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## Legislation

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#### *I Acts whose publication is obligatory*

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 2607/89****of 29 August 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1834/89<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> 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 August 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 30 August 1989.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> 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, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX

to the Commission Regulation of 29 August 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          | 136,17                               |
| 0712 90 19 | 34,31          | 136,17                               |
| 1001 10 10 | 15,88          | 148,24 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 15,88          | 148,24 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 15,20          | 101,29                               |
| 1001 90 99 | 15,20          | 101,29                               |
| 1002 00 00 | 42,96          | 111,89 <sup>(3)</sup>                |
| 1003 00 10 | 33,63          | 104,55                               |
| 1003 00 90 | 33,63          | 104,55                               |
| 1004 00 10 | 25,03          | 98,29                                |
| 1004 00 90 | 25,03          | 98,29                                |
| 1005 10 90 | 34,31          | 136,17 <sup>(3)</sup> <sup>(4)</sup> |
| 1005 90 00 | 34,31          | 136,17 <sup>(3)</sup> <sup>(4)</sup> |
| 1007 00 90 | 52,35          | 139,58 <sup>(5)</sup>                |
| 1008 10 00 | 33,63          | 0,00                                 |
| 1008 20 00 | 33,63          | 39,39 <sup>(6)</sup>                 |
| 1008 30 00 | 33,63          | 0,00 <sup>(7)</sup>                  |
| 1008 90 10 | <sup>(7)</sup> | <sup>(7)</sup>                       |
| 1008 90 90 | 33,63          | 0,00                                 |
| 1101 00 00 | 34,43          | 155,43                               |
| 1102 10 00 | 73,29          | 169,79                               |
| 1103 11 10 | 38,99          | 245,05                               |
| 1103 11 90 | 37,03          | 167,71                               |

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

<sup>(2)</sup> 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'.

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

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

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

<sup>(7)</sup> 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 2608/89

of 29 August 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1834/89<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> 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 August 1989;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 30 August 1989.

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

Done at Brussels, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.<sup>(5)</sup> OJ No L 187, 1. 7. 1989, p. 4.

## ANNEX

to the Commission Regulation of 29 August 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

| CN code    | (ECU/tonne)  |                 |                  |                  |
|------------|--------------|-----------------|------------------|------------------|
|            | Current<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 |
| 0709 90 60 | 0            | 0               | 0                | 0,46             |
| 0712 90 19 | 0            | 0               | 0                | 0,46             |
| 1001 10 10 | 0            | 0               | 0                | 0                |
| 1001 10 90 | 0            | 0               | 0                | 0                |
| 1001 90 91 | 0            | 0               | 0                | 0                |
| 1001 90 99 | 0            | 0               | 0                | 0                |
| 1002 00 00 | 0            | 0               | 0                | 0                |
| 1003 00 10 | 0            | 0               | 0                | 0                |
| 1003 00 90 | 0            | 0               | 0                | 0                |
| 1004 00 10 | 0            | 0               | 0                | 0                |
| 1004 00 90 | 0            | 0               | 0                | 0                |
| 1005 10 90 | 0            | 0               | 0                | 0,46             |
| 1005 90 00 | 0            | 0               | 0                | 0,46             |
| 1007 00 90 | 0            | 0               | 0                | 0                |
| 1008 10 00 | 0            | 0               | 0                | 0                |
| 1008 20 00 | 0            | 0               | 0                | 29,51            |
| 1008 30 00 | 0            | 0               | 0                | 0                |
| 1008 90 90 | 0            | 0               | 0                | 0                |
| 1101 00 00 | 0            | 0               | 0                | 0                |

## B. Malt

| CN code    | (ECU/tonne)  |                 |                  |                  |                  |
|------------|--------------|-----------------|------------------|------------------|------------------|
|            | Current<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 | 4th period<br>12 |
| 1107 10 11 | 0            | 0               | 0                | 0                | 0                |
| 1107 10 19 | 0            | 0               | 0                | 0                | 0                |
| 1107 10 91 | 0            | 0               | 0                | 0                | 0                |
| 1107 10 99 | 0            | 0               | 0                | 0                | 0                |
| 1107 20 00 | 0            | 0               | 0                | 0                | 0                |

## COMMISSION REGULATION (EEC) No 2609/89

of 28 August 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas in view of the current butter stock situation it is possible to offer butter for sale in accordance with the conditions laid down in the Annexes to this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

- 400 tonnes held by the Spanish intervention agency and taken into storage before 1 June 1987,
- 500 tonnes held by the Irish intervention agency and taken into storage before 1 June 1987,
- 500 tonnes held by the United Kingdom intervention agency and taken into storage before 1 June 1987.

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

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

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

5. Only those tenders which reach the intervention agencies concerned not later than 12 noon on 6 September 1989 and those applications for purchase submitted from the fifth working day following the above deadline shall be taken into consideration.

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

*Article 2*

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

2. Tenders shall state:

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

3. A tender shall not be valid unless:

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

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 84, 29. 3. 1989, p. 1.

<sup>(3)</sup> OJ No L 299, 12. 11. 1985, p. 9.

<sup>(4)</sup> OJ No L 187, 1. 7. 1989, p. 102.

- (b) it relates only to butter having the same fat content ;
  - (c) it relates to a quantity of at least one tonne. However, if the butter has to be allocated proportionally and the quantity obtained by the tenderer is less than one tonne, the quantity obtained shall constitute the minimum quantity for tender ;
  - (d) proof is furnished that, before expiry of the period set for the submission of tenders, the tenderer has lodged the tendering security referred to in Article 3 (1).
4. No tender may be withdrawn after the closing date specified in Article 1 (5).

#### Article 3

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

However, if tender states, in accordance with Article 2 (2), that the manufacture of the concentrated butter and the addition of tracers provided for in Article 5 (2) of Regulation (EEC) No 3143/85 are effected in a Member State other than the Member State in which the offer has been lodged, the tendering security may be lodged with the competent authority designated by the Member State where the processing will take place and which shall issue to the tenderer the proof referred to in Article 2 (3) (d).

#### Article 4

1. Tenders shall be rejected if the price offered is lower than the minimum price fixed for the tendering procedure.
2. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

#### Article 5

1. Each tenderer shall be notified by the intervention agency of the result of his participation in the tendering procedure within the time limit referred to in the fourth subparagraph of Article 2a (3) of Regulation (EEC) No 3143/85.
2. Where the tenderer has been declared successful, such notification shall indicate :
- (a) the quantity of butter sold ;
  - (b) the sum of the destination security ;
  - (c) the final date for processing into concentrated butter of the quantity of butter contained in the tender and for its packing.

#### Article 6

1. The successful tenderer shall, before the removal of the butter and within the time limit of 15 days specified

in Article 2a (6) of Regulation (EEC) No 3143/85, pay the intervention agency an amount corresponding to his tender for each quantity which he intends to remove from store.

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

#### Article 7

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

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

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

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

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

#### Article 8

1. The applications to purchase referred to in Article 1 (5) shall be, *mutatis mutandis*, submitted and admissible under the conditions laid down in Article 2 (1), (2) (a), (c), (d) and (3) (a), (b) and (c).
2. The contract shall be concluded under the conditions referred to in Article 2 (4) of Regulation (EEC) No 3143/85.

#### Article 9

The destination security referred to in Article 3 (1) shall be ECU 200 per 100 kilograms.

#### Article 10

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

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

Done at Brussels, 28 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

#### ANNEX I

| Member State   | Product :<br>(%) | Quantity<br>(tonnes) | Minimum price expressed<br>in ECU per 100 kg |
|----------------|------------------|----------------------|----------------------------------------------|
| Spain          | Butter ≥ 82      | 400                  | 150                                          |
| Ireland        | Butter ≥ 80      | 500                  | 150                                          |
| United Kingdom | Butter ≥ 80      | 500                  | 150                                          |

#### ANNEX II

Addresses of the intervention agencies :

- Servicio Nacional de Productos Agrarios (SENPA),  
Calle de Beneficencia 8, E-28004 Madrid;  
telephone : (341)522 29 61  
telex : 41818 SENPA E  
telefax : 521 98 32.
- Department of Agriculture and Food, Dairying (Trade) Division,  
Agriculture House,  
Kildare Street,  
IRL-Dublin 2;  
telephone : (35 31) 78 90 11,  
telex : 93 607 agri-ei,  
telefax : 616 263.
- Internal Market Division,  
Intervention Board for Agricultural Produce,  
Fountain House,  
2 Queens Walk,  
UK-Reading, Berks RG1 7QW  
telephone : (44) 734-58 36 26,  
telex : 848302.

## COMMISSION REGULATION (EEC) No 2610/89

of 29 August 1989

opening a standing invitation to tender for the supply to Poland of 75 000 tonnes of barley held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1834/89<sup>(2)</sup>, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 2247/89 of 24 July 1989 on an emergency measure for the free supply of certain agricultural products to Poland<sup>(3)</sup>,

Whereas Commission Regulation (EEC) No 2557/89<sup>(4)</sup> as amended by Regulation (EEC) No 2594/89<sup>(5)</sup>, provides that contracts for the supply of cereals under Regulation (EEC) No 2247/89 are to be allocated by invitation to tender;

Whereas a standing invitation to tender should be opened for the supply of barley held by the French intervention agency;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

On the terms laid down in Regulation (EEC) No 2557/89, the French intervention agency shall open a standing invitation to tender for the supply to Poland of 75 000 tonnes of barley held by the said agency.

*Article 2*

1. The invitation to tender shall cover about 75 000 tonnes of barley to be supplied from North Sea ports.
2. The regions where the 75 000 tonnes of barley are stored are listed in Annex I hereto.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.  
<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.  
<sup>(3)</sup> OJ No L 216, 27. 7. 1989, p. 5.  
<sup>(4)</sup> OJ No L 248, 24. 8. 1989, p. 10.  
<sup>(5)</sup> OJ No L 250, 26. 8. 1989, p. 19.

*Article 3*

1. Tenders may relate only to the entire lot or group or group of lots specified in the notice of invitation to tender provided for in Article 14 of Regulation (EEC) No 2557/89.
2. Tenders may be lodged subject to the allocation of a given quantity.

*Article 4*

1. The time limit for submission of tenders under the first partial invitation to tender shall be 1 p.m., Brussels time, on 6 September 1989.
2. The time limit for submission of tenders in response to the last partial invitation to tender shall be 1 p.m., Brussels time, on 27 September 1989.

*Article 5*

Tenders must be submitted to the French intervention agency.

The French intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

*Article 6*

The taking-over certificate referred to in Article 10 (3) of Regulation (EEC) No 2557/89 shall take the form shown in Annex III hereto.

Certificates shall be issued after unloading of the goods.

*Article 7*

The successful tenderer shall undertake to provide the Polish authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the French intervention agency.

*Article 8*

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 51 per tonne.

*Article 9*

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

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

Done at Brussels, 29 August 1989.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

#### ANNEX I

| Regions of storage | Quantity<br>(tonnes) |
|--------------------|----------------------|
| Rouen              | 46 049               |
| Amiens             | 10 650               |
| Lille              | 11 309               |
| Châlons-sur-Marne  | 6 991                |

#### ANNEX II

**Standing invitation to tender for the supply of 75 000 tonnes of barley held by the French intervention agency**

(Regulation (EEC) No 2610/89)

| Tenderer number | Number of lot or group of lots | Quantity (tonnes) | Carriage by sea             |                     | Supply costs applied for (ECU/tonne) |
|-----------------|--------------------------------|-------------------|-----------------------------|---------------------|--------------------------------------|
|                 |                                |                   | Place of removal from store | Port of destination |                                      |
| 1               | 2                              | 3                 | 4                           | 5                   | 6                                    |
| 1               |                                |                   |                             |                     |                                      |
| 2               |                                |                   |                             |                     |                                      |
| 3               |                                |                   |                             |                     |                                      |
| 4               |                                |                   |                             |                     |                                      |
| etc.            |                                |                   |                             |                     |                                      |

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned: .....  
(name, first name, business name)

acting on behalf of the Polish Government, hereby certify that the goods mentioned below have been taken over:

— Name of vessel: .....

— Place and date of taking-over: .....

— Product: .....

— Tonnage taken over: .....

*Remarks or reservations:* .....

.....

.....

**COMMISSION REGULATION (EEC) No 2611/89****of 29 August 1989****opening a standing invitation to tender for the supply to Poland of 25 000 tonnes  
barley held by the Belgian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1834/89<sup>(2)</sup>, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 2247/89 of 24 July 1989 on an emergency measure for the free supply of certain agricultural products to Poland<sup>(3)</sup>,

Whereas Commission Regulation (EEC) No 2557/89<sup>(4)</sup> as amended by Regulation (EEC) No 2594/89<sup>(5)</sup>, provides that contracts for the supply of cereals under Regulation (EEC) No 2247/89 are to be allocated by invitation to tender;

Whereas a standing invitation to tender should be opened for the supply of barley held by the Belgian intervention agency;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

On the terms laid down in Regulation (EEC) No 2557/89, the Belgian intervention agency shall open a standing invitation to tender for the supply to Poland of 25 000 tonnes of barley held by the said agency.

*Article 2*

1. The invitation to tender shall cover about 25 000 tonnes of barley to be supplied from North Sea ports.
2. The regions where the 25 000 tonnes of barley are stored are listed in Annex I hereto.

*Article 3*

1. Tenders may relate only to the entire lot or group of lots specified in the notice of invitation to tender provided for in Article 14 of Regulation (EEC) No 2557/89.
2. Tenders may be lodged subject to the allocation of a given quantity.

*Article 4*

1. The time limit for submission of tenders under the first partial invitation to tender shall be 1 p.m., Brussels time, on 6 September 1989.
2. The time limit for submission of tenders in response to the last partial invitation to tender shall be 1 pm, Brussels time, on 27 September 1989.

*Article 5*

Tenders must be submitted to the Belgian intervention agency.

The Belgian intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

*Article 6*

The taking-over certificate referred to in Article 10 (3) of Regulation (EEC) No 2557/89 shall take the form shown in Annex III hereto.

Certificates shall be issued after unloading of the goods.

*Article 7*

The successful tenderer shall undertake to provide the Polish authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the Belgian intervention agency.

*Article 8*

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 51 per tonne.

*Article 9*

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

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 216, 27. 7. 1989, p. 5.

<sup>(4)</sup> OJ No L 248, 24. 8. 1989, p. 10.

<sup>(5)</sup> OJ No L 250, 26. 8. 1989, p. 19.

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

Done at Brussels, 29 August 1989.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

#### ANNEX I

| (tonnes)           |          |
|--------------------|----------|
| Regions of storage | Quantity |
| Hainaut            | 6 495    |
| Liège              | 15 166   |
| Namur              | 3 136    |

#### ANNEX II

Standing invitation to tender for the supply of 25 000 tonnes of barley held by the Belgian intervention agency

(Regulation (EEC) No 2311/89)

| Tenderer number | Number of lot or group of lots | Quantity (tonnes) | Carriage by sea             |                     | Supply costs applied for (ECU/tonne) |
|-----------------|--------------------------------|-------------------|-----------------------------|---------------------|--------------------------------------|
|                 |                                |                   | Place of removal from store | Port of destination |                                      |
| 1               | 2                              | 3                 | 4                           | 5                   | 6                                    |
| 1               |                                |                   |                             |                     |                                      |
| 2               |                                |                   |                             |                     |                                      |
| 3               |                                |                   |                             |                     |                                      |
| 4               |                                |                   |                             |                     |                                      |
| etc.            |                                |                   |                             |                     |                                      |

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned : .....

(name, first name, business name)

acting on behalf of the Polish Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel : .....

— Place and date of taking-over : .....

— Product : .....

— Tonnage taken over : .....

*Remarks or reservations :* .....

.....

.....

## COMMISSION REGULATION (EEC) No 2612/89

of 29 August 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(4)</sup>, and in particular Article 11 (2) thereof,

Whereas Article 2 of Regulation (EEC) No 2681/74 of the Council of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid <sup>(5)</sup> lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

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

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

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

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76 <sup>(9)</sup>;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

*Article 3*

This Regulation shall enter into force on 1 September 1989.

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

Done at Brussels, 29 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 288, 25. 10. 1974, p. 1.

<sup>(6)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(7)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(8)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(9)</sup> OJ No L 166, 25. 6. 1976, p. 36.

## ANNEX

to the Commission Regulation of 29 August 1989 fixing the refunds applicable for September 1989 to cereal and rice sector products supplied as Community and national food aid

| (ECU/tonne)    |        |
|----------------|--------|
| Product code   | Refund |
| 1001 10 90 000 | 95,00  |
| 1001 90 99 000 | 32,00  |
| 1002 00 00 000 | 20,00  |
| 1003 00 90 000 | 55,00  |
| 1004 00 90 000 | 55,00  |
| 1005 90 00 000 | 55,00  |
| 1006 20 92 000 | 144,74 |
| 1006 20 94 000 | 144,74 |
| 1006 30 42 000 | —      |
| 1006 30 44 000 | —      |
| 1006 30 92 000 | 180,93 |
| 1006 30 94 100 | 180,93 |
| 1006 30 94 900 | 180,93 |
| 1006 30 96 100 | 180,93 |
| 1006 30 96 900 | 180,93 |
| 1006 40 00 000 | —      |
| 1007 00 90 000 | 55,00  |
| 1101 00 00 110 | 39,00  |
| 1101 00 00 120 | 39,00  |
| 1101 00 00 130 | 39,00  |
| 1102 20 10 100 | 113,76 |
| 1102 30 00 000 | —      |
| 1102 90 10 100 | 88,76  |
| 1103 11 10 500 | 145,00 |
| 1103 11 90 100 | 45,00  |
| 1103 13 19 100 | 146,27 |
| 1103 14 00 000 | —      |
| 1104 12 90 100 | 120,66 |
| 1104 21 50 100 | 118,34 |

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 2613/89

of 29 August 1989

fixing 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1834/89 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(4)</sup>, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Regulation (EEC) No 2744/75 of the Council of 29 October 1975 on the import and export system for products processed from cereals and rice <sup>(5)</sup>, as last amended by Regulation (EEC) No 1906/87 <sup>(6)</sup>, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Regulation (EEC) No 1579/74 of the Commission of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured

from cereals <sup>(7)</sup>, as last amended by Regulation (EEC) No 1740/78 <sup>(8)</sup>, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75 of the Council <sup>(9)</sup>, as last amended by Regulation (EEC) No 1009/86 <sup>(10)</sup>, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories <sup>(11)</sup>, as amended by Regulation (EEC) No 967/89 <sup>(12)</sup>;

Whereas, Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 10, 0714 10 90 and 0714 90 10 originating in certain third countries <sup>(13)</sup>, as amended by Regulation (EEC) No 3837/88 <sup>(14)</sup>, and Council Regulation (EEC) No 885/89 of 5 April 1989 on the arrangements applying to imports for

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(6)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(7)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(8)</sup> OJ No L 202, 26. 7. 1978, p. 8.

<sup>(9)</sup> OJ No L 281, 1. 11. 1975, p. 57.

<sup>(10)</sup> OJ No L 94, 9. 4. 1986, p. 6.

<sup>(11)</sup> OJ No L 61, 1. 3. 1985, p. 4.

<sup>(12)</sup> OJ No L 103, 15. 4. 1989, p. 1.

<sup>(13)</sup> OJ No L 43, 13. 2. 1987, p. 9.

<sup>(14)</sup> OJ No L 340, 10. 12. 1988, p. 1.

1989 of products falling within CN codes 0714 10 91, 0714 10 99, 0714 90 11 and 0714 90 19 originating in third countries which are not members of the GATT, other than China<sup>(1)</sup>, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Regulation (EEC) No 2730/75 of the Council of 29 October 1975 on glucose and lactose<sup>(2)</sup>, as amended by Regulation (EEC) No 222/88<sup>(3)</sup>, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

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 Council Regulation (EEC) No 1676/85<sup>(4)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(5)</sup>,

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

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75, shall be as set out in the Annex hereto.

#### *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, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 94, 7. 4. 1989, p. 1.

<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 20.

<sup>(3)</sup> OJ No L 28, 1. 2. 1988, p. 1.

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(5)</sup> OJ No L 153, 13. 6. 1987, p. 1.

## ANNEX

to the Commission Regulation of 29 August 1989 fixing the import levies on products  
processed from cereals and rice

(ECU/tonne)

| CN code                   | Import levies |                       |                                            |
|---------------------------|---------------|-----------------------|--------------------------------------------|
|                           | Portugal      | ACP or OCT            | Third countries<br>(other than ACP or OCT) |
| 0714 10 10 <sup>(1)</sup> | 37,96         | 106,35                | 111,18                                     |
| 0714 10 91                | 34,94         | 106,35                | 108,16                                     |
| 0714 10 99                | 37,96         | 106,35                | 111,18                                     |
| 0714 90 11                | 34,94         | 106,35 <sup>(2)</sup> | 108,16                                     |
| 0714 90 19                | 37,96         | 106,35 <sup>(2)</sup> | 111,18                                     |
| 1102 20 10                | 67,80         | 253,93                | 259,97                                     |
| 1102 20 90                | 38,02         | 143,89                | 146,91                                     |
| 1102 30 00                | 3,02          | 79,44                 | 82,46                                      |
| 1102 90 10                | 68,93         | 194,69                | 200,73                                     |
| 1102 90 30                | 53,45         | 170,50                | 176,54                                     |
| 1102 90 90                | 56,42         | 146,55                | 149,57                                     |
| 1103 12 00                | 53,45         | 170,50                | 176,54                                     |
| 1103 13 11                | 67,80         | 253,93                | 259,97                                     |
| 1103 13 19                | 67,80         | 253,93                | 259,97                                     |
| 1103 13 90                | 38,02         | 143,89                | 146,91                                     |
| 1103 14 00                | 3,02          | 79,44                 | 82,46                                      |
| 1103 19 10                | 85,73         | 209,99                | 216,03                                     |
| 1103 19 30                | 68,93         | 194,69                | 200,73                                     |
| 1103 19 90                | 56,42         | 146,55                | 149,57                                     |
| 1103 21 00                | 35,76         | 193,34                | 199,38                                     |
| 1103 29 10                | 85,73         | 209,99                | 216,03                                     |
| 1103 29 20                | 68,93         | 194,69                | 200,73                                     |
| 1103 29 30                | 53,45         | 170,50                | 176,54                                     |
| 1103 29 40                | 67,80         | 253,93                | 259,97                                     |
| 1103 29 50                | 3,02          | 79,44                 | 82,46                                      |
| 1103 29 90                | 56,42         | 146,55                | 149,57                                     |
| 1104 11 10                | 38,66         | 110,32                | 113,34                                     |
| 1104 11 90                | 75,92         | 216,32                | 222,36                                     |
| 1104 12 10                | 29,89         | 96,61                 | 99,63                                      |
| 1104 12 90                | 58,72         | 189,44                | 195,48                                     |
| 1104 19 10                | 35,76         | 193,34                | 199,38                                     |
| 1104 19 30                | 85,73         | 209,99                | 216,03                                     |
| 1104 19 50                | 67,80         | 253,93                | 259,97                                     |
| 1104 19 91                | 6,04          | 134,89                | 140,93                                     |
| 1104 19 99                | 100,27        | 258,62                | 264,66                                     |
| 1104 21 10                | 58,92         | 173,06                | 176,08                                     |
| 1104 21 30                | 58,92         | 173,06                | 176,08                                     |
| 1104 21 50                | 93,39         | 270,40                | 276,44                                     |
| 1104 21 90                | 38,66         | 110,32                | 113,34                                     |
| 1104 22 10                | 50,43         | 170,50                | 173,52                                     |
| 1104 22 30                | 50,43         | 170,50                | 173,52                                     |
| 1104 22 50                | 45,16         | 151,55                | 154,57                                     |
| 1104 22 90                | 29,89         | 96,61                 | 99,63                                      |
| 1104 23 10                | 57,92         | 225,71                | 228,73                                     |
| 1104 23 30                | 57,92         | 225,71                | 228,73                                     |
| 1104 23 90                | 38,02         | 143,89                | 146,91                                     |

| CN code           | (ECU/tonne)   |            |                                            |
|-------------------|---------------|------------|--------------------------------------------|
|                   | Import levies |            |                                            |
|                   | Portugal      | ACP or OCT | Third countries<br>(other than ACP or OCT) |
| 1104 29 10*10 (*) | 24,98         | 142,86     | 145,88                                     |
| 1104 29 10*20 (*) | 61,90         | 155,16     | 158,18                                     |
| 1104 29 10*30 (*) | 86,78         | 229,89     | 232,91                                     |
| 1104 29 10*40 (*) | 86,78         | 229,89     | 232,91                                     |
| 1104 29 10*90 (*) | 86,78         | 229,89     | 232,91                                     |
| 1104 29 30*10 (*) | 29,44         | 171,86     | 174,88                                     |
| 1104 29 30*20 (*) | 73,85         | 186,66     | 189,68                                     |
| 1104 29 30*30 (*) | 86,78         | 229,89     | 232,91                                     |
| 1104 29 30*40 (*) | 86,78         | 229,89     | 232,91                                     |
| 1104 29 30*90 (*) | 86,78         | 229,89     | 232,91                                     |
| 1104 29 91        | 19,86         | 109,56     | 112,58                                     |
| 1104 29 95        | 48,18         | 118,99     | 122,01                                     |
| 1104 29 99        | 56,42         | 146,55     | 149,57                                     |
| 1104 30 10        | 18,42         | 80,56      | 86,60                                      |
| 1104 30 90        | 31,77         | 105,80     | 111,84                                     |
| 1106 20 10        | 37,96         | 104,53 (*) | 111,18                                     |
| 1106 20 91        | 75,79         | 223,49 (*) | 247,67                                     |
| 1106 20 99        | 75,79         | 223,49 (*) | 247,67                                     |
| 1107 10 11        | 40,27         | 191,19     | 202,07                                     |
| 1107 10 19        | 32,84         | 142,86     | 153,74                                     |
| 1107 10 91        | 73,07         | 192,52     | 203,40 (*)                                 |
| 1107 10 99        | 57,35         | 143,85     | 154,73                                     |
| 1107 20 00        | 65,04         | 167,65     | 178,53 (*)                                 |
| 1108 11 00        | 56,87         | 236,30     | 256,85                                     |
| 1108 12 00        | 75,79         | 227,12     | 247,67                                     |
| 1108 13 00        | 75,79         | 227,12     | 247,67                                     |
| 1108 14 00        | 75,79         | 113,56     | 247,67                                     |
| 1108 19 10        | 30,83         | 113,91     | 144,74                                     |
| 1108 19 90        | 75,79         | 113,56 (*) | 247,67                                     |
| 1109 00 00        | 247,38        | 429,64     | 610,98                                     |
| 1702 30 51        | 168,77        | 296,25     | 392,97                                     |
| 1702 30 59        | 121,73        | 227,12     | 293,61                                     |
| 1702 30 91        | 168,77        | 296,25     | 392,97                                     |
| 1702 30 99        | 121,73        | 227,12     | 293,61                                     |
| 1702 40 90        | 121,73        | 227,12     | 293,61                                     |
| 1702 90 50        | 121,73        | 227,12     | 293,61                                     |
| 1702 90 75        | 172,20        | 310,35     | 407,07                                     |
| 1702 90 79        | 118,98        | 215,84     | 282,33                                     |
| 2106 90 55        | 121,73        | 227,12     | 293,61                                     |
| 2302 10 10        | 18,01         | 49,93      | 55,93                                      |
| 2302 10 90        | 31,73         | 106,99     | 112,99                                     |
| 2302 20 10        | 18,01         | 49,93      | 55,93                                      |
| 2302 20 90        | 31,73         | 106,99     | 112,99                                     |
| 2302 30 10        | 18,01         | 49,93      | 55,93                                      |
| 2302 30 90        | 31,73         | 106,99     | 112,99                                     |
| 2302 40 10        | 18,01         | 49,93      | 55,93                                      |
| 2302 40 90        | 31,73         | 106,99     | 112,99                                     |
| 2303 10 11        | 249,96        | 282,14     | 463,48                                     |

- 
- (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.
-

## COMMISSION REGULATION (EEC) No 2614/89

of 29 August 1989

## fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Regulation (EEC) No 2727/75 of the Council of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1834/89<sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Regulation (EEC) No 2743/75 of the Council of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs<sup>(3)</sup>, as amended by Regulation (EEC) No 944/87<sup>(4)</sup>, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regula-

tion (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories<sup>(5)</sup>, as last amended by Regulation (EEC) No 967/89<sup>(6)</sup>;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76<sup>(7)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(8)</sup>, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal<sup>(9)</sup>, as last amended by Regulation (EEC) No 3296/88<sup>(10)</sup>, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC<sup>(11)</sup>, as last amended by Regulation (EEC) No 31/76<sup>(12)</sup>, and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas, 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 Council Regulation (EEC) No 1676/85<sup>(13)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(14)</sup>,

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 27. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 60.

<sup>(4)</sup> OJ No L 90, 2. 4. 1987, p. 2.

<sup>(5)</sup> OJ No L 61, 26. 2. 1985, p. 4.

<sup>(6)</sup> OJ No L 103, 15. 4. 1989, p. 1.

<sup>(7)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(8)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(9)</sup> OJ No L 367, 31. 12. 1985, p. 7.

<sup>(10)</sup> OJ No L 293, 27. 10. 1988, p. 7.

<sup>(11)</sup> OJ No 128, 27. 6. 1967, p. 2533/67.

<sup>(12)</sup> OJ No L 5, 10. 1. 1976, p. 18.

<sup>(13)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(14)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

*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, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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*ANNEX*

to the Commission Regulation of 29 August 1989 fixing the import levies on compound feedingstuffs

*(ECU/tonne)*

| CN code    | Levies   |             |                                           |
|------------|----------|-------------|-------------------------------------------|
|            | Portugal | ACP and OCT | Third countries<br>(other than<br>ACP and |
| 2309 10 11 | 10,88    | 22,57       | 33,45                                     |
| 2309 10 13 | 10,88    | 388,17      | 399,05                                    |
| 2309 10 31 | 10,88    | 70,54       | 81,42                                     |
| 2309 10 33 | 10,88    | 436,14      | 447,02                                    |
| 2309 10 51 | 10,88    | 141,07      | 151,95                                    |
| 2309 10 53 | 10,88    | 506,67      | 517,55                                    |
| 2309 90 31 | 10,88    | 22,57       | 33,45                                     |
| 2309 90 33 | 10,88    | 388,17      | 399,05                                    |
| 2309 90 41 | 10,88    | 70,54       | 81,42                                     |
| 2309 90 43 | 10,88    | 436,14      | 447,02                                    |
| 2309 90 51 | 10,88    | 141,07      | 151,95                                    |
| 2309 90 53 | 10,88    | 506,67      | 517,55                                    |

## COMMISSION REGULATION (EEC) No 2615/89

of 29 August 1989

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 15.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 8.

<sup>(4)</sup> OJ No L 78, 31. 3. 1972, p. 1.

<sup>(5)</sup> OJ No L 348, 30. 12. 1977, p. 53.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 September 1989.

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

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

Done at Brussels, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

**ANNEX**

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

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

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

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

**COMMISSION REGULATION (EEC) No 2616/89**  
**of 29 August 1989**

**fixing the maximum export refunds on olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88**

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refunds for olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 August 1989.

*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, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 15.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 8.

<sup>(4)</sup> OJ No L 301, 4. 11. 1988, p. 39.

*ANNEX*

to the Commission Regulation of 29 August 1989 fixing the maximum export refunds on olive oil for the 17th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88

| <i>(ECU/100 kg)</i> |                  |
|---------------------|------------------|
| Product code        | Amount of refund |
| 1509 10 90 100      | 65,00            |
| 1509 10 90 900      | 104,50           |
| 1509 90 00 100      | 73,52            |
| 1509 90 00 900      | 110,09           |
| 1510 00 90 100      | 18,00            |
| 1510 00 90 900      | 55,50            |

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

**COMMISSION REGULATION (EEC) No 2617/89**  
**of 29 August 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1225/89 <sup>(2)</sup>, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture <sup>(3)</sup>, as last amended by Regulation (EEC) No 2466/89 <sup>(4)</sup>,

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 <sup>(5)</sup>, as last amended by Regulation (EEC) No 2216/88 <sup>(6)</sup>, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,  
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 2342/89 <sup>(7)</sup>, as last amended by Regulation (EEC) No 2606/89 <sup>(8)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2342/89 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto;

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

fixed; whereas the amount of the subsidy for the 1989/90 year has been provisionally calculated on the basis of an abatement of ECU 3,44 per 100 kilograms for colza and rape seed, and of ECU 11,55 per 100 kilograms for sunflower seed,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 <sup>(9)</sup> are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 <sup>(10)</sup> is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 <sup>(11)</sup> for sunflower seed harvested and processed in Portugal is as set out in Annex III.

4. However, the amount of the subsidy for colza, rape and sunflower seed will be confirmed or replaced as from 30 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 30 August 1989.

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

Done at Brussels, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 15.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(4)</sup> OJ No L 234, 11. 8. 1989, p. 37.

<sup>(5)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(6)</sup> OJ No L 197, 26. 7. 1988, p. 10.

<sup>(7)</sup> OJ No L 222, 1. 8. 1989, p. 21.

<sup>(8)</sup> OJ No L 251, 29. 8. 1989, p. 14.

<sup>(9)</sup> OJ No L 266, 28. 9. 1983, p. 1.

<sup>(10)</sup> OJ No L 53, 1. 3. 1986, p. 47.

<sup>(11)</sup> OJ No L 183, 3. 7. 1987, p. 18.

## ANNEX I

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

(amounts per 100 kg)

|                                               | Current<br>8 (') | 1st period<br>9 (') | 2nd period<br>10 (') | 3rd period<br>11 (') | 4th period<br>12 (') | 5th period<br>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                         | 20,879           | 20,957              | 20,716               | 21,071               | 21,349               | 21,567              |
| 2. Final aids:                                |                  |                     |                      |                      |                      |                     |
| (a) Seed harvested and processed in:          |                  |                     |                      |                      |                      |                     |
| — Federal Republic of Germany (DM)            | 49,60            | 49,79               | 49,22                | 50,06                | 50,71                | 51,40               |
| — Netherlands (Fl)                            | 55,08            | 55,28               | 54,65                | 55,58                | 56,32                | 57,04               |
| — BLEU (Bfrs/Lfrs)                            | 1 008,18         | 1 011,95            | 1 000,31             | 1 017,45             | 1 030,88             | 1 041,40            |
| — France (FF)                                 | 158,37           | 158,98              | 157,09               | 159,84               | 161,98               | 163,66              |
| — Denmark (Dkr)                               | 186,45           | 187,15              | 185,00               | 188,17               | 190,65               | 192,59              |
| — Ireland (£ Irl)                             | 17,626           | 17,694              | 17,484               | 17,790               | 18,029               | 18,215              |
| — United Kingdom (£)                          | 13,800           | 13,859              | 13,655               | 13,872               | 14,070               | 14,111              |
| — Italy (Lit)                                 | 34 997           | 35 127              | 34 714               | 35 238               | 35 704               | 35 853              |
| — Greece (Dr)                                 | 3 416,47         | 3 415,72            | 3 338,62             | 3 363,10             | 3 413,95             | 3 352,36            |
| (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)               | 3 282,35         | 3 293,72            | 3 248,83             | 3 292,96             | 3 335,25             | 3 340,71            |
| (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)               | 4 639,85         | 4 654,98            | 4 600,22             | 4 599,96             | 4 645,96             | 4 629,46            |

(') 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<br>8 (1) | 1st period<br>9 (1) | 2nd period<br>10 (1) | 3rd period<br>11 (1) | 4th period<br>12 (1) | 5th period<br>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                         | 23,379           | 23,457              | 23,216               | 23,571               | 23,849               | 24,067              |
| 2. Final aids:                                |                  |                     |                      |                      |                      |                     |
| (a) Seed harvested and processed in:          |                  |                     |                      |                      |                      |                     |
| — Federal Republic of Germany (DM)            | 55,51            | 55,69               | 55,12                | 55,96                | 56,62                | 57,30               |
| — Netherlands (Fl)                            | 61,67            | 61,88               | 61,24                | 62,18                | 62,91                | 63,63               |
| — BLEU (Bfrs/Lfrs)                            | 1 128,90         | 1 132,67            | 1 121,03             | 1 138,17             | 1 151,59             | 1 162,12            |
| — France (FF)                                 | 177,61           | 178,23              | 176,33               | 179,08               | 181,23               | 182,90              |
| — Denmark (Dkr)                               | 208,78           | 209,47              | 207,32               | 210,49               | 212,97               | 214,92              |
| — Ireland (£ Irl)                             | 19,768           | 19,836              | 19,626               | 19,932               | 20,171               | 20,357              |
| — United Kingdom (£)                          | 15,554           | 15,613              | 15,408               | 15,626               | 15,823               | 15,865              |
| — Italy (Lit)                                 | 39 180           | 39 310              | 38 897               | 39 421               | 39 886               | 40 036              |
| — Greece (Dr)                                 | 3 864,94         | 3 864,18            | 3 787,09             | 3 811,57             | 3 862,42             | 3 800,83            |
| (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)               | 3 664,59         | 3 675,96            | 3 631,07             | 3 675,20             | 3 717,49             | 3 722,95            |
| (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)               | 5 119,86         | 5 134,99            | 5 080,22             | 5 079,96             | 5 125,96             | 5 109,47            |

(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<br>8 (1) | 1st period<br>9 (1) | 2nd period<br>10 (1) | 3rd period<br>11 (1) | 4th period<br>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                         | 19,278           | 20,219              | 21,181               | 21,512               | 21,843               |
| 2. Final aids:                                |                  |                     |                      |                      |                      |
| (a) Seed harvested and processed in (2):      |                  |                     |                      |                      |                      |
| — Federal Republic of Germany (DM)            | 45,95            | 48,15               | 50,40                | 51,18                | 51,96                |
| — Netherlands (Fl)                            | 50,85            | 53,33               | 55,87                | 56,75                | 57,62                |
| — BLEU (Bfrs/Lfrs)                            | 930,87           | 976,31              | 1 022,76             | 1 038,75             | 1 054,73             |
| — France (FF)                                 | 145,10           | 152,49              | 160,04               | 162,60               | 165,15               |
| — Denmark (Dkr)                               | 172,15           | 180,56              | 189,15               | 192,10               | 195,06               |
| — Ireland (£ Irl)                             | 16,149           | 16,972              | 17,812               | 18,097               | 18,381               |
| — United Kingdom (£)                          | 12,339           | 13,051              | 13,750               | 13,937               | 14,172               |
| — Italy (Lit)                                 | 32 345           | 33 916              | 35 507               | 35 973               | 36 526               |
| — Greece (Dr)                                 | 2 997,18         | 3 164,09            | 3 322,47             | 3 329,60             | 3 390,14             |
| (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)               | 3 283,77         | 3 420,89            | 3 548,83             | 3 587,32             | 3 637,68             |
| (c) Seed harvested in Portugal and processed: |                  |                     |                      |                      |                      |
| — in Portugal (Esc)                           | 0,00             | 0,00                | 0,00                 | 0,00                 | 0,00                 |
| — in Spain (Esc)                              | 6 032,82         | 6 220,12            | 6 401,72             | 6 382,84             | 6 438,92             |
| — in another Member State (Esc)               | 5 879,50         | 6 062,04            | 6 239,03             | 6 220,63             | 6 275,29             |
| 3. Compensatory aids:                         |                  |                     |                      |                      |                      |
| — in Spain (Pta)                              | 3 237,41         | 3 374,53            | 3 502,48             | 3 540,97             | 3 591,32             |
| 4. Special aid:                               |                  |                     |                      |                      |                      |
| — in Portugal (Esc)                           | 5 879,50         | 6 062,04            | 6 239,03             | 6 220,63             | 6 275,29             |

(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<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 | 4th period<br>12 | 5th period<br>1 |
|-----------|--------------|-----------------|------------------|------------------|------------------|-----------------|
| DM        | 2,075900     | 2,072430        | 2,069050         | 2,065550         | 2,065550         | 2,055640        |
| Fl        | 2,340670     | 2,337240        | 2,333680         | 2,330300         | 2,330300         | 2,320450        |
| Bfrs/Lfrs | 43,411800    | 43,389500       | 43,366500        | 43,340800        | 43,340800        | 43,268000       |
| FF        | 7,010180     | 7,010690        | 7,010090         | 7,010050         | 7,010050         | 7,008570        |
| Dkr       | 8,065730     | 8,067570        | 8,069720         | 8,072440         | 8,072440         | 8,080500        |
| £Irl      | 0,778400     | 0,778133        | 0,778591         | 0,778897         | 0,778897         | 0,781625        |
| £         | 0,675855     | 0,678140        | 0,680631         | 0,682998         | 0,682998         | 0,689898        |
| Lit       | 1 489,01     | 1 493,17        | 1 497,09         | 1 501,10         | 1 501,10         | 1 513,59        |
| Dr        | 178,44200    | 180,40800       | 182,23700        | 184,95700        | 184,95700        | 191,44800       |
| Esc       | 173,11900    | 173,79700       | 174,46600        | 175,38600        | 175,38600        | 178,45100       |
| Pta       | 129,67800    | 130,30000       | 130,86200        | 131,38100        | 131,38100        | 132,92900       |

## COMMISSION REGULATION (EEC) No 2618/89

of 29 August 1989

introducing a countervailing charge on certain varieties of plum originating in Hungary

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second 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 0,6 ECU 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 916/89 of 10 April 1989 fixing for the 1989 marketing year the reference prices for plums<sup>(3)</sup> fixed the reference price for class I, group II at 55,37 ECU per 100 kilograms net for the month of 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 Commission Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by

Regulation (EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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 Article 3 (1) last paragraph of Council Regulation (EEC) No 1676/85<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>,
- 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,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 8,90 per 100 kilograms net is applied to plums (CN code 0809 40 11), of the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosniche, originating in Hungary.

*Article 2*

This Regulation shall enter into force on 31 August 1989.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.

<sup>(3)</sup> OJ No L 97, 11. 4. 1989, p. 11.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(7)</sup> 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, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 2619/89**  
**of 29 August 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 <sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 1069/89 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No  
2597/89 <sup>(4)</sup>;

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 Regula-  
tion (EEC) No 1785/81 shall be, in respect of white sugar  
and standard quality raw sugar, as set out in the Annex  
hereto.

*Article 2*

This Regulation shall enter into force on 30 August 1989.

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

Done at Brussels, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 187, 1. 7. 1989, p. 13.

<sup>(4)</sup> OJ No L 250, 26. 8. 1989, p. 26.

*ANNEX*

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

(ECU/100 kg)

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 27,59 <sup>(1)</sup> |
| 1701 11 90 | 27,59 <sup>(1)</sup> |
| 1701 12 10 | 27,59 <sup>(1)</sup> |
| 1701 12 90 | 27,59 <sup>(1)</sup> |
| 1701 91 00 | 23,82                |
| 1701 99 10 | 23,82                |
| 1701 99 90 | 23,82 <sup>(2)</sup> |

<sup>(1)</sup> 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).

<sup>(2)</sup> 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 2620/89****of 29 August 1989****altering the basic amount of 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2338/89 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2584/89 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2338/89 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2338/89, are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 30 August 1989.

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

Done at Brussels, 29 August 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.

<sup>(3)</sup> OJ No L 222, 1. 8. 1989, p. 14.

<sup>(4)</sup> OJ No L 249, 25. 8. 1989, p. 63.

## ANNEX

to the Commission Regulation of 29 August 1989 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

*(ECU)*

| CN code    | Basic amount per percentage point<br>of sucrose content and per 100 kg net<br>of the product in question | Amount of levy per 100 kg of dry matter |
|------------|----------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1702 20 10 | 0,2382                                                                                                   | —                                       |
| 1702 20 90 | 0,2382                                                                                                   | —                                       |
| 1702 30 10 | —                                                                                                        | 33,19                                   |
| 1702 40 10 | —                                                                                                        | 33,19                                   |
| 1702 60 10 | —                                                                                                        | 33,19                                   |
| 1702 60 90 | 0,2382                                                                                                   | —                                       |
| 1702 90 30 | —                                                                                                        | 33,19                                   |
| 1702 90 60 | 0,2382                                                                                                   | —                                       |
| 1702 90 71 | 0,2382                                                                                                   | —                                       |
| 1702 90 90 | 0,2382                                                                                                   | —                                       |
| 2106 90 30 | —                                                                                                        | 33,19                                   |
| 2106 90 59 | 0,2382                                                                                                   | —                                       |