minimum price and the aid to be fixed for Portugal are the same as those to be fixed for the other Member States, other than Spain;

Whereas Article 118 (6) of the Act of Accession of Spain and Portugal provides that during the first four marketing years following accession, the grant of production aid in Spain for peaches in syrup is to be limited to a quantity of 80 000 tonnes, expressed in net weight; whereas to ensure equitable allocation of raw material to each of the production regions of the Community, it should be laid down that peaches grown in a specific region only attract production aid when processed in that region;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/1990 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for peaches, and
- (b) the production aid referred to in Article 5 of the same Regulation for peaches in syrup and/or in natural fruit juice,

shall be as set out in the Annex.

Article 2

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 3

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 53, 1. 3. 1986, p. 15.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Minimum price to be paid to the producers

Product	ECU/100 kg net ex producer for products grown in :	
	Spain	Other Member States
Peaches intended for the manufacture of peaches in syrup and/or in natural fruit juice	26,684	28,781

Production aid

Product	ECU/100 kg net ex products obtained from raw materials grown in :	
	Spain ⁽¹⁾	Other Member States ⁽²⁾
Peaches in syrup and/or natural fruit juice	9,481	11,354

⁽¹⁾ The amount shown in this column is applicable only when the products are processed in Spain. In cases where such products are processed outside Spain, no production aid is applicable.

⁽²⁾ The amount shown in this column is applicable only when the products are processed in a Member State other than Spain. In cases where such products are processed in Spain, no production aid is applicable.

COMMISSION REGULATION (EEC) No 1952/89
of 30 June 1989

fixing for the 1989/90 marketing year the minimum price to be paid to producers for Williams and Rocha pears and the amount of production aid for such pears in syrup and/or in natural fruit juice

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1125/89 ⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas the minimum price to be paid to producers in Spain and Portugal and the production aid for the products obtained are to be determined as provided for in Articles 118 and 304 of the Act of Accession; whereas the representative period for determining the minimum price is laid down in Council Regulation (EEC) No 461/86 of 25 February 1986 laying down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables ⁽⁴⁾;

Whereas Article 5 of the said Regulation lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for

the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, where appropriate the pattern of processing cost assessed on a flat-rate basis;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the marketing year 1989/90:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for Williams and Rocha pears, and
- (b) the production aid referred to in Article 5 of the same Regulation for Williams and Rocha pears in syrup and/or in natural fruit juice

shall be as set out in the Annex.

Article 2

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 3

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 53, 1. 3. 1986, p. 15.

ANNEX**Minimum price to be paid to producers**

Product	ECU/100 kg net ex-producer for products grown in		
	Spain	Portugal	Other Member States
Williams and Rocha pears intended for the manufacture of pears in syrup and/or natural fruit juice	23,263	23,017	30,215

Production aid

Product	ECU/100 kg net for products obtained from raw materials grown in		
	Spain	Portugal	Other Member States
Williams and Rocha pears in syrup and/or in natural fruit juice	8,658	8,405	15,798

COMMISSION REGULATION (EEC) No 1953/89
of 30 June 1989

**amending Regulation (EEC) No 3143/85 on the sale at reduced prices of
intervention butter intended for direct consumption in the form of concentrated
butter**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 804/68 of the Council of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 3143/85⁽³⁾, as last amended by Regulation (EEC) No 1560/89⁽⁴⁾, introduced a scheme for the sale at reduced prices of concentrated butter; whereas this measure has contributed to a reduction in stocks of intervention butter;

Whereas the current position on the butter market and the size of the intervention stocks results in a very large number of applications for quantities put up for sale; whereas with a view to guaranteeing the best possible management of intervention stocks, equality of access to the products and equality of treatment of the purchasers, the facility should be created whereby a limited quantity of intervention butter may be sold by a procedure covering two successive stages, the first stage involving sale by tender and the second stage involving sale at prices fixed on a flat-rate basis in advance, and, considering the constant reduction in stocks, the notice of expiry referred to in Article 1 (2) of Regulation (EEC) No 3143/85 should be given;

Whereas in view of the prices at which the butter is sold the sum of the destination security should be reduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3143/85 is hereby amended as follows:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 153, 6. 6. 1989, p. 16.

1. '3. The notice of expiry referred to in paragraph 2 is given with effect from 1 July 1989.'

2. In the first indent of Article 2 (4), 'ECU 285' is replaced by 'ECU 250'.

3. The following Article 2a is inserted:

'Article 2a

1. The butter referred to in the first subparagraph of Article 1 may also be sold in two successive stages, at the first stage by tender and at the second at prices fixed on a flat-rate basis in advance.

2. At the first stage the butter shall be put up for sale by tender. The Annexes to the Regulations relating to the sale of the butter shall replace the notice of invitation to tender.

Information on quantities and on locations where butter is stored may be obtained from the addresses given in the Annex to the aforesaid Regulation relating to the sale of the butter. In addition, intervention agencies may post notices of invitation at their head offices and announce them by other means.

Tenders offering a price which is less than the minimum price referred to in paragraph 3 shall not be admitted.

3. The intervention agencies shall allocate the quantities put up for sale to those tenderers whose tenderers offer a price higher than or equal to the minimum price fixed in the Annex to the Regulation relating to the sale of the butter.

For the purposes of the first subparagraph, the intervention agencies shall first accept the tender or tenders made at the price which is highest above the aforesaid minimum price. Subsequent quantities shall be assigned to the tenderers referred to in the first subparagraph according to the prices which they have offered, starting from that which is highest above the minimum price in question.

Where, as a result of several tenders being received at the same price, the quantity available is inadequate, the intervention agency shall allocate it proportionately.

Each tenderer shall be notified by the intervention agency concerned whether his tender has been accepted or not, within four working days at the latest following the time limit set for the submission of tenders in response to the invitation in question.

After completion of the sale by tender referred to above, the intervention agencies shall, at their head offices, post a notice of any quantities remaining available.

4. In the second stage referred to in paragraph 1, the quantities remaining available after completion of the sale by tender referred to in paragraphs 2 and 3 shall be put up for sale at the minimum price fixed in the Annex to the Regulation relating to the sale of the butter.

To this end, purchase applications shall be submitted under the conditions provided for in the Regulation relating to the sale of the butter.

5. A security intended to guarantee that the butter is processed into concentrated butter, put into its final packaging and taken over by the retail trade in the Community under the conditions referred to in this Regulation shall be lodged by the purchaser with the competent authority of the Member State where processing is to take place before the butter is taken over by the retail trade.

Processing of the butter and the destination referred to in the first subparagraph shall constitute primary requirements within the meaning of Article 20 of Regulation (EEC) No 2220/85.

6. The butter shall be removed no later than 15 days after the date on which the tender referred to in the fourth subparagraph of paragraph 3 or the

purchase application referred to in the second subparagraph of paragraph 4 has been accepted.

7. The intervention agencies shall inform the Commission, within the time limit referred to in the fourth subparagraph of paragraph 3, in respect of each invitation to tender, of the quantities applied for and the corresponding prices offered, and of the quantities allocated and the selling prices actually applied pursuant to paragraph 3.

8. The provisions of this Regulation shall apply in the case of private sales where the Regulation relating to the sale refers to this Regulation.

9. For the purposes of:

- Article 4 (4), the time limit of 90 days for processing and packaging shall be calculated with effect from the final date for acceptance of the tender referred to in the fourth subparagraph of paragraph 3,
- Article 6, a 'consignment' shall mean a quantity of concentrated butter produced from butter, identified in relation all or part of a tender, of homogeneous quality and produced continuously on the same processing premises.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1954/89
of 30 June 1989

**on the sale, under the procedure laid down in Regulation (EEC) No 3143/85, of
butter held by certain intervention agencies and intended for direct consumption
in the form of concentrated butter**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Article 2a of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter⁽³⁾, as last amended by Regulation (EEC) No 1953/89⁽⁴⁾, introduces the option of selling intervention butter in two stages, firstly by tendering and secondly at prices fixed at a standard rate in advance;

Whereas in view of the current situation on the butter market it is possible to sell a quantity of 593,2 tonnes of butter;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limite set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The following quantities of intervention butter intended for direct consumption in the form of concentrated butter shall be put up for sale in two stages pursuant to Article 2a of Regulation (EEC) No 3143/85:

- 476,2 tonnes held by the German intervention agency and bought in before 1 June 1989,
- 117 tonnes held by the Belgian intervention agency and bought in before 1 June 1989.

2. The intervention agencies referred to in paragraph 1 shall sell first the butter which has been stored the longest.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 299, 12. 11. 1985, p. 9.

⁽⁴⁾ See page 102 of this Official Journal.

3. The sales shall be conducted in accordance with the provisions of Regulation (EEC) No 3143/85 and this Regulation.

4. The minimum prices referred to in Article 2a (3) of Regulation (EEC) No 3143/85 are given in Annex I hereto.

5. Only those tenders which reach the intervention agencies concerned no later than 12 noon on 10 July 1989 and those applications for purchase submitted from the fifth working day following the above deadline shall be taken into consideration.

6. Particulars relating to the quantities and the places where the products are stored may be obtained from the addresses given in Annex II.

Article 2

1. Tenders, which shall be in writing, shall be submitted either by registered post or delivered by hand to the intervention agency against acknowledgement of receipt, or by any written means of telecommunication.

2. Tenders shall state:

- (a) the name and address of the tenderer;
- (b) the price offered per 100 kilograms of butter having the fat content required, exclusive of internal taxes, ex coldstore, expressed in the currency of the Member State on whose territory the butter is stored;
- (c) the quantity of butter applied for, stating the fat content of the butter and of the concentrated butter;
- (d) the establishment where the total quantity of butter is to be concentrated and packed in accordance with Articles 4 and 5 of Regulation (EEC) No 3143/85 and, where appropriate, the establishment where the total quantity of concentrated butter is to be packed for marketing. However, with the agreement of the competent agency, the total quantity of concentrated butter may be packed for marketing in an establishment other than that indicated in the tender.

3. A tender shall not be valid unless:

- (a) it is accompanied by a written undertaking to use in accordance with Regulation (EEC) No 3143/88 the quantity of butter stipulated in the tender for processing into concentrated butter;
- (b) it relates only to butter having the same fat content;

- (c) it relates to a quantity of at least one tonne. However, if the butter has to be allocated proportionally and the quantity obtained by the tenderer is less than one tonne, the quantity obtained shall constitute the minimum quantity for tender;
- (d) proof is furnished that, before expiry of the period set for the submission of tenders, the tenderer has lodged the tendering security referred to in Article 3(1).

4. No tender may be withdrawn after the closing date specified in Article 1(5).

Article 3

1. For the purposes of this Regulation, maintenance of the tender after the closing date for the submission of tenders, payment of the price and lodging of the destination security referred to in Article 2a(5) of Regulation (EEC) No 3143/88 shall constitute primary requirements compliance with which shall be ensured by the lodging of a tendering security of ECU 150 per tonne.

2. Tendering securities shall be lodged in the Member State in which the tender is submitted.

Article 4

1. Tenders shall be rejected if the price offered is lower than the minimum price fixed for the tendering procedure.

2. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

Article 5

1. Each tenderer shall be notified by the intervention agency of the result of his participation in the tendering procedure within the time limit referred to in the fourth subparagraph of Article 2a(3) of Regulation (EEC) No 3143/85.

2. Where the tenderer has been declared successful such notification shall indicate:

- (a) the quantity of butter sold;
- (b) the sum of the destination security;
- (c) the final date for processing into concentrated butter of the quantity of butter contained in the tender and for its packing.

Article 6

1. The successful tenderer shall, before the removal of the butter and within the time limit of 15 days specified in Article 2a(6) of Regulation (EEC) No 3143/85, pay the intervention agency an amount corresponding to his

tender for each quantity which he intends to remove from store.

2. Except in cases of *force majeure*, if the successful tenderer has not made the payment within the specified period the tendering security referred to in Article 3 shall be forfeited and the sale shall be cancelled in respect of the remaining quantities.

Article 7

1. When the amount referred to in Article 6(1) has been paid and the destination security has been lodged, the intervention agency shall issue a removal warrant indicating:

- (a) the quantity in respect of which the conditions referred to above have been satisfied and the tender, identified by a serial number, to which it relates;
- (b) the coldstore where it is stored;
- (c) the final date for processing and packing and the fat content of the processed butter.

2. If the payment referred to in Article 6(1) has been made without removal of the butter having been effected within the period referred to above, the successful tenderer shall bear the cost and risk of storing the butter with effect from the day following that referred to in paragraph 1(c). Removal may be effected by instalments.

3. The butter shall be handed over by the intervention agency in packages bearing, in clear and legible print, the statement referred to in Article 3(2) of Regulation (EEC) No 3143/85.

The butter shall remain in its original packaging until the start of the processing operations in accordance with Article 4 of that Regulation.

Article 8

1. The applications to purchase referred to in Article 1(5) shall be *mutatis mutandis*, submitted and admissible under the conditions laid down in Article 2(1), (2)(a), (c), (d) and (3)(a), (b) and (c).

2. The contract shall be concluded under the conditions referred to in Article 2(4) of Regulation (EEC) No 3143/85.

Article 9

The destination security referred to in Article 3(1) shall be ECU 250 per 100 kilograms.

Article 10

This Regulation shall enter into force on 3 July 1989.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Member State	Product (%)	Quantity (tonnes)	Minimum price expressed in ECU per 100 kg
Federal Republic of Germany	Butter $\geq$ 82	476,2	90
Belgium	Butter $\geq$ 82	117	90

ANNEX II

Addresses of the intervention agencies

- Bundesanstalt für landwirtschaftliche Markterdnung (BALM),
Adickesalle 40, D-600 Frankfurt am Main,
telephone : 06 91 56 40,
telex : 411 727 and 411 156,
telefax : 156 46 51,
teletex : 699 07 32.
- Office belge de l'économie et de l'agriculture, secteur 'produits et industries agricoles et alimentaires',
rue de Trèves 82, B-1040 Bruxelles,
telephone : (02) 230 17 40,
telex 24 076 and 65 567,
telefax : (02) 230 25 33.
- Belgische Dienst voor Bedrijfsleven en Landbouw
Sektor Landbouw- en Voedingsprodukten en Industrieën
Trierstraat 82 — B-1040 Brussel,
telephone : (02) 230 17 40,
telex : 24 076 / 65 567,
telefax : (02) 230 25 33.

COMMISSION REGULATION (EEC) No 1955/89
of 30 June 1989
amending Regulation (EEC) No 1684/89 adopting exceptional measures for the
market in beef and veal in Italy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1684/89⁽³⁾ provides for a private storage aid scheme in the beef and veal sector in Italy with an obligation to submit applications by 30 June 1989 at the latest; whereas, in view of the persistent difficulties on that market, the date 30 June 1989 should be replaced by 14 July 1989;

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

Article 1

In Article 1 (1) of Regulation (EEC) No 1684/89, '30 June 1989' is hereby replaced by '14 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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 164, 15. 6. 1989, p. 24.

COMMISSION REGULATION (EEC) No 1956/89

of 30 June 1989

fixing the amount of aid for certain grain legumes for the 1989/90 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 762/89 of 20 March 1989 introducing a specific measure for certain grain legumes⁽¹⁾, and in particular Article 4 thereof,

Whereas pursuant to Article 2 of Regulation (EEC) No 762/89 the amount of the aid is to be fixed bearing in mind the need to ensure the maintenance of areas traditionally under grain legume crops, and the aid granted for the said crops under other Community rules, the Community aid per hectare should be fixed at the level specified in this Regulation;

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

Article 1

For the 1989/90 marketing year the aid for the production of grain legumes introduced by Regulation (EEC) No 762/89 shall be ECU 75 per hectare sown and harvested.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 80, 23. 3. 1989, p. 76.

COMMISSION REGULATION (EEC) No 1957/89

of 30 June 1989

fixing for the 1989/90 marketing year the minimum price to be paid to producers for tomatoes and the amount of production aid for processed tomato 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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1125/89⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 2243/88 of 19 July 1988 on temporary measures for production aid to processed tomato products⁽³⁾, as amended by Regulation (EEC) No 1126/89⁽⁴⁾, fixed the specific quantities for which the aid can be granted;

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables⁽⁵⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector and, thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis; whereas, in respect of tomato concentrates, preserved whole peeled tomatoes and tomato juices the volume of imports makes the non-member country price

unrepresentative; whereas the production aid for these products must be calculated by reference to a price based on the Community market price;

Whereas Article 1 (1) of Council Regulation (EEC) No 989/84⁽⁶⁾, as last amended by Regulation (EEC) No 2246/88⁽⁷⁾, fixed as the guarantee threshold for each year a quantity of processed tomato products corresponding to 4 700 000 tonnes of fresh tomatoes; whereas Community production calculated in accordance with Article 2 (2) of that Regulation does not exceed the threshold for the 1988/89 marketing year and the production of each group of tomato-based products is not higher than the quantity specified in the second subparagraph of Article 1 (1) of the same Regulation;

Whereas the minimum price to be paid to producers in Spain and Portugal and the production aid for the products obtained shall be determined as provided for in Articles 118 and 304 of the Act of Accession of Spain and Portugal; whereas the representative period for determining the minimum price for tomatoes intended for certain uses is laid down in Council Regulation (EEC) No 461/86 of 25 February laying down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables⁽⁸⁾; whereas as a consequence of Article 1 (2) of that Regulation no production aid can be paid during the transitional period for preserved whole peeled tomatoes and frozen whole tomatoes obtained from the San Marzano variety grown in Portugal;

Whereas Articles 118 (3) (b) and 304 (3) (b) of the Act of Accession of Spain and Portugal provide that the grant of production aid to tomato-based products is to be limited to specific quantities; whereas to ensure equitable allocation of raw material to each of the production regions of the Community, it should be laid down that tomatoes grown in a specific region only attract production aid when processed in that region;

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 14.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 31.

⁽⁵⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁶⁾ OJ No L 103, 16. 4. 1984, p. 19.

⁽⁷⁾ OJ No L 198, 26. 7. 1988, p. 20.

⁽⁸⁾ OJ No L 53, 1. 3. 1986, p. 15.

HAS ADOPTED THIS REGULATION:

Article 2

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 1

For the 1989/90 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for the products listed in Annex I; and
- (b) the production aid referred to in Article 5 of the same Regulation for the products listed in Annex II

shall be as set out in the said Annexes.

Article 3

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

*ANNEX I***Minimum price to be paid to producers**

Product	ECU/100 kg net ex producer for products grown in:		
	Spain	Portugal	Other Member States
Tomatoes intended for the manufacture of:			
(a) tomato concentrate	7,041	7,261	8,911
(b) preserved whole peeled and unpeeled tomatoes or frozen whole peeled tomatoes:			
— the San Marzano variety	11,157	—	14,752
— the Roma and similar varieties	9,251	8,654	11,349
(c) preserved non-whole peeled and unpeeled tomatoes and non-whole frozen peeled tomatoes	7,718	7,151	8,911
(d) tomato flakes	9,251	8,654	11,349
(e) tomato juice	7,041	7,261	8,911

ANNEX II

Production aid

Product	ECU/100 kg net ex producer for products grown in :		
	Spain ⁽¹⁾	Portugal ⁽¹⁾	Other Member States ⁽²⁾
1. Tomato concentrates with a dry weight content of 28 % or more but less than 30 %	20,710	22,011	31,772
2. Preserved whole peeled tomatoes :			
(a) of the San Marzano variety	6,633	—	11,444
(b) of the Roma and similar varieties	5,092	4,244	8,071
3. Unpeeled whole preserved tomatoes of the Roma and similar varieties	3,564	2,971	5,650
4. Frozen whole peeled tomatoes :			
(a) of the San Marzano variety	6,633	—	11,444
(b) of the Roma and similar varieties	5,092	4,244	8,071
5. Preserved peeled tomatoes, non-whole or in pieces	3,463	2,886	5,488
6. Unpeeled preserved tomatoes, non-whole or in pieces :			
(a) with a dry weight content of 4,5 % or more but less than 7 %	2,770	2,309	4,390
(b) with a dry weight content of 7 % or more but less than 9 %	3,463	2,886	5,488
(c) with a dry weight content of 9 % or more but less than 11 %	4,156	3,463	6,586
(d) with a dry weight content of 11 % or more but less than 14 %	4,848	4,040	7,683
7. Non-whole frozen peeled tomatoes	3,463	2,886	5,488
8. Tomato flakes	68,914	73,244	105,724
9. Tomato juice with a dry weight content of 7 % or more but less than 12 % :			
(a) with a dry weight content of 7 % or more but less than 8 %	5,356	5,692	8,217
(b) with a dry weight content of 8 % or more but less than 10 %	6,427	6,831	9,860
(c) with a dry weight content of 10 % or more	7,856	8,349	12,051
10. Tomato juice with a dry weight content of less than 7 % :			
(a) with a dry weight content of 5 % or more	4,285	4,554	6,574
(b) with a dry weight content of 3,5 % or more but less than 5 %	3,392	3,605	5,204

⁽¹⁾ The amounts shown in this column are applicable only when the products are processed in Spain or Portugal respectively. In cases where such products are processed outside Spain or Portugal, no production aid is applicable.

⁽²⁾ The amounts shown in this column are applicable only when the products are processed in a Member State, other than Spain and Portugal. In cases where such products are processed in Spain or Portugal, no production aid is applicable.

COMMISSION REGULATION (EEC) No 1958/89

of 30 June 1989

fixing for the 1989/90 marketing year the minimum price to be paid to producers for unprocessed sultanas, currants and 'Moscatel' and the amount of production aid for dried grapes

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1125/89 ⁽²⁾, and in particular Articles 4(4) and 5(5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4(1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis, first, of the minimum price applying during the previous marketing year; secondly, of the movement of basic prices in the fruit and vegetables sector; and thirdly, of the need to ensure the normal marketing of fresh products for the various uses;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis; whereas in respect of dried grapes a minimum import price is applicable pursuant to Article 9 of the same Regulation; whereas the non-member country price must be replaced by this price;

Whereas Article 4(2) of Regulation (EEC) No 426/86 provides that the minimum price to be paid to producers for unprocessed sultanas and currants shall be increased each month during a certain period of the marketing year

by an amount corresponding to storage costs; whereas, in fixing this amount, the technical storage costs and interest cost should be taken into consideration;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the marketing year 1989/90:

(a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for unprocessed dried sultanas of category 4;

and

(b) the production aid referred to in Article 5 of the same Regulation for processed dried sultanas of category 4;

shall be as set out in the Annex.

Article 2

For the marketing year 1989/90, the amount by which the minimum price for unprocessed dried grapes is to be increased on the first of each month for the period 1 November to 1 August is hereby fixed at ECU 1,557 per 100 kilograms net of sultanas of category 4.

For other categories of sultanas, currants and for 'Moscatel' the amount shall be multiplied by the coefficient applicable to the minimum price listed in Annex I to Commission Regulation (EEC) No 2347/84 ⁽⁴⁾, as last amended by Regulation (EEC) No 2550/88 ⁽⁵⁾.

Article 3

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 219, 16. 8. 1984, p. 1.

⁽⁵⁾ OJ No L 228, 17. 8. 1988, p. 5.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Minimum price to be paid to the producers

Product	ECU per 100 kilograms ex producer
Unprocessed sultanas of category 4	133,170

Production aid

Product	ECU per 100 kilograms net
Dried sultanas of category 4	81,478

COMMISSION REGULATION (EEC) No 1959/89

of 30 June 1989

fixing for the 1989/90 marketing year the minimum price to be paid to producers for unprocessed dried figs and the amount of production aid for dried figs

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1125/89⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and, thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis;

Whereas Article 4 (2) of Regulation (EEC) No 426/86 provides that the minimum price to be paid to producers for unprocessed dried figs is to be increased each month during a certain period of the marketing year by an amount corresponding to storage costs; whereas, in fixing this amount, the technical storage costs and interest costs should be taken into consideration;

Whereas the minimum price to be paid to producers in Spain and Portugal and the production aid for the products obtained are to be determined as provided for in Articles 118 and 304 of the Act of Accession; whereas the representative period for determining the minimum price

is laid down in Council Regulation (EEC) No 461/86 of 25 February 1986 laying down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables⁽⁴⁾; whereas the application of these provisions leads to the result that the minimum price and the aid to be fixed for Spain and Portugal are the same as those to be fixed for the other Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the marketing year 1989/90:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for unprocessed dried figs of category C; and
- (b) the production aid referred to in Article 5 of the same Regulation for dried figs of category C;

shall be as set out in the Annex.

Article 2

The amount by which the minimum price for unprocessed dried figs is to be increased on the first of each month from September until June is hereby fixed at ECU 0,837 per 100 kilograms net of category C.

For other categories the amount shall be multiplied by the coefficient applicable to the minimum price listed in Annex I to Commission Regulation (EEC) No 1709/84⁽⁵⁾.

Article 3

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 4

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 53, 1. 3. 1986, p. 15.

⁽⁵⁾ OJ No L 162, 20. 6. 1984, p. 8.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Minimum price to be paid to producers

Product	ECU/100 kilograms net, ex-producer
Unprocessed dried figs of category C	67,650

Production aid

Product	ECU/100 kilograms net
Dried figs of category C	22,995

COMMISSION REGULATION (EEC) No 1960/89

of 30 June 1989

fixing for the 1989/89 marketing year the production aid for tinned pineapple
and the minimum price to be paid to pineapple producers

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

Having regard to Council Regulation (EEC) No 525/77 of
14 March 1977 establishing a system of production aid for
tinned pineapple ⁽¹⁾, as last amended by Regulation (EEC)
No 1699/85 ⁽²⁾, and in particular Article 8 thereof,

Whereas, under Article 4 of Regulation (EEC) No 525/77,
the minimum price to be paid to producers is to be deter-
mined on the basis of the minimum price applicable
during the preceding marketing year, and the trend of
production costs in the fruit and vegetable sector;

Whereas Article 5 of the said Regulation lays down the
criteria for fixing the amount of production aid; whereas
account must, in particular, be taken of the aid fixed for
the previous marketing year adjusted to take account of
changes in the minimum price to be paid to producers,
the non-member country price and, if necessary, the
pattern of processing cost assessed on a flat-rate basis;

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

Committee for Products Processed from Fruit and
Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year:

- (a) the minimum price referred to in Article 4 of Regu-
lation (EEC) No 525/77 to be paid to producers for
pineapples; and
- (b) the production aid referred to in Article 5 of the said
Regulation for tinned pineapple;

shall be as set out in the Annex.

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 46.

⁽²⁾ OJ No L 163, 22. 6. 1985, p. 12.

*ANNEX***Minimum price to be paid to the producers**

Product	ECU/100 kilograms net, ex producer
Pineapple intended for the manufacture of tinned pineapple	31,640

Production aid

Product	ECU/100 kilograms net
Tinned pineapple	94,989

COMMISSION REGULATION (EEC) No 1961/89

of 30 June 1989

fixing for the 1989/90 marketing year the minimum price to be paid to producers for dried plums and the amount of production aid for prunes

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1125/89⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector and, thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas Article 5 of the said Regulation lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis;

Whereas the minimum price to be paid to producers in Spain and the production aid for the products obtained shall be determined as provided for in Article 118 of the Act of Accession; whereas the representative period for determining the minimum price is laid down in Council Regulation (EEC) No 461/86 of 25 February 1986 laying

down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables⁽⁴⁾; whereas as a consequence of Article 1 (2) of that Regulation no production aid is to be paid during the transitional period for prunes obtained from dried plums from Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for dried plums derived from prunes d'Ente; and
- (b) the production aid referred to in Article 5 of the same Regulation for prunes ready to be offered for human consumption;

shall be as set out in the Annex.

Article 2

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 3

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, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 53, 1. 3. 1986, p. 15.

ANNEX

Minimum price to be paid to producers

Product	ECU/100 kg net ex producer for products grown in :		
	Spain	Portugal	Other Member States
Prunes d'Ente of the size category corresponding to 66 fruit per 500 grams	142,802	—	158,673

Production aid

Product	ECU/100 kg net for products obtained from raw materials grown in :		
	Spain	Portugal	Other Member States
Dried plums derived from prunes d'Ente, of the size category corresponding to 66 fruit per 500 grams	40,715	—	54,963

COMMISSION REGULATION (EEC) No 1962/89

of 30 June 1989

introducing a countervailing charge on tomatoes originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 674/89 of 16 March 1989 fixing for the 1989 marketing year the reference prices for tomatoes ⁽³⁾ fixed the reference price for products of class I at ECU 99,96 per 100 kilograms net for the period from 1 June to 10 July 1989;

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 60,12 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Poland.

Article 2

This Regulation shall enter into force on 4 July 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 73, 17. 3. 1989, p. 14.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1963/89

of 30 June 1989

introducing a countervailing charge on cherries originating in Bulgaria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 695/89 of 17 March 1989 fixing for the 1989 marketing year the reference prices for cherries⁽³⁾ fixed the reference price for products of class I at ECU 124,84 per 100 kilograms net for the month of June 1989;

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

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

taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 98,89 per 100 kilograms net is applied to cherries (CN code ex 0809 20) originating in Bulgaria.

Article 2

This Regulation shall enter into force on 4 July 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 76, 18. 3. 1989, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1964/89

of 30 June 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1882/89⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1219/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1882/89⁽⁷⁾;

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

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

- ⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
- ⁽²⁾ OJ No L 180, 27. 6. 1989, p. 1.
- ⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
- ⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 9.
- ⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.
- ⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.
- ⁽⁷⁾ OJ No L 182, 29. 6. 1989, p. 10.
- ⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
- ⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 29 June 1989;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 of the Commission⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 1882/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 July 1989.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 30 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 30 June 1989 altering the import levies on products
processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 (*)	33,66	104,51	99,68
0714 10 91	30,64	101,49	99,68
0714 10 99	33,66	104,51	99,68
0714 90 11	30,64	101,49	99,68 (*)
0714 90 19	33,66	104,51	99,68 (*)
1102 20 10	69,65	229,69	223,65
1102 20 90	39,07	129,76	126,74
1102 90 10	61,19	188,72	182,68
1102 90 30	45,71	147,83	141,79
1102 90 90	56,39	140,70	137,68
1103 12 00	45,71	147,83	141,79
1103 13 11	69,65	229,69	223,65
1103 13 19	69,65	229,69	223,65
1103 13 90	39,07	129,76	126,74
1103 19 10	78,15	202,51	196,47
1103 19 30	61,19	188,72	182,68
1103 19 90	56,39	140,70	137,68
1103 29 10	78,15	202,51	196,47
1103 29 20	61,19	188,72	182,68
1103 29 30	45,71	147,83	141,79
1103 29 40	69,65	229,69	223,65
1103 29 90	56,39	140,70	137,68
1104 11 10	34,27	106,54	103,52
1104 11 90	67,32	209,02	202,98
1104 12 10	25,50	83,37	80,35
1104 12 90	50,12	163,58	157,54
1104 19 30	78,15	202,51	196,47
1104 19 50	69,65	229,69	223,65
1104 19 99	100,22	249,00	242,96
1104 21 10	52,04	165,40	162,38
1104 21 30	52,04	165,40	162,38
1104 21 50	82,64	259,77	253,73
1104 21 90	34,27	106,54	103,52
1104 22 10	42,69	144,81	141,79
1104 22 30	42,69	144,81	141,79
1104 22 50	38,28	129,05	126,03
1104 22 90	25,50	83,37	80,35
1104 23 10	59,56	201,82	198,80
1104 23 30	59,56	201,82	198,80
1104 23 90	39,07	129,76	126,74
1104 29 10*20 (*)	56,30	148,19	145,17
1104 29 10*30 (*)	86,73	218,99	215,97

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*40 ⁽⁷⁾	86,73	218,99	215,97
1104 29 10*90 ⁽⁸⁾	86,73	218,99	215,97
1104 29 30*20 ⁽⁵⁾	67,12	177,66	174,64
1104 29 30*30 ⁽⁶⁾	86,73	218,99	215,97
1104 29 30*40 ⁽⁷⁾	86,73	218,99	215,97
1104 29 30*90 ⁽⁸⁾	86,73	218,99	215,97
1104 29 95	43,88	114,35	111,33
1104 29 99	56,39	140,70	137,68
1104 30 90	32,55	99,23	93,19
1106 20 10	33,66	104,51	97,86 ⁽³⁾
1106 20 91	77,45	220,59	196,41 ⁽³⁾
1106 20 99	77,45	220,59	196,41 ⁽³⁾
1107 10 91	65,42	191,53 ⁽³⁾	180,65
1107 10 99	51,63	145,86	134,98
1107 20 00	58,37	168,19 ⁽³⁾	157,31
1108 12 00	77,45	220,59	200,04
1108 13 00	77,45	220,59	200,04
1108 14 00	77,45	220,59	100,02
1108 19 90	77,45	220,59	100,02 ⁽³⁾
1702 30 51	170,93	357,65	260,93
1702 30 59	123,39	266,53	200,04
1702 30 91	170,93	357,65	260,93
1702 30 99	123,39	266,53	200,04
1702 40 90	123,39	266,53	200,04
1702 90 50	123,39	266,53	200,04
1702 90 75	174,47	370,07	273,35
1702 90 79	120,56	256,59	190,10
2106 90 55	123,39	266,53	200,04
2303 10 11	252,02	429,84	248,50

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

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

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

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

⁽⁵⁾ TARIC code: rye.

⁽⁶⁾ TARIC code: millet.

⁽⁷⁾ TARIC code: sorghum.

⁽⁸⁾ TARIC code: others.

COMMISSION REGULATION (EEC) No 1965/89**of 30 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 1910/89 ⁽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 1 July 1989.

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

Done at Brussels, 30 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 184, 30. 6. 1989, p. 33.

ANNEX

to the Commission Regulation of 30 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	19,72 ⁽¹⁾	
1701 11 90 910	22,48 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	19,72 ⁽¹⁾	
1701 12 90 910	22,48 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2144
1701 99 10 100	21,44	
1701 99 10 910	24,44	
1701 99 10 950	22,94	
1701 99 90 100		0,2144

⁽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 1966/89**of 30 June 1989****amending Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for oil seeds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 (5) thereof,Whereas experience has shown the need, in the matter of the conditions for entitlement to aid laid down by Commission Regulation (EEC) No 2681/83 ⁽³⁾, as last amended by Regulation (EEC) No 1382/89 ⁽⁴⁾, to reduce the maximum period between identification of a quantity of seed and processing thereof, in order to allow the proper disposal of the harvest, as well as a regular rhythm of budgetary expenditure;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 10 (1) of Regulation (EEC) No 2681/83, '150 days' is hereby replaced by '90 days'.

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

It is not applicable to the certificates requested before its entry into force.

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

Done at Brussels, 30 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 266, 28. 9. 1983, p. 1.⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 7.

COMMISSION REGULATION (EEC) No 1967/89

of 30 June 1989

fixing the minimum selling price for the purposes of the standing invitation to tender opened by Regulation (EEC) No 1948/89

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 1834/89 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1948/89 of 30 June 1989 authorizing certain intervention agencies to put up for sale by tender 200 000 tonnes of common wheat for export in the form of flour ⁽³⁾, and in particular Article 3 thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for the intervention on the market in cereals ⁽⁴⁾, as amended by Regulation (EEC) No 195/89 ⁽⁵⁾, stipulates that when cereals held by intervention agencies are sold they shall be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁶⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁷⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas Commission Regulation (EEC) No 1948/89 authorizes certain intervention agencies to put up for sale

by tender 200 000 tonnes of common wheat for export in the form of flour; whereas the said Regulation states that, by way of derogation from Article 5 (3) of Commission Regulation (EEC) No 1836/82, a minimum selling price is to be fixed ensuring equality of supply conditions throughout the Community when the new harvest is taken into account;

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling price for the purposes of the standing invitation to tender issued under Regulation (EEC) No 1948/89 shall be 159,69 ECU/tonne.

Article 2

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

It shall apply with effect from 1 July 1989.

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

Done at Brussels, 30 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 180, 27. 6. 1989, p. 1.

⁽³⁾ See page 92 of this Official Journal.

⁽⁴⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁶⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁷⁾ OJ No L 223, 11. 8. 1987, p. 5.

COUNCIL REGULATION (EEC) No 1968/89

of 30 June 1989

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia originating in the African, Caribbean and Pacific (ACP) States (1989/90)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Protocol 5 annexed to the Third ACP-EEC Convention⁽¹⁾, signed at Lomé on 8 December 1984, provides that products originating in the African, Caribbean and Pacific (ACP) States which fall within CN codes 2208 40 10, 2208 40 90, 2208 90 11 and 2208 90 19 shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community; whereas in accordance with Article 3 (1) of the Protocol to the third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities⁽²⁾, implemented in advance by Regulation (EEC) No 1820/87⁽³⁾, the minimum quantity set out in Article 2 (a), second subparagraph, of Protocol 5 on rum has been increased to 172 000 hectolitres;

Whereas, pursuant to the said Protocol, the Kingdom of Spain and the Portuguese Republic shall become contracting parties to the said ACP-EEC Convention; whereas Regulation (EEC) No 1820/87 provides for special arrangements for the quota duties to be applied by those two Member States; whereas by reason of the particularities peculiar to the market in rum the quota period ranges from 1 July to 30 June;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, the annual quota volume amount to 157 594 hectolitres of pure alcohol; whereas this volume being less than the threshold established by the abovementioned Protocol, the quota volume for the period from 1 July 1989 to 30

June 1990 must be fixed at 172 000 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up;

Whereas, following the case law of the Court of Justice, it is unlawful to allocate the Community quotas between the Member States, unless overriding circumstances of an administrative, technical or economic nature, prevent acting otherwise; whereas, in addition, in cases where it is decided to allocate quotas, a mechanism should be set up whereby the integrity of the Common Customs Tariff may be protected;

Whereas the economic difficulties which could result for the French Overseas Departments (FOD) from the sudden change in the arrangements for importing rum from the African, Caribbean and Pacific (ACP) States constitute circumstances having a binding effect which justify the temporary and partial maintenance of these arrangements; whereas, however, the arrangements for allocation of the quota into national shares should be phased out and can only be justified on a transitional basis; whereas the arrangements should in any event definitively disappear with the prospect of the establishment of the internal market;

Whereas, in these circumstances, a Community reserve of 20 % should be set up, with a system for the automatic transfer of Member State share to the reserve as soon as 80 % of the latter has been used up;

Whereas, during the past three years for which statistical data are available, imports from Member States have been as follows:

(in hectolitres of pure alcohol)

Member State	1986	1987	1988
Benelux	6 407	6 264	7 389
Denmark	2 020	1 884	2 038
Germany	36 183	33 570	42 523
Greece	50	50	—
Spain	90	244	—
France	1 637	1 929	1 216
Ireland	2 151	2 060	2 189
Italy	437	800	806
Portugal	—	7	—
United Kingdom	69 757	72 040	63 525
Total	118 732	118 848	119 088

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 3.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 3.

⁽³⁾ OJ No L 172, 30. 6. 1987, p. 1.

Whereas, in view of these factors, of market forecasts for the products in question and of the estimates submitted by certain Member States, quota shares may be fixed approximately at the following percentages:

Benelux	5,62,
Denmark	1,66,
Germany	31,43,
Greece	0,03,
Spain	0,09,
France	1,34,
Ireland	1,79,
Italy	0,57,
Portugal	0,00,
United Kingdom	57,47;

Whereas provision should be made for a mechanism to prevent, when the Community quota is not exhausted, goods from being imported into a Member State which has exhausted its share only after the full application of customs duties, or after having been diverted to another Member State which has not yet exhausted its share; whereas, in these circumstances, if, during the quota period, the Community reserve were to be almost entirely used up, Member States should return to the said reserve all of the unused portion of their initial shares so as to avoid part of the Community tariff quota from remaining unused in one Member State, when it could be used in others;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to

permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States on the other;

Whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be able to keep account of quota utilization rates and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota shares levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1989 to 30 June 1990, the following products originating in the ACP States shall be imported duty free into the Community within the limits of the relevant Community tariff quota mentioned:

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1605	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, arrack and tafia	172 000	Free

2. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Regulation (EEC) No 1820/87.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment of 137 600 hectolitres of pure alcohol shall be allocated amongst the Member States; the shares which, subject to Article 3, shall apply until 30 June 1990, amount to the following quantities:

	(hectolitres of pure alcohol)
Benelux	7 730,
Denmark	2 280,

Germany	43 250,
Greece	40,
Spain	120,
France	1 845,
Ireland	2 460,
Italy	785,
Portugal	15,
United Kingdom	79 075.

3. A second instalment of 34 400 hectolitres of pure alcohol shall constitute the Community reserve.

4. If an importer indicates that he is about to import any of the products in question into a Member State which has exhausted its initial quota and applies to use the corresponding quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the quota so permits.

5. Without prejudice to Article 3, the drawings made pursuant to paragraph 4 shall be valid until the end of the quota period.

Article 3

1. Once at least 80 % of the reserve of one of the tariff quotas, as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof.

2. It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the following provisions:

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for the product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the reserve referred to in Article 2 (3) by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings shall be granted by the Commission on the basis of the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the reserve.

If the quantities requested are greater than the available balance of the reserve, allocation shall be made on a *pro rata* basis with respect to the requests.

Member States shall be informed by the Commission of the drawings made.

3. Within a time limit fixed by the Commission as from the date referred to in the first subparagraph of

paragraph 2, Member States shall be required to return to the reserve all that part of their initial share and any drawings which have not been used on that date, within the meaning of Article 4.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 2 (4) and (5) and Article 3 enable imports to be charged without interruption against the Community quota.

2. Each Member State shall ensure that importers of the products concerned have free access to the quota for such time as the residual balance of the quota volumes so permits.

3. Member States shall charge imports of the said products against their drawings as and when the products are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

Council Regulation (EEC) No 1316/87 of 11 May 1987 on the safeguard measures provided for in the Third ACP-EEC Convention⁽¹⁾ shall apply to the products referred to in this Regulation.

Article 7

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, 30 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 125, 14. 5. 1987, p. 1.

COUNCIL REGULATION (EEC) No 1969/89

of 30 June 1989

opening and providing for the administration of a Community tariff quota for rum, arrack and tafia, originating in the overseas countries and territories (OCT) associated with the European Economic Community (1989/90)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular Articles 3 and 4 of Annex V thereto,

Having regard to the proposal from the Commission,

Whereas Annex V to Decision 86/283/EEC provides that rum, arrack and tafia shall be imported into the Community free of customs duties within the limits of a Community tariff quota;

Whereas the Community has established by Decision 86/47/EEC⁽²⁾ as extended by Decision 86/645/EEC⁽³⁾, arrangements for trade between the Kingdom of Spain and the Portuguese Republic on the one hand and the overseas countries and territories (OCT) on the other; whereas this Decision lays down provisions concerning the quota duties to be applied by those two Member States on imports of products originating in the OCT;

Whereas the annual size of the quota is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, equal to the amount of imports during the best of the past three years for which statistics are available and to which quantity a growth rate equal to 27 % is applied; whereas the quota period ranges from 1 July to 30 June;

Whereas Community statistics for these products and the trend for the years 1986 to 1988 show that the highest volume of imports into the Community of the products in question originating in the OCT, namely 333,03 hectolitres of pure alcohol, occurred in 1988, whereas, on

that basis, the quota volume should therefore be fixed at 423 hectolitres of pure alcohol;

Whereas by application of the provisions of Article 3 (3) of Annex V to Decision 86/283/EEC the quota volume in question should however be increased to 15 000 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up;

Whereas, following the Decision of the Court of Justice of 27 September 1988 (Case 51/87), it is appropriate not to provide for allocation among Member States, without prejudice to the drawing, on the tariff quota, of such quantities as they may need, under conditions and according to a procedure to be determined; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the tariff quota is used and inform the Member States accordingly;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota share levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1989 to 30 June 1990, the following products originating from the OCT shall be imported duty free into the Community within the limit of the relevant Community tariff quota mentioned:

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1621	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, arrack and tafia	15 000	Free

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 63, 5. 3. 1986, p. 95.

⁽³⁾ OJ No L 380, 31. 12. 1986, p. 66.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those set out in Annex II to Decision 86/283/EEC.

3. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Decision 86/47/EEC.

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned, to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the tariff quota, allocation shall be made on a *pro rata* basis with respect to the requests. Member States shall be informed by the Commission of drawings made.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 3 enable imports to be charged without interruption against their shares of the Community quota.

2. Each Member State shall ensure that importers of the products concerned have free access to the quota for such times as the balance of the tariff quota so permits.

3. Member States shall charge imports of the said products against their drawings as and when the goods are entered with the customs authorities under cover of declarations of entry into free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 5

At the request of the Commission, Member States shall inform it of imports actually charged under the conditions set out in Article 4 (3).

Article 6

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, 30 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ