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Contents

I Acts whose publication is obligatory

Commission Regulation (EEC) No 2333/89 of 31 July 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2334/89 of 31 July 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2335/89 of 28 July 1989 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 2336/89 of 28 July 1989 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 2337/89 of 31 July 1989 fixing the import levies on milk and milk products	9
Commission Regulation (EEC) No 2338/89 of 31 July 1989 fixing the import levies on syrups and certain other products in the sugar sector	14
Commission Regulation (EEC) No 2339/89 of 31 July 1989 fixing the export refunds on syrups and certain other sugar products exported in the natural state	16
Commission Regulation (EEC) No 2340/89 of 31 July 1989 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries	19
Commission Regulation (EEC) No 2341/89 of 31 July 1989 fixing for August 1989 the levy applicable in Spain to products subject to the price control system	20
Commission Regulation (EEC) No 2342/89 of 31 July 1989 fixing the amount of the subsidy on oil seeds	21
Commission Regulation (EEC) No 2343/89 of 31 July 1989 fixing the export refunds on oil seeds	28

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(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EEC) No 2344/89 of 31 July 1989 fixing the aid for cotton	31
Commission Regulation (EEC) No 2345/89 of 31 July 1989 fixing the aid for soya beans	32
Commission Regulation (EEC) No 2346/89 of 31 July 1989 fixing the rate of the aid for dried fodder	34
Commission Regulation (EEC) No 2347/89 of 31 July 1989 fixing the amount of aid for peas, field beans and sweet lupins	37
Commission Regulation (EEC) No 2348/89 of 31 July 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	44
Commission Regulation (EEC) No 2349/89 of 31 July 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	46
Commission Regulation (EEC) No 2350/89 of 31 July 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	49
* Commission Regulation (EEC) No 2351/89 of 28 July 1989 amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87	52
* Commission Regulation (EEC) No 2352/89 of 28 July 1989 amending Regulation (EEC) No 3105/88 laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87	54
* Commission Regulation (EEC) No 2353/89 of 28 July 1989 laying down detailed rules for the grant of aid for certain grain legumes	56
* Commission Regulation (EEC) No 2354/89 of 31 July 1989 re-establishing the levying of customs duties on ceramic tableware falling within CN code 6912 00 50 originating in Brazil to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply	59
* Commission Regulation (EEC) No 2355/89 of 31 July 1989 amending Regulation (EEC) No 2721/88 laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Council Regulation (EEC) No 822/87	60
Commission Regulation (EEC) No 2356/89 of 31 July 1989 fixing the maximum buying-in price and the quantities of beef bought in for the fourth partial invitation to tender under Regulation (EEC) No 1627/89	62
Commission Regulation (EEC) No 2357/89 of 31 July 1989 introducing a countervailing charge on table grapes originating in Cyprus	64
Commission Regulation (EEC) No 2358/89 of 31 July 1989 fixing the import levies on white sugar and raw sugar	66
Commission Regulation (EEC) No 2359/89 of 31 July 1989 altering the export refunds on white sugar and raw sugar exported in the natural state	68
Commission Regulation (EEC) No 2360/89 of 31 July 1989 altering the import levies on products processed from cereals and rice	70

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2333/89

of 31 July 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 import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1915/89⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 28 July 1989;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1915/89 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	34,31	140,52
0712 90 19	34,31	140,52
1001 10 10	15,88	153,70 ⁽¹⁾ ⁽²⁾
1001 10 90	15,88	153,70 ⁽¹⁾ ⁽²⁾
1001 90 91	15,20	110,53
1001 90 99	15,20	110,53
1002 00 00	42,96	118,18 ⁽³⁾
1003 00 10	33,63	108,48
1003 00 90	33,63	108,48
1004 00 10	25,03	91,51
1004 00 90	25,03	91,51
1005 10 90	34,31	140,52 ⁽²⁾ ⁽³⁾
1005 90 00	34,31	140,52 ⁽²⁾ ⁽³⁾
1007 00 90	52,35	145,37 ⁽⁴⁾
1008 10 00	33,63	3,17
1008 20 00	33,63	22,10 ⁽⁵⁾
1008 30 00	33,63	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	33,63	0,00
1101 00 00	34,43	167,89
1102 10 00	73,29	178,60
1103 11 10	38,99	252,61
1103 11 90	37,03	181,17

⁽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 2334/89

of 31 July 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 premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1916/89⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 28 July 1989;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 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 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 31 July 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	8	9	10	11
0709 90 60	0	0,32	0,32	0
0712 90 19	0	0,32	0,32	0
1001 10 10	0	0,20	0,20	0,20
1001 10 90	0	0,20	0,20	0,20
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	2,83
1003 00 90	0	0	0	2,83
1004 00 10	0	4,04	4,04	4,04
1004 00 90	0	4,04	4,04	4,04
1005 10 90	0	0,32	0,32	0
1005 90 00	0	0,32	0,32	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	44,47
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	Current	1st period	2nd period	3rd period	4th period
	8	9	10	11	12
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	5,04	5,04
1107 10 99	0	0	0	3,76	3,76
1107 20 00	0	0	0	4,39	4,39

COMMISSION REGULATION (EEC) No 2335/89**of 28 July 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 1806/89 ⁽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 2196/89 ⁽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 August 1989.

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

Done at Brussels, 28 July 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 177, 24. 6. 1989, p. 1.

⁽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 209, 21. 7. 1989, p. 21.

ANNEX

to the Commission Regulation of 28 July 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⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	150,22	307,65
1006 10 23	—	194,99	126,39	259,99
1006 10 25	—	194,99	126,39	259,99
1006 10 27	—	194,99	126,39	259,99
1006 10 92	—	—	150,22	307,65
1006 10 94	—	194,99	126,39	259,99
1006 10 96	—	194,99	126,39	259,99
1006 10 98	—	194,99	126,39	259,99
1006 20 11	—	—	188,68	384,56
1006 20 13	—	243,74	158,89	324,99
1006 20 15	—	243,74	158,89	324,99
1006 20 17	—	243,74	158,89	324,99
1006 20 92	—	—	188,68	384,56
1006 20 94	—	243,74	158,89	324,99
1006 20 96	—	243,74	158,89	324,99
1006 20 98	—	243,74	158,89	324,99
1006 30 21	13,05	—	243,54	510,93
1006 30 23	12,97	398,03	253,47	530,71
1006 30 25	12,97	398,03	253,47	530,71
1006 30 27	12,97	398,03	253,47	530,71
1006 30 42	13,05	—	243,54	510,93
1006 30 44	12,97	398,03	253,47	530,71
1006 30 46	12,97	398,03	253,47	530,71
1006 30 48	12,97	398,03	253,47	530,71
1006 30 61	13,90	—	259,72	544,14
1006 30 63	13,90	426,70	272,11	568,93
1006 30 65	13,90	426,70	272,11	568,93
1006 30 67	13,90	426,70	272,11	568,93
1006 30 92	13,90	—	259,72	544,14
1006 30 94	13,90	426,70	272,11	568,93
1006 30 96	13,90	426,70	272,11	568,93
1006 30 98	13,90	426,70	272,11	568,93
1006 40 00	0	—	38,62	83,25

(⁽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 2336/89

of 28 July 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 1806/89 ⁽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 2197/89 ⁽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 August 1989.

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

Done at Brussels, 28 July 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 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.

⁽⁴⁾ OJ No L 209, 21. 7. 1989, p. 23.

ANNEX

to the Commission Regulation of 28 July 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 8	1st period 9	2nd period 10	3rd period 11
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 2337/89
of 31 July 1989
fixing the import levies on milk and milk products

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

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

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

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1167/89 ⁽³⁾, as last amended by Regulation (EEC) No 2118/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 121, 29. 4. 1989, p. 20.

⁽⁴⁾ OJ No L 203, 15. 7. 1989, p. 11.

ANNEX

to the Commission Regulation of 31 July 1989 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		12,98
0401 10 90		11,77
0401 20 11		18,37
0401 20 19		17,16
0401 20 91		23,61
0401 20 99		22,40
0401 30 11		61,85
0401 30 19		60,64
0401 30 31		120,48
0401 30 39		119,27
0401 30 91		203,92
0401 30 99		202,71
0402 10 11		80,37
0402 10 19		73,12
0402 10 91	(¹)	0,7312/kg + 21,18
0402 10 99	(¹)	0,7312/kg + 13,93
0402 21 11		142,21
0402 21 17		134,96
0402 21 19		134,96
0402 21 91		186,04
0402 21 99		178,79
0402 29 11	(¹)(²)	1,3496/kg + 21,18
0402 29 15	(¹)	1,3496/kg + 21,18
0402 29 19	(¹)	1,3496/kg + 13,93
0402 29 91	(¹)	1,7879/kg + 21,18
0402 29 99	(¹)	1,7879/kg + 13,93
0402 91 11		31,00
0402 91 19		31,00
0402 91 31		38,75
0402 91 39		38,75
0402 91 51		120,48
0402 91 59		119,27
0402 91 91		203,92
0402 91 99		202,71
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,1685/kg + 17,56
0402 99 39	(¹)	1,1685/kg + 16,35
0402 99 91	(¹)	2,0029/kg + 17,56
0402 99 99	(¹)	2,0029/kg + 16,35

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

CN code	Note	Import levy
0403 10 11		20,78
0403 10 13		26,02
0403 10 19		64,26
0403 10 31	(¹)	0,1474/kg + 19,97
0403 10 33	(¹)	0,1998/kg + 19,97
0403 10 39	(¹)	0,5822/kg + 19,97
0403 90 11		80,37
0403 90 13		142,21
0403 90 19		186,04
0403 90 31	(¹)	0,7312/kg + 21,18
0403 90 33	(¹)	1,3496/kg + 21,18
0403 90 39	(¹)	1,7879/kg + 21,18
0403 90 51		20,78
0403 90 53		26,02
0403 90 59		64,26
0403 90 61	(¹)	0,1474/kg + 19,97
0403 90 63	(¹)	0,1998/kg + 19,97
0403 90 69	(¹)	0,5822/kg + 19,97
0404 10 11		27,74
0404 10 19	(¹)	0,2774/kg + 13,93
0404 10 91	(²)	0,2774/kg
0404 10 99	(²)	0,2774/kg + 13,93
0404 90 11		80,37
0404 90 13		142,21
0404 90 19		186,04
0404 90 31		80,37
0404 90 33		142,21
0404 90 39		186,04
0404 90 51	(¹)	0,7312/kg + 21,18
0404 90 53	(¹)	1,3496/kg + 21,18
0404 90 59	(¹)	1,7879/kg + 21,18
0404 90 91	(¹)	0,7312/kg + 21,18
0404 90 93	(¹)	1,3496/kg + 21,18
0404 90 99	(¹)	1,7879/kg + 21,18
0405 00 10		209,64
0405 00 90		255,76
0406 10 10		239,37
0406 10 90		298,35
0406 20 10	(²)	375,28
0406 20 90		375,28
0406 30 10	(²)	183,38
0406 30 31	(²)	183,88
0406 30 39	(²)	183,38
0406 30 90	(²)	280,10
0406 40 00	(²)	158,11
0406 90 11	(²)	240,10

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

CN code	Note	Import levy
0406 90 13	(³)	243,86
0406 90 15	(³)	243,86
0406 90 17	(³)	243,86
0406 90 19	(³)	375,28
0406 90 21	(³)	240,10
0406 90 23	(³)	201,63
0406 90 25	(³)	201,63
0406 90 27	(³)	201,63
0406 90 29	(³)	201,63
0406 90 31	(³)	201,63
0406 90 33		201,63
0406 90 35	(³)	201,63
0406 90 37	(³)	201,63
0406 90 39	(³)	201,63
0406 90 50	(³)	201,63
0406 90 61		375,28
0406 90 63		375,28
0406 90 69		375,28
0406 90 71		239,37
0406 90 73		201,63
0406 90 75		201,63
0406 90 77		201,63
0406 90 79		201,63
0406 90 81		201,63
0406 90 83		201,63
0406 90 85		201,63
0406 90 89	(³)	201,63
0406 90 91		239,37
0406 90 93		239,37
0406 90 97		298,35
0406 90 99		298,35
1702 10 10		35,49
1702 10 90		35,49
2106 90 51		35,49
2309 10 15		57,26
2309 10 19		74,08
2309 10 39		70,34
2309 10 59		60,19
2309 10 70		74,08
2309 90 35		57,26
2309 90 39		74,08
2309 90 49		70,34
2309 90 59		60,19
2309 90 70		74,08

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- (¹) The levy on 100 kg of product falling within this subheading is equal to the sum of the following:
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
- (²) The levy on 100 kg of product falling within this subheading is equal to:
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (³) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
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COMMISSION REGULATION (EEC) No 2338/89

of 31 July 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;

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 August 1989.

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,

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

Done at Brussels, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 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	0,2352	—
1702 20 90	0,2352	—
1702 30 10	—	33,19
1702 40 10	—	33,19
1702 60 10	—	33,19
1702 60 90	0,2352	—
1702 90 30	—	33,19
1702 90 60	0,2352	—
1702 90 71	0,2352	—
1702 90 90	0,2352	—
2106 90 30	—	33,19
2106 90 59	0,2352	—

COMMISSION REGULATION (EEC) No 2339/89

of 31 July 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 August 1989.

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

Done at Brussels, 31 July 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 31 July 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		17,98
1702 60 10 000		17,98
1702 60 90 000	0,1798	
1702 90 30 000		17,98
1702 90 60 000	0,1798	
1702 90 71 000	0,1798	
1702 90 90 900	0,1798	
2106 90 30 000		17,98
2106 90 59 000	0,1798	

⁽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 2340/89

of 31 July 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 1922/89 ⁽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 15,73 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 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 187, 1. 7. 1989, p. 18.

COMMISSION REGULATION (EEC) No 2341/89

of 31 July 1989

fixing for August 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 280,901 per tonne of oil for August 1989.

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 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 2342/89

of 31 July 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 2284/89⁽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 colza, rape and sunflower seed for the 1989/90 marketing year were fixed by Regulations (EEC) No 1228/89⁽⁷⁾ and (EEC) No 1229/89⁽⁸⁾;

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

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⁽⁹⁾;

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⁽¹⁰⁾, as last amended by Regulation (EEC) No 1983/82⁽¹¹⁾, 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⁽¹²⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to 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;

⁽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 218, 28. 7. 1989, p. 17.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽⁹⁾ OJ No L 273, 26. 9. 1987, p. 16.

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

⁽¹¹⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹²⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

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 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 ;

⁽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⁾ OJ No L 187, 1. 7. 1989, p. 130.

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.
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 for colza, rape and sunflower will be confirmed or replaced as from 1 August 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 August 1989.

⁽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.

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

Done at Brussels, 31 July 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 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)
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	21,604	21,682	21,402	21,606	21,884	21,923
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	51,30	51,48	50,83	51,31	51,97	52,23
— Netherlands (Fl)	56,99	57,19	56,46	56,99	57,73	57,97
— BLEU (Bfrs/Lfrs)	1 043,19	1 046,96	1 033,44	1 043,29	1 056,71	1 058,59
— France (FF)	164,06	164,67	162,48	164,04	166,19	166,45
— Denmark (Dkr)	192,93	193,62	191,12	192,94	195,43	195,77
— Ireland (£ Irl)	18,260	18,328	18,083	18,257	18,496	18,526
— United Kingdom (£)	14,405	14,464	14,230	14,334	14,531	14,442
— Italy (Lit)	36 070	36 201	35 721	35 996	36 461	36 333
— Greece (Dr)	3 562,69	3 560,38	3 470,93	3 467,95	3 518,82	3 417,18
(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)	3 388,00	3 399,36	3 348,01	3 368,38	3 410,68	3 385,65
(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)	4 780,49	4 795,41	4 725,10	4 692,04	4 738,07	4 679,09

(1) Subject 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 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (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	24,104	24,182	23,902	24,106	24,384	24,423
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	57,20	57,39	56,73	57,21	57,87	58,13
— Netherlands (Fl)	63,58	63,79	63,05	63,59	64,32	64,56
— BLEU (Bfrs/Lfrs)	1 163,91	1 167,67	1 154,15	1 164,00	1 177,43	1 179,31
— France (FF)	183,31	183,92	181,72	183,28	185,43	185,70
— Denmark (Dkr)	215,25	215,95	213,45	215,27	217,75	218,10
— Ireland (£ Irl)	20,402	20,470	20,225	20,399	20,638	20,668
— United Kingdom (£)	16,159	16,217	15,983	16,088	16,285	16,196
— Italy (Lit)	40 253	40 384	39 904	40 178	40 643	40 515
— Greece (Dr)	4 011,16	4 008,85	3 919,40	3 916,42	3 967,28	3 865,65
(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)	3 770,24	3 781,60	3 730,25	3 750,62	3 792,92	3 767,89
(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)	5 260,50	5 275,41	5 205,11	5 172,05	5 218,07	5 159,09

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	20,204	20,335	21,164	21,174	21,166
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	48,11	48,42	50,36	50,39	50,38
— Netherlands (Fl)	53,30	53,64	55,83	55,85	55,83
— BLEU (Bfrs/Lfrs)	975,59	981,91	1 021,94	1 022,43	1 022,04
— France (FF)	152,37	153,40	159,91	159,94	159,83
— Denmark (Dkr)	180,42	181,59	189,00	189,09	189,01
— Ireland (£ Irl)	16,959	17,073	17,798	17,801	17,789
— United Kingdom (£)	13,118	13,217	13,810	13,753	13,731
— Italy (Lit)	33 699	33 918	35 296	35 221	35 205
— Greece (Dr)	3 184,00	3 185,03	3 309,08	3 252,22	3 242,63
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	3 418,70	3 437,79	3 544,76	3 533,39	3 533,86
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 217,13	6 242,91	6 387,26	6 298,62	6 286,42
— in another Member State (Esc)	6 059,13	6 084,26	6 224,94	6 138,55	6 126,66
3. Compensatory aids:					
— in Spain (Pta)	3 372,35	3 391,44	3 498,40	3 487,04	3 487,51
4. Special aid:					
— in Portugal (Esc)	6 059,13	6 084,26	6 224,94	6 138,55	6 126,66

(1) Subject in the case of 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 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1
DM	2,073790	2,070280	2,066740	2,063270	2,063270	2,053550
Fl	2,338530	2,335040	2,331570	2,328190	2,328190	2,318510
Bfrs/Lfrs	43,429100	43,404300	43,380400	43,364300	43,364300	43,283700
FF	7,033660	7,033700	7,033080	7,032390	7,032390	7,033110
Dkr	8,056700	8,060380	8,062820	8,064630	8,064630	8,074190
£Irl	0,775877	0,775731	0,776228	0,776529	0,776529	0,779183
£	0,672148	0,674558	0,677035	0,679390	0,679390	0,686110
Lit	1 497,69	1 501,68	1 505,80	1 509,84	1 509,84	1 521,29
Dr	179,35400	181,49100	183,71500	186,32300	186,32300	193,20200
Esc	173,42800	174,30900	175,31700	176,48500	176,48500	180,08300
Pta	130,05400	130,68500	131,31100	131,94600	131,94600	133,77000

COMMISSION REGULATION (EEC) No 2343/89

of 31 July 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 2284/89⁽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 218, 28. 7. 1989, p. 17.

⁽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 determined 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 for colza and rape seed will be confirmed or replaced as from 1 August 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 August 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, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1989 fixing the export refunds on oil seeds

<i>(amounts per 100 kilograms)</i>						
	Current 8 (1)	1st period 9 (1)	2nd period 10	3rd period 11	4th period 12	5th period 1
1. Gross refunds (ECU):						
— Spain	18,000	18,000	—	—	—	—
— Portugal	20,440	20,440	—	—	—	—
— other Member States	17,000	17,000	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	40,63	40,63	—	—	—	—
— Netherlands (Fl)	44,84	44,84	—	—	—	—
— BLEU (Bfrs/Lfrs)	820,88	820,88	—	—	—	—
— France (FF)	127,08	127,08	—	—	—	—
— Denmark (Dkr)	151,81	151,81	—	—	—	—
— Ireland (£ Irl)	14,144	14,144	—	—	—	—
— United Kingdom (£)	10,663	10,663	—	—	—	—
— Italy (Lit)	28 318	28 318	—	—	—	—
— Greece (Dr)	2 521,92	2 491,43	—	—	—	—
— Spain (Pta)	2 920,45	2 920,45	—	—	—	—
— Portugal (Esc)	3 875,78	3 875,40	—	—	—	—

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

COMMISSION REGULATION (EEC) No 2344/89

of 31 July 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 2285/89 ⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 35,212 ECU per 100 kilograms.

2. However, the amounts of the aid will be confirmed or replaced with effect from 1 August 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 August 1989.

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

Done at Brussels, 31 July 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 218, 28. 7. 1989, p. 19.

COMMISSION REGULATION (EEC) No 2345/89
of 31 July 1989
fixing the aid for soya beans

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

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

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

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

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 521/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 2185/89 ⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 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 208, 20. 7. 1989, p. 36.

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	29,447	29,447
— Portugal	19,137	29,447 (*)	29,447
— another Member State	19,137	29,447	29,447
(*) Special aid.			

COMMISSION REGULATION (EEC) No 2346/89
of 31 July 1989
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 2293/89⁽⁷⁾;

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

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

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

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 118, 29. 4. 1989, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 218, 28. 7. 1989, p. 30.

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 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 31 July 1989 fixing the rate of the aid for dried fodder

Aid applicable from 1 August 1989 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States		Portugal	Other Member States
Aid	55,770	67,361	69,010		34,361	36,010

Aid in case of advance fixing for the month of:

(ECU/tonne)

September 1989	57,155	68,767	70,395		35,767	37,395
October 1989	58,617	70,251	71,857		37,251	38,857
November 1989	59,470	71,117	72,710		38,117	39,710
December 1989	59,470	71,117	72,710		38,117	39,710
January 1990 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000
February 1990 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000
March 1990 ⁽¹⁾	0,000	0,000	0,000		0,000	0,000

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

COMMISSION REGULATION (EEC) No 2347/89
of 31 July 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 1935/89 ⁽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 187, 1. 7. 1989, p. 58.

⁽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 for peas, field beans and sweet lupins will be confirmed or replaced as from 1 August 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 August 1989.

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

Done at Brussels, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 187, 1. 7. 1989, p. 68.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Peas used :							
— in Spain	5,503	5,661	5,819	5,977	6,135	6,293	6,451
— in Portugal	5,545	5,703	5,861	6,019	6,177	6,335	6,493
— in another Member State	5,860	6,018	6,176	6,334	6,492	6,650	6,808
Field beans used :							
— in Spain	5,860	6,018	6,176	6,334	6,492	6,650	6,808
— in Portugal	5,545	5,703	5,861	6,019	6,177	6,335	6,493
— in another Member State	5,860	6,018	6,176	6,334	6,492	6,650	6,808

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

Products used in animal feed :

(ECU per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
A. Peas used :							
— in Spain	8,466	9,185	9,342	9,759	9,916	10,074	10,231
— in Portugal	8,172	8,908	9,066	9,491	9,648	9,806	9,963
— in another Member State	8,568	9,280	9,438	9,851	10,009	10,166	10,324
B. Field beans used :							
— in Spain	8,466	9,185	9,342	9,759	9,916	10,074	10,231
— in Portugal	8,172	8,908	9,066	9,491	9,648	9,806	9,963
— in another Member State	8,568	9,280	9,438	9,851	10,009	10,166	10,324
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,979	11,727	11,727	12,072	12,072	12,072	12,072
— in Portugal	10,586	11,358	11,358	11,715	11,715	11,715	11,715
— in another Member State	11,115	11,854	11,854	12,196	12,196	12,196	12,196
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,869	11,617	11,617	11,962	11,962	11,962	11,962
— in Portugal	10,476	11,248	11,248	11,605	11,605	11,605	11,605
— in another Member State	11,005	11,744	11,744	12,086	12,086	12,086	12,086

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

ANNEX II

Final aid

Products intended for human consumption :

(in national currency per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	282,96	290,59	298,22	305,85	313,48	321,11	328,74
— Denmark (Dkr)	52,33	53,74	55,15	56,56	57,97	59,38	60,80
— Federal Republic of Germany (DM)	13,84	14,21	14,58	14,96	15,33	15,70	16,07
— Greece (Dr)	808,90	837,36	865,82	894,28	922,74	951,21	979,67
— Spain (Pta)	918,90	943,25	967,61	991,97	1 016,33	1 040,69	1 065,04
— France (FF)	45,11	46,33	47,54	48,76	49,97	51,19	52,41
— Ireland (£ Irl)	5,021	5,156	5,291	5,427	5,562	5,697	5,833
— Italy (Lit)	9 857	10 122	10 388	10 654	10 920	11 185	11 451
— Netherlands (Fl)	15,46	15,87	16,29	16,71	17,12	17,54	17,96
— Portugal (Esc)	1 125,13	1 155,47	1 185,80	1 216,14	1 246,48	1 276,81	1 307,15
— United Kingdom (£)	3,795	3,906	4,017	4,128	4,239	4,350	4,461

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

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 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	413,72	448,10	455,73	475,67	483,30	490,88	498,51
— Denmark (Dkr)	76,51	82,87	84,28	87,97	89,38	90,78	92,19
— Federal Republic of Germany (DM)	20,23	21,91	22,28	23,26	23,63	24,00	24,38
— Greece (Dr)	1 328,52	1 463,29	1 491,75	1 569,14	1 597,60	1 625,87	1 654,33
— Spain (Pta)	1 334,38	1 443,74	1 468,10	1 531,58	1 555,94	1 580,14	1 604,50
— France (FF)	65,96	71,44	72,65	75,83	77,05	78,26	79,47
— Ireland (£ Irl)	7,341	7,951	8,086	8,440	8,575	8,710	8,845
— Italy (Lit)	14 411	15 609	15 875	16 569	16 835	17 099	17 365
— Netherlands (Fl)	22,60	24,48	24,90	25,99	26,40	26,82	27,23
— Portugal (Esc)	1 645,07	1 781,78	1 812,11	1 891,41	1 921,75	1 951,89	1 982,23
— United Kingdom (£)	5,739	6,247	6,358	6,652	6,763	6,873	6,984
Amounts to be deducted in the case of use :							
— Spain (Pta)	15,73	14,65	14,80	14,19	14,34	14,19	14,34
— Portugal (Esc)	76,03	71,42	71,42	69,12	69,31	69,12	69,31

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

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	28,60	2,24	0,00	0,00	0,00	0,00	0,00	9,93
— Denmark (Dkr)	0,00	0,00	0,00	5,29	0,42	0,00	0,00	0,00	0,00	0,00	1,84
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,40	0,11	0,00	0,00	0,00	0,00	0,00	0,49
— Greece (Dr)	0,00	0,00	0,00	113,66	8,92	0,00	0,00	0,00	0,00	0,00	39,47
— Spain (Pta)	0,00	0,00	0,00	90,88	7,13	0,00	0,00	0,00	0,00	0,00	31,56
— France (FF)	0,00	0,00	0,00	4,56	0,36	0,00	0,00	0,00	0,00	0,00	1,58
— Ireland (£ Irl)	0,000	0,000	0,000	0,508	0,040	0,000	0,000	0,000	0,000	0,000	0,176
— Italy (Lit)	0	0	0	996	78	0	0	0	0	0	346
— Netherlands (Fl)	0,00	0,00	0,00	1,56	0,12	0,00	0,00	0,00	0,00	0,00	0,54
— Portugal (Esc)	0,00	0,00	0,00	113,73	8,93	0,00	0,00	0,00	0,00	0,00	39,50
— United Kingdom (£)	0,000	0,000	0,000	0,425	0,033	0,000	0,000	0,000	0,000	0,000	0,148

ANNEX V

Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

	Current 8 (°)	1st period 9 (°)	2nd period 10 (°)	3rd period 11 (°)	4th period 12 (°)	5th period 1 (°)	6th period 2 (°)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	413,72	448,10	455,73	475,67	483,30	490,88	498,51
— Denmark (Dkr)	76,51	82,87	84,28	87,97	89,38	90,78	92,19
— Federal Republic of Germany (DM)	20,23	21,91	22,28	23,26	23,63	24,00	24,38
— Greece (Dr)	1 328,52	1 463,29	1 491,75	1 569,14	1 597,60	1 625,87	1 654,33
— Spain (Pta)	1 334,38	1 443,74	1 468,10	1 531,58	1 555,94	1 580,14	1 604,50
— France (FF)	65,96	71,44	72,65	75,83	77,05	78,26	79,47
— Ireland (£ Irl)	7,341	7,951	8,086	8,440	8,575	8,710	8,845
— Italy (Lit)	14 411	15 609	15 875	16 569	16 835	17 099	17 365
— Netherlands (Fl)	22,60	24,48	24,90	25,99	26,40	26,82	27,23
— Portugal (Esc)	1 645,07	1 781,78	1 812,11	1 891,41	1 921,75	1 951,89	1 982,23
— United Kingdom (£)	5,739	6,247	6,358	6,652	6,763	6,873	6,984
Amounts to be deducted in the case of use :							
— Spain (Pta)	15,73	14,65	14,80	14,19	14,34	14,19	14,34
— Portugal (Esc)	76,03	71,42	71,42	69,12	69,31	69,12	69,31

(°) Subject to the consequences of the application of the system of maximum guaranteed quantities.

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	28,60	2,24	0,00	0,00	0,00	0,00	0,00	9,93
— Denmark (Dkr)	0,00	0,00	0,00	5,29	0,42	0,00	0,00	0,00	0,00	0,00	1,84
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,40	0,11	0,00	0,00	0,00	0,00	0,00	0,49
— Greece (Dr)	0,00	0,00	0,00	113,66	8,92	0,00	0,00	0,00	0,00	0,00	39,47
— Spain (Pta)	0,00	0,00	0,00	90,88	7,13	0,00	0,00	0,00	0,00	0,00	31,56
— France (FF)	0,00	0,00	0,00	4,56	0,36	0,00	0,00	0,00	0,00	0,00	1,58
— Ireland (£ Irl)	0,000	0,000	0,000	0,508	0,040	0,000	0,000	0,000	0,000	0,000	0,176
— Italy (Lit)	0	0	0	996	78	0	0	0	0	0	346
— Netherlands (Fl)	0,00	0,00	0,00	1,56	0,12	0,00	0,00	0,00	0,00	0,00	0,54
— Portugal (Esc)	0,00	0,00	0,00	113,73	8,93	0,00	0,00	0,00	0,00	0,00	39,50
— United Kingdom (£)	0,000	0,000	0,000	0,425	0,033	0,000	0,000	0,000	0,000	0,000	0,148

ANNEX VII

Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

	Current 8 (1)	1st period 9 (1)	2nd period 10 (1)	3rd period 11 (1)	4th period 12 (1)	5th period 1 (1)	6th period 2 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	531,40	567,08	567,08	583,60	583,60	583,60	583,60
— Denmark (Dkr)	98,28	104,87	104,87	107,93	107,93	107,93	107,93
— Federal Republic of Germany (DM)	25,98	27,73	27,73	28,54	28,54	28,54	28,54
— Greece (Dr)	1 762,66	1 904,47	1 904,47	1 970,09	1 970,09	1 970,09	1 970,09
— Spain (Pta)	1 710,39	1 823,77	1 823,77	1 876,24	1 876,24	1 876,24	1 876,24
— France (FF)	84,72	90,40	90,40	93,04	93,04	93,04	93,04
— Ireland (£ Irl)	9,429	10,062	10,062	10,355	10,355	10,355	10,355
— Italy (Lit)	18 510	19 753	19 753	20 329	20 329	20 329	20 329
— Netherlands (Fl)	29,03	30,98	30,98	31,88	31,88	31,88	31,88
— Portugal (Esc)	2 112,98	2 254,87	2 254,87	2 320,54	2 320,54	2 320,54	2 320,54
— United Kingdom (£)	7,444	7,974	7,974	8,220	8,220	8,220	8,220
Amounts to be deducted in the case of use in :							
— Spain (Pta)	20,97	19,59	19,59	19,12	19,12	19,12	19,12
— Portugal (Esc)	101,57	95,23	95,23	92,35	92,35	92,35	92,35

(1) Subject to the consequences of the application of the system of maximum guaranteed quantities.

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	20,80	1,63	0,00	0,00	0,00	0,00	0,00	7,22
— Denmark (Dkr)	0,00	0,00	0,00	3,85	0,30	0,00	0,00	0,00	0,00	0,00	1,34
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,02	0,08	0,00	0,00	0,00	0,00	0,00	0,35
— Greece (Dr)	0,00	0,00	0,00	82,66	6,49	0,00	0,00	0,00	0,00	0,00	28,71
— Spain (Pta)	0,00	0,00	0,00	66,10	5,19	0,00	0,00	0,00	0,00	0,00	22,96
— France (FF)	0,00	0,00	0,00	3,32	0,26	0,00	0,00	0,00	0,00	0,00	1,15
— Ireland (£ Irl)	0,000	0,000	0,000	0,369	0,029	0,000	0,000	0,000	0,000	0,000	0,128
— Italy (Lit)	0	0	0	725	57	0	0	0	0	0	252
— Netherlands (Fl)	0,00	0,00	0,00	1,14	0,09	0,00	0,00	0,00	0,00	0,00	0,39
— Portugal (Esc)	0,00	0,00	0,00	82,72	6,49	0,00	0,00	0,00	0,00	0,00	28,73
— United Kingdom (£)	0,000	0,000	0,000	0,309	0,024	0,000	0,000	0,000	0,000	0,000	0,107

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	176,609	128,128	6,90403	0,768411	1 475,46	2,31943	170,569	0,661827

COMMISSION REGULATION (EEC) No 2348/89

of 31 July 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 August 1989.

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

Done at Brussels, 31 July 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 July 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	(ECU/100 kg) Rate of refund
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 2349/89

of 31 July 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 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽¹⁰⁾ OJ No L 48, 17. 2. 1987, p. 10.

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 August 1989.

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

Done at Brussels, 31 July 1989.

For the Commission
Martin BANGEMANN
Vice-President

ANNEX

to the Commission Regulation of 31 July 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:	17,98
Raw sugar:	16,54
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):	$17,98 \times \frac{S^{(1)}}{100}$ 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⁾ :	17,98 ⁽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 2350/89

of 31 July 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 Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1213/89 ⁽²⁾, and in particular the 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 1806/89 ⁽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 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 in the absence of evidence that no production refund was granted under Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector ⁽⁷⁾, as last amended by Commission Regulation (EEC) No 1990/89 ⁽⁸⁾, the export refund should be 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 avoids 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 Regulation (EEC) No 2026/83 ⁽¹⁰⁾, 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 ⁽¹¹⁾ 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 ⁽¹²⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 286, 20. 10. 1988, p. 6.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 190, 5. 7. 1989, p. 13.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 275, 29. 9. 1987, p. 36.

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 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 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 August 1989.

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

Done at Brussels, 31 July 1989.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 July 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	12,095 12,217
1001 90 99	Common wheat, and meslin (mixed wheat and rye) : — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America — In all other cases	4,851 4,900
1002 00 00	Rye	5,753
1003 00 90	Barley	5,753
1004 00 90	Oats	5,094
1005 90 00	Maize, other than hybrid maize for sowing	7,196
1006 20	Round grain husked rice	37,972
	Medium grain husked rice	32,591
	Long grain husked rice	32,591
ex 1006 30	Round grain wholly milled rice	48,996
	Medium grain wholly milled rice	47,233
	Long grain wholly milled rice	47,233
1006 40 00	Broken rice	7,375
1007 00 90	Sorghum	6,315
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	5,635 5,692
1102 10 00	Rye flour	16,534
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	18,747 18,936
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	5,635 5,692

COMMISSION REGULATION (EEC) No 2351/89

of 28 July 1989

amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1236/89⁽²⁾, and in particular Article 39 (9) thereof,

Whereas Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making⁽³⁾ was last amended by Regulation (EEC) No 2505/88⁽⁴⁾; whereas that amendment causes certain provisions relating to the conditions for the payment of aid adopted previously in Commission Regulation (EEC) No 441/88⁽⁵⁾, as last amended by Regulation (EEC) No 1596/88⁽⁶⁾, to lapse; whereas that Regulation (EEC) No 441/88 should accordingly be adapted by providing in particular for a security to be lodged where certain evidence required for the payment of the aid is not yet available;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 441/88 is hereby amended as follows:

1. Article 16 (2) and (3) are replaced by the following:

'2. Distillers who wish to receive the aid provided for in paragraph 1 shall submit an application and the documents specified in Article 17 of Regulation (EEC) No 2179/83 at the latest by 31 December following the wine year in question.

3. The proof referred to in Article 17 (1) (c) of Regulation (EEC) No 2179/83 may be replaced by proof that a security has been lodged in favour of the

intervention agency. Such security shall be equal to 110 % of the aid applied for.

In the case referred to in the first subparagraph, proof that the distiller has paid in full the purchase price referred to in Article 13 shall be provided to the intervention agency at the latest by 31 March following the wine year in question. Within three months at the latest on such proof being supplied, the intervention agency shall release the security.

If the proof referred to in the second subparagraph is presented after 31 March but before 1 June of the following year and if that delay is not due to serious negligence on the part of the distiller, the intervention agency shall release 80 % of the security.

In all other cases the security shall be forfeit.

4. If the proof referred to in Article 17 (1) (c) of Regulation (EEC) No 2179/83 shows that the time limit laid down in Article 13 (2) has not been met but that the overrun does not exceed 30 days, the aid to be paid to the distiller shall be reduced by 20 %. No aid shall be due where the overrun exceeds 30 days.

5. If it is found that the distiller has not paid the producer the purchase price, the intervention agency shall pay the producer, before 1 June of the wine year following that of delivery of the wine, an amount equal to the aid, where appropriate through the intervention agency of the Member State of the producer.'

2. In Article 17:

— in the first subparagraph of paragraph 1, '31 October' is replaced by '30 November',

— paragraph 2 is replaced by the following:

'2. The price to be paid to the distiller by the intervention agency for products delivered shall be fixed when the distillation provided for in Article 39 of Regulation (EEC) No 822/87 comes into operation. If the distiller has not received the aid, Article 16 (2) to (5) shall apply *mutatis mutandis*.

If the proof referred to in Article 17 (1) (c) of Regulation (EEC) No 2179/83 shows that the time limit laid down in Article 13 (2) has not been met but that the overrun does not exceed 30 days, the price to be paid to the distiller for the alcohol delivered shall be reduced by 20 %. No amount shall be paid for the alcohol where the overrun exceeds 30 days.'

— the last subparagraph of paragraph 4 is deleted.

(1) OJ No L 84, 27. 3. 1987, p. 1.

(2) OJ No L 128, 11. 5. 1989, p. 31.

(3) OJ No L 212, 3. 8. 1983, p. 1.

(4) OJ No L 225, 15. 8. 1988, p. 14.

(5) OJ No L 45, 18. 2. 1988, p. 15.

(6) OJ No L 142, 9. 6. 1988, p. 17.

3. The second subparagraph of Article 18 (5) is replaced by the following:

'To receive the aid, fortifiers shall, at the latest by 31 December, submit an application to the competent intervention agency together with proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged.'

4. Article 18 (6) is replaced by the following:

'6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, within the 12 months following submission of the application, the documents referred to in Article 17 of Regulation (EEC) No 2179/83 are produced to the competent intervention agency.'

The security shall be released in proportion to the quantities in respect of which the documents are produced.

If the proof referred to in the second indent of the fourth subparagraph of Article 26 (4) of Regulation (EEC) No 2179/83 shows that the time limit laid down in Article 13 (2) has not been met but that the overrun

does not exceed 30 days, the amount to be released shall be equal to 80 % of the security. The security shall be forfeit where the overrun exceeds 30 days.

If it is found that the fortifier has not paid the producer the purchase price, the intervention agency shall pay the producer, before 1 July of the wine year following that of delivery of the wine, an amount equal to the aid, where appropriate through the intervention agency of the Member State of the producer.'

5. Article 19 (1) is replaced by the following:

'1. Member States shall communicate to the Commission, together with the information referred to in Article 20 of Regulation (EEC) No 2179/83, the quantities of table wine and fortified wine distilled (under to distillation operation referred to in Article 39 of Regulation (EEC) No 822/87, broken down by colour.'

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 28 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2352/89

of 28 July 1989

amending Regulation (EEC) No 3105/88 laying down detailed rules for the application of compulsory distillation as provided for in Articles 35 and 36 of Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1236/89 ⁽²⁾, and in particular Articles 35 (5) and 36 (6) thereof,

Whereas certain provisions relating in particular to the conditions under which aids for and the price of alcohol delivered to intervention agencies set out in Commission Regulation (EEC) No 3105/89 ⁽³⁾ are to be paid must be brought closer into line with those of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽⁴⁾, as last amended by Regulation (EEC) No 2505/88 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3105/88 is hereby amended as follows:

1. Article 11 is replaced by the following:

'Article 11

1. The amount of the aid provided for in the first indent of Article 35 (6) and the first indent of 36 (4) of Regulation (EEC) No 822/87 shall be fixed annually before 1 August in respect of the following wine year. The amount of the aid applicable where Article 18 (3) of Regulation (EEC) No 2179/83 is applied shall also be fixed at the same time.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 277, 8. 10. 1988, p. 21.

⁽⁴⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁵⁾ OJ No L 225, 15. 8. 1988, p. 14.

2. Distillers who wish to receive the aid provided for in paragraph 1 shall submit an application and the documents specified in Article 17 of Regulation (EEC) No 2179/83 at the latest by 31 December following the wine year in question.

3. The proof referred to in Article 17 (1) (c) of Regulation (EEC) No 2179/83 may be replaced by proof that a security has been lodged in favour of the intervention agency. Such security shall be equal to 110 % of the aid applied for.

In that case, proof that the distiller has paid in full the buying-in price referred to in Article 10 shall be provided to the intervention agency at the latest by 31 March following the wine year in question.

Within three months at the latest of such proof being supplied, the intervention agency shall release the security. If the proof referred to in the second subparagraph is presented after 31 March but before 1 June of the following year and if that delay is not due to serious negligence on the part of the distiller, the intervention agency shall release 80 % of the security.

4. In the case referred to in the second subparagraph of Article 10 (2), proof of payment of the buying-in price shall be replaced by proof that payment on account has been made.

5. If the proof referred to in Article 17 (1) (c) of Regulation (EEC) No 2179/83 shows that the time limit provided for in Article 10 (2) has not been met but that the overrun does not exceed 30 days, the aid to be paid to the distiller shall be reduced by 20 %. No aid shall be due where the overrun exceeds 30 days.

6. If it is found that the distiller has not paid the producer the buying-in price, the intervention agency shall pay the producer, before 1 June following the wine year in question, an amount equal to the aid, where appropriate through the intervention agency of the Member State of the producer.'

'Article 13

1. Products with an alcoholic strength of at least 92 % vol shall be delivered by the distiller to the intervention agency at the latest by 30 November following the wine year in question or, if Article 11 (2) of Regulation (EEC) No 2179/83 applies; by the date fixed by the competent national authority.

2. The price to be paid to the distiller for neutral alcohol and for other products of distillation which may be delivered to the intervention agency shall be fixed each year, in accordance with Article 18 of Regulation (EEC) No 2179/83, before 1 August in respect of the following wine year.

If the distiller has not received aid, Article 11 (2) to (6) shall apply *mutatis mutandis*.

If the proof referred to in Article 17 (1) (c) of Regulation (EEC) No 2179/83 shows that that time limit laid down in Article 10 (2) has not been met but the overrun does not exceed 30 days, the price to be paid to the distiller for the alcohol delivered shall be reduced by 20 %. No amount shall be paid for the alcohol where the overrun exceeds 30 days.

3. Payment by the intervention agency to the distiller shall be made within three months at the latest of the day on which the alcohol is delivered.'

3. The second and third subparagraphs of Article 15 (5) are replaced by the following :

'To receive the aid, fortifiers shall submit, at the latest by 31 December following the wine year in question, an application to the competent intervention agency together with proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged.'

4. Article 15 (6) is replaced by the following :

'6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, within

the 12 months following submission of the application, the documents referred to in Article 17 of Regulation (EEC) No 2179/83 are produced to the competent intervention agency.

The security shall be released in proportion to the quantities in respect of which the documents are produced.

If the proof referred to in Article 17 of Regulation (EEC) No 2179/83 shows that the time limit laid down in Article 10 (2) has not been met but that the overrun does not exceed 30 days, the amount to be released shall be equal to 80 % of the security. The Security shall be forfeit where the overrun exceeds 30 days.

If it is found that the fortifier has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before 1 July of the wine year following that of delivery of the wine, an amount equal to the aid, where appropriates through the intervention agency of the Member State of the producer.'

5. Article 17 (1) and (2) are replaced by the following :

'1. Member States shall communicate to the Commission, together with the information referred to in Article 20 of Regulation (EEC) No 2179/83, the quantities of wine, wine lees and fortified wine distilled.'

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 28 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2353/89

of 28 July 1989

laying down detailed rules for the grant of aid for certain grain legumes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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,

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⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾, and in particular Article 5 (3) thereof,

Whereas pursuant to Article 2 (1) of Regulation (EEC) No 762/89 the aid is granted per hectare of area sown and harvested; whereas in this connection it is reasonable to assume that all areas entirely sown with grain legumes and on which all normal cultivation work is carried out will be harvested; whereas, however, it is necessary to ensure that the aid is not paid until after harvest, so that national authorities are given every opportunity to make the checks which prove to be necessary;

Whereas the smooth operation of the aid scheme requires checks to be carried out by the Member States to ensure that aid is granted only for the areas in question and for the products set out in Article 1 of Regulation (EEC) No 762/89 in respect of which no other aid has been applied for pursuant to other Community rules, in particular Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽⁴⁾, as last amended by Regulation (EEC) No 2156/89⁽⁵⁾; whereas a scheme for declaring areas sown and crops sown must serve as the basis for such checks; whereas, nevertheless, applications for aid, accompanied by all the necessary information, may also be accepted;

Whereas it is necessary to ensure that the checks carried out by the Member States relate to a sufficiently representative number of applications for aid and include sanctions which can be applied if irregularities are discovered;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 762/89 a maximum guaranteed area of grain legumes sown and harvested in the Community, which if exceeded will result in a reduction of the aid for the following marketing year, should be determined; whereas this maximum area is the average of the areas cultivated in the Community during the 1985/86 to 1987/88 marketing years;

Whereas for the 1989/90 marketing year, whereas the aid should be converted using the agricultural conversion rate fixed for 'all other products', for conversion of the amount of aid into national currency the operative event as defined in Article 5 of Regulation (EEC) No 1676/85 should be deemed to occur on the first day of the marketing year for which the aid is granted;

Whereas Commission Regulation (EEC) No 1956/89⁽⁶⁾ fixed the amount of aid for certain grain legumes for the 1989/90 marketing year;

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

The aid provided for in Regulation (EEC) No 762/89 shall be granted under the conditions laid down in this Regulation during the 1989/90 to 1991/92 marketing years.

Article 2

The aid shall be granted for areas:

- (a) which have been completely sown and harvested and on which all normal cultivation work has been carried out; and
- (b) which have been the subject of a declaration to the authority designated by the Member State. However, an application for aid submitted in accordance with Article 3 may take the place of this declaration.

⁽¹⁾ OJ No L 80, 23. 3. 1989, p. 76.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁵⁾ OJ No L 207, 19. 7. 1989, p. 12.

⁽⁶⁾ OJ No L 187, 1. 7. 1989, p. 108.

Article 3

1. Applications for aid shall be submitted by producers to the competent authority designated by the Member State on whose territory the areas in question are situated no later than 15 May of each year for the following marketing year. However, the Member States may set an earlier submission date in order to enable the necessary checks to be carried out. Applications for aid for the 1989/90 marketing year shall be submitted no later than 14 August 1989.

2. Applications for aid shall contain at least the following information:

- (1) the surname, forenames and address of the applicant;
- (2) the areas sown and cultivated in order to grow the product or products in question (in hectares and areas) and the land registry reference for those areas or a reference recognized as equivalent by the body responsible for checking the areas;
- (3) species and, if necessary, the variety of seed used;
- (4) a declaration by the producer that the areas in question or the products harvested thereon are not the subject of applications for aid under other rules, in particular under Regulation (EEC) No 797/85;
- (5) an estimate of likely harvested production;
- (6) the holding's status and type of occupancy.

Article 4

The maximum guaranteed Community area provided for in Article 2 (2) of Regulation (EEC) No 762/89 shall be 300 000 hectares.

Article 5

1. The Member State shall pay the aid no later than 30 April of the marketing year for which the aid is granted. The aid may not be paid before the harvest period.

2. For the 1989/90 marketing year, aid shall be granted in national currency at the agricultural conversion rate fixed for 'all other products', applying on the first day of the marketing year for which the aid is granted.

Article 6

1. Member States shall verify by investigations and on-the-spot checks the accuracy of the information provided in support of applications for aid, in particular as regards the areas declared and the products concerned. Member States shall also verify that aid is not granted for areas in respect of which aid is being applied for pursuant to other Community rules.

2. The checks undertaken by each Member State shall, in each competent administrative unit, cover a representative percentage of applications submitted based on the average size of the holdings, the surface areas sown and

cultivated with grain legumes, and their geographical distribution.

All declarations relating to a surface area of 30 hectares or more shall be checked, other applications to be checked to be selected at random.

In any case, the checks shall cover a percentage of not less than 5 % of applications. This percentage is increased to 15 % when a significant number of false declarations is discovered.

3. When an application is selected for checking, all the areas sown and cultivated with grain legumes covered by that application shall be checked. The checks shall involve the measurement of the areas declared and the verification that eligible grain legumes are being cultivated.

Areas shall be measured as follows:

- (a) an area in a single block:
 - systematic measurement;
- (b) areas broken up into different plots as follows:
 - from two to five plots:
 - the largest plot and one medium plot to be measured,
 - from six to 10 plots:
 - the two largest and one medium plot to be measured,
 - more than 10 plots:
 - the two largest and three medium plots.

Each visit for checking purposes shall be recorded in a report which shall indicate the areas and plots visited and measured, the measuring instruments used and the observations made.

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

The provisions of this paragraph are not applicable during the 1989/90 marketing year.

4. Each producing Member State shall notify the Commission, not later than 1 October, of the national measures laid down for verifying applications and avoiding the payment of more than one type of aid for the cultivation for carrying out checks.

Article 7

1. If for a given application the checks show that the area declared is:

- (a) less than that recorded, the declared area shall be used for the calculation of aid. However, if the difference is significant, the Member State may accept a supplementary application for the aid which shall cover, at most as a maximum, the difference between the area recorded and that declared;

(b) in excess of that recorded, without prejudice to possible penalties provided for in national legislation, the area used for the calculation of aid shall be that recorded reduced by the difference between this latter area and the areas declared. However, where a Member State considers the difference to be a justifiable one, the area recorded shall be used.

2. No aid shall be paid if the checks reveal the area declared to be more than 25 % higher than that recorded.

3. If the checks provided for in Article 6 cannot be carried out, for reasons attributable to the applicant, despite a formal notification to allow checks to be carried out, no aid shall be paid for that marketing year.

Article 8

In cases where aid is incorrently paid, or received, Member States shall recover the amounts incorrectly paid, together with current interest from the date of payment to the date of recovery. The rate of interest to be applied shall be that in force for similiar recovery transactions under national law.

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

Done at Brussels, 28 July 1989.

Article 9

Each producing Member State shall notify the Commission not later than :

— 15 September :

- of the area (expressed in hectares and ares) in respect of which aid has been applied for, broken down by product,
- of estimated total production, broken down by product ;

— 15 May :

- of the areas in respect of which aid has actually been paid,
- of the quantities harvested on land in respect of which aid has been paid, broken down by product harvested.

Article 10

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.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2354/89

of 31 July 1989

re-establishing the levying of customs duties on ceramic tableware falling within CN code 6912 00 50 originating in Brazil to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Articles 1 and 12 of Regulation (EEC) No 4257/88, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceiling fixed in column 7 of Annex I;

Whereas, as provided for in Article 13 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on

imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of ceramic tableware falling within CN codes 6912 00 50 the individual ceiling was fixed at ECU 1 000 000; whereas on 18 May 1989, imports of these products into the Community originating in Brazil reached the ceiling in question after being charged there-against; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 August 1989, the levying of customs duties suspended pursuant to Regulation (EEC) No 4257/88, shall be re-established on imports into the Community of the following products originating in Brazil

Order No	CN code	Description
10.0740	6912 00 50	Ceramic tableware, kitchenware, other household articles and toilet articles of earthenware or fine pottery

Article 2

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

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

Done at Brussels, 31 July 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 375, 31. 12. 1988, p. 1.

COMMISSION REGULATION (EEC) No 2355/89

of 31 July 1989

amending Regulation (EEC) No 2721/88 laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wines⁽¹⁾, as last amended by Regulation (EEC) No 1236/89⁽²⁾, and in particular Articles 38 (5), 41 (10), 42 (6) and 81 thereof,

Whereas Commission Regulation (EEC) No 2721/88⁽³⁾ provides for the fixing by the Commission of the percentage of the quantities specified in the contracts which may be delivered for distillation as provided for in Article 41 of Regulation (EEC) No 822/87; whereas experience shows that in order to inform producers correctly, that percentage should be fixed even where the whole quantity specified in the contract may be delivered for distillation;

Whereas certain references as regards the period during which producers must have fulfilled their obligations should be adjusted;

Whereas the various administrative structures of the Member States justify an adjustment of the time limits for notification of the outcome of the procedure for approving contracts as concerning distillation provided for in Article 41 of Regulation (EEC) No 822/87;

Whereas experience gained justifies the adjustment of the time limit for the notification to be made by the Member States as regards distillation under Article 41 of Regulation (EEC) No 822/87; whereas, as regards notification, the provisions of Article 12 of Regulation (EEC) No 2721/88 and those of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making⁽⁴⁾, as amended by Regulation (EEC) No 2505/88⁽⁵⁾, should also be brought into line;

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

Regulation (EEC) No 2721/88 is hereby amended as follows:

1. The following is inserted after the third subparagraph of Article 2 (1): 'For each producer who has obtained table wine by vinifying products purchased after the latest date laid down for the submission of the production declaration, the number of hectares shall be obtained by dividing the quantity of table wine in question as set out in the records referred to in Article 13 of Commission Regulation (EEC) No 986/89⁽⁶⁾ by the yield referred to in the second indent of the second paragraph of Article 7 of Commission Regulation (EEC) No 441/88⁽⁷⁾.'

⁽¹⁾ OJ No L 106, 18. 4. 1989, p. 1.

⁽²⁾ OJ No L 45, 18. 2. 1988, p. 15.

4. Article 3 (1) is replaced by the following:

'1. In the case of distillation as provided for in Article 41 of Regulation (EEC) No 822/87, the Commission shall fix, in accordance with the procedure laid down in Article 83 of that Regulation, no later than one month after it has received the figures referred to in the second subparagraph of Article 12 (1), the percentage of the quantities specified in the contracts that may actually be delivered for distillation. That percentage shall be fixed at a level such that the actual quantity to be distilled does not exceed that fixed pursuant to Article 41 of Regulation (EEC) No 822/87.'

3. The first paragraph of Article 5 is replaced by the following:

'In accordance with Article 47 (1) of Regulation (EEC) No 822/87, producers who were subject during the previous wine year to the obligations referred to in Articles 35, 36 or 39 of Regulation (EEC) No 822/87 shall be entitled to benefit under the measures provided for in this Regulation only where they submit evidence that they have complied with their obligations during the reference periods fixed in Commission Regulation (EEC) Nos 3105/88⁽⁸⁾ and 441/88.'

⁽⁶⁾ OJ No L 277, 8. 10. 1988, p. 1.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.

⁽⁴⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁵⁾ OJ No L 225, 15. 8. 1988, p. 14.

4. Article 6 (4) is replaced by the following :

'4. The intervention agency shall notify the producer of the outcome of the approval procedure no later than :

- one month after the expiry of the time limit referred to in paragraph 1 as regards distillation provided for in Articles 38 and 42 of Regulation (EEC) No 822/87 ;
- 10 days after the Commission fixes the percentage referred to in Article 3.'

5. Article 9 (3) is replaced by the following :

'3. Distillers who have not applied for the advance referred to in paragraph 1 shall be required to provide the intervention agency, before 31 December following the wine year in question, with evidence of distillation and, where appropriate, with evidence that the minimum buying-in price has been paid for the wine distilled within the time limits laid down.

If evidence of payment of the price for the wine shows that the time limits laid down in Article 8 (2) have not been met but that the overrun does not exceed 30 days, the aid to be paid to the distiller shall be reduced by 20 %. No aid shall be due where the overrun exceeds 30 days.'

6. The following is inserted after the second subparagraph of Article 11 (6) :

'If evidence of payment of the price for the wine shows that the time limits laid down in Article 8 (2) have not

been met but that the overrun does not exceed 30 days, the aid to be paid to the fortifier shall be reduced by 20 %. No aid shall be due where the overrun exceeds 30 days.'

7. In Article 12 :

- the following is added to paragraph 1 :

'In the case of the distillation provided for in Article 41 of Regulation (EEC) No 822/87, the Member States shall also notify the Commission, no later than one month after the expiry of the time limit laid down for the submission of contracts or distillation declarations, of the quantities of wine and fortified wine appearing therein.'

- paragraph 3 is replaced by the following :

'3. Together with the information referred to in Article 20 of Regulation (EEC) No 2179/83, the Member States shall inform the Commission of the quantities of wine and fortified wine distilled under the distillation operation referred to in Articles 38, 41 and 42 of Regulation (EEC) No 822/87, broken down by colour.'

Article 2

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2356/89

of 31 July 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, an invitation to tender was opened for category A by Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁴⁾, as amended by Regulation (EEC) No 2206/89 ⁽⁵⁾;

Whereas, pursuant to Commission Regulation (EEC) No 2239/89 of 25 July 1989 further transitional measures to support the beef market in Spain ⁽⁶⁾, forequarters are bought in Spain instead of carcasses as provided for in Regulation (EEC) No 859/89; whereas the maximum price for such products should be fixed separately;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted;

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

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

Whereas quantities offered currently exceed those which may be bought in; whereas a reduction coefficient should accordingly be applied, in accordance with Article 11 (3) of Regulation (EEC) No 859/89, to the quantities which may be bought in;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

(a) For category A:

- the maximum buying-in price is hereby fixed at ECU 276 per 100 kilograms of carcasses or half-carcasses of quality R3 and at 191 ECU per 100 kilograms of forequarters of quality R3 offered in Spain, pursuant to Regulation (EEC) No 2239/89;
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 2 789 tonnes; the quantities offered are hereby reduced by 40 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;
- the maximum quantity of forequarters is hereby fixed at 538 tonnes in Spain.

(b) For category C:

- the maximum buying-in price is hereby fixed at ECU 282 per 100 kilograms of carcasses or half-carcasses of quality R3;
- the maximum quantity accepted is hereby fixed at 1 938 tonnes.

Article 2

This Regulation shall enter into force on 1 August 1989.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁵⁾ OJ No L 209, 21. 7. 1989, p. 38.

⁽⁶⁾ OJ No L 215, 26. 7. 1989, p. 14.

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

Done at Brussels, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2357/89

of 31 July 1989

introducing a countervailing charge on table grapes originating in Cyprus

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 917/89 of 10 April 1989 fixing for the 1989 marketing year the reference prices for table grapes⁽³⁾ fixed the reference price for products of class I at ECU 51,61 per 100 kilograms net for the period 21 July to 31 August 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 table grapes originating in Cyprus 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 table grapes;

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 (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 3,69 per 100 kilograms net is applied to table grapes (CN codes 0806 10 15 and 0806 10 19) originating in Cyprus.

Article 2

This Regulation shall enter into force on 2 August 1989.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 13.

⁽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, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2358/89
of 31 July 1989
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 2325/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 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 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 220, 29. 7. 1989, p. 63.

ANNEX

to the Commission Regulation of 31 July 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	26,11 ⁽¹⁾
1701 11 90	26,11 ⁽¹⁾
1701 12 10	26,11 ⁽¹⁾
1701 12 90	26,11 ⁽¹⁾
1701 91 00	23,83
1701 99 10	23,83
1701 99 90	23,83 ⁽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 2359/89**of 31 July 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 2178/89 ⁽³⁾, as last amended by Regulation (EEC) No 2326/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2178/89 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 2178/89 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1989.

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

Done at Brussels, 31 July 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 208, 20. 7. 1989, p. 21.

⁽⁴⁾ OJ No L 220, 29. 7. 1989, p. 65.

ANNEX

to the Commission Regulation of 31 July 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	16,54 ⁽¹⁾	
1701 11 90 910	20,97 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	16,54 ⁽¹⁾	
1701 12 90 910	20,97 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,1798
1701 99 10 100	17,98	
1701 99 10 910	22,80	
1701 99 10 950	21,30	
1701 99 90 100		0,1798

⁽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 2360/89

of 31 July 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 1806/89 ⁽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 2250/89 ⁽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 177, 24. 6. 1989, p. 1.
- ⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.
- ⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.
- ⁽⁷⁾ OJ No L 216, 27. 7. 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 28 July 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 2250/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 August 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, 31 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 July 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10 ⁽¹⁾	36,42	111,25	106,42
0714 10 91	33,40	108,23	106,42
0714 10 99	36,42	111,25	106,42
0714 90 11	33,40	108,23	106,42 ⁽²⁾
0714 90 19	36,42	111,25	106,42 ⁽²⁾
1102 20 10	67,80	259,44	253,40
1102 20 90	38,02	146,62	143,60
1102 30 00	3,02	90,80	87,78
1102 90 10	66,16	200,85	194,81
1102 90 30	50,68	168,15	162,11
1102 90 90	56,42	152,32	149,30
1103 12 00	50,68	168,15	162,11
1103 13 11	67,80	259,44	253,40
1103 13 19	67,80	259,44	253,40
1103 13 90	38,02	146,62	143,60
1103 14 00	3,02	90,80	87,78
1103 19 10	82,95	216,35	210,31
1103 19 30	66,16	200,85	194,81
1103 19 90	56,42	152,32	149,30
1103 21 00	32,99	202,37	196,33
1103 29 10	82,95	216,35	210,31
1103 29 20	66,16	200,85	194,81
1103 29 30	50,68	168,15	162,11
1103 29 40	67,80	259,44	253,40
1103 29 50	3,02	90,80	87,78
1103 29 90	56,42	152,32	149,30
1104 11 10	37,09	113,41	110,39
1104 11 90	72,84	222,50	216,46
1104 12 10	28,32	94,88	91,86
1104 12 90	55,64	186,16	180,12
1104 19 10	32,99	202,37	196,33
1104 19 30	82,95	216,35	210,31
1104 19 50	67,80	259,44	253,40
1104 19 91	6,04	155,10	149,06
1104 19 99	100,27	269,51	263,47
1104 21 10	56,46	176,19	173,17
1104 21 30	56,46	176,19	173,17
1104 21 50	89,54	276,62	270,58
1104 21 90	37,09	113,41	110,39
1104 22 10	47,66	165,13	162,11
1104 22 30	47,66	165,13	162,11
1104 22 50	42,70	147,12	144,10
1104 22 90	28,32	94,88	91,86
1104 23 10	57,92	228,27	225,25

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 23 30	57,92	228,27	225,25
1104 23 90	38,02	146,62	143,60
1104 29 10 ^(*)	22,93	148,08	145,06
1104 29 10 ^(*)	59,85	158,42	155,40
1104 29 10 ^(*)	86,78	237,21	234,19
1104 29 10 ^(*)	86,78	237,21	234,19
1104 29 10 ^(*)	86,78	237,21	234,19
1104 29 30 ^(*)	26,97	177,53	174,51
1104 29 30 ^(*)	71,39	189,96	186,94
1104 29 30 ^(*)	86,78	237,21	234,19
1104 29 30 ^(*)	86,78	237,21	234,19
1104 29 30 ^(*)	86,78	237,21	234,19
1104 29 91	18,29	114,27	111,25
1104 29 95	46,60	122,20	119,18
1104 29 99	56,42	152,32	149,30
1104 30 10	17,27	87,84	81,80
1104 30 90	31,77	111,63	105,59
1106 20 10	36,42	111,25	104,60 ^(*)
1106 20 91	75,79	247,21	223,03 ^(*)
1106 20 99	75,79	247,21	223,03 ^(*)
1107 10 11	37,53	205,02	194,14
1107 10 19	30,79	155,94	145,06
1107 10 91	70,33	203,53 ^(*)	192,65
1107 10 99	55,30	154,83	143,95
1107 20 00	62,65	178,64 ^(*)	167,76
1108 11 00	53,48	260,50	239,95
1108 12 00	75,79	247,21	226,66
1108 13 00	75,79	247,21	226,66
1108 14 00	75,79	247,21	113,33
1108 19 10	30,83	156,70	125,87
1108 19 90	75,79	247,21	113,33 ^(*)
1109 00 00	241,22	617,62	436,28
1702 30 51	168,77	392,36	295,64
1702 30 59	121,73	293,15	226,66
1702 30 91	168,77	392,36	295,64
1702 30 99	121,73	293,15	226,66
1702 40 90	121,73	293,15	226,66
1702 90 50	121,73	293,15	226,66
1702 90 75	172,20	406,44	309,72
1702 90 79	118,98	281,88	215,39
2106 90 55	121,73	293,15	226,66
2302 10 10	17,58	56,56	50,56
2302 10 90	30,80	114,34	108,34
2302 20 10	17,58	56,56	50,56
2302 20 90	30,80	114,34	108,34
2302 30 10	17,58	56,56	50,56
2302 30 90	30,80	114,34	108,34
2302 40 10	17,58	56,56	50,56
2302 40 90	30,80	114,34	108,34
2303 10 11	249,96	462,90	281,56

(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.

(⁴) TARIC code: wheat.

(⁵) TARIC code: rye.

(⁶) TARIC code: millet.

(⁷) TARIC code: sorghum.

(⁸) TARIC code: others.