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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2901/89**of 25 September 1989****amending Regulation (EEC) No 1307/85 authorizing the Member States to grant consumption aid for butter**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Article 1

Having regard to the proposal from the Commission,

In Article I of Regulation (EEC) No 1307/85 '1988/89' is replaced by '1989/90'.

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

Article 2

Whereas the arrangement introduced by Regulation (EEC) No 1307/85 ⁽²⁾, as amended by Regulation (EEC) No 3206/88 ⁽³⁾, which authorizes Member States to grant an aid for butter in favour of the final private consumer, expires at the end of the 1988/89 milk year; whereas in order to prevent a drop in butter consumption following a rise in its price the aid arrangement introduced by Regulation (EEC) No 1307/85 should be prolonged for the 1989/90 milk year,

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

It shall apply from the beginning of the 1989/90 milk year.

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

Done at Brussels, 25 September 1989.

For the Council

The President

H. NALLET

⁽¹⁾ Opinion delivered on 14 September 1989 (not yet published in the Official Journal).

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 15.

⁽³⁾ OJ No L 286, 20. 10. 1988, p. 1.

COUNCIL REGULATION (EEC) No 2902/89

of 25 September 1989

amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas Article 20a of Regulation No 136/66/EEC ⁽³⁾, as last amended by Regulation (EEC) No 1225/89 ⁽⁴⁾, provides that olive oil used in the manufacture of preserved fish and vegetables is eligible for a production refund or for full or partial suspension of the import levy; whereas that measure provides an appreciable outlet for olive oil in preserved foods; whereas it is advisable, in the light of the experience gained and taking into account technological developments in the production of preserved foods and changes in consumers' eating habits, to provide that the list of preserved foods which contain oil qualifying under the system referred to above should

be established by the Council acting under a simplified procedure,

HAS ADOPTED THIS REGULATION:

Article 1

Article 20a of Regulation No 136/66/EEC shall be replaced by the following:

'Article 20a

Olive oil used in the manufacture of preserved foods shall benefit from a system of production refunds or from full or partial suspension of the import levy.

The general rules for the application of this Article and the list of preserved foods referred to in the first subparagraph, shall be adopted by the Council acting by a qualified majority on a proposal from the Commission.'

Article 2

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

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

Done at Brussels, 25 September 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No C 142, 8. 6. 1989, p. 6.

⁽²⁾ Opinion delivered on 15 September 1989 (not yet published in the Official Journal).

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁴⁾ OJ No L 128, 11. 5. 1989, p. 15.

COUNCIL REGULATION (EEC) No 2903/89**of 25 September 1989****amending Regulation (EEC) No 591/79 laying down general rules concerning the production refund for olive oils used in the manufacture of certain preserved foods**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 20a thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2902/89 has amended Article 20a of Regulation No 136/66/EEC, providing for a production refund for olive oil used in the manufacture of preserved foods; whereas, in the light of technological developments in production and consumers' eating habits, eligibility for refunds should be extended to oil used in the manufacture of preserved crustaceans and molluscs; whereas Regulation (EEC) No 591/79⁽³⁾, as last amended by Regulation (EEC) No 3788/85⁽⁴⁾, should accordingly be amended,

1. In Article 1, 'fish and vegetables' is replaced by 'foods'.

2. Article 2 is replaced by the following:

Article 2

A production refund shall be granted in respect of olive oil used in the manufacture of preserved fish falling within CN code 1604 (with the exception of CN code 1604 30) (preserved crustaceans and molluscs falling within CN code 1605 and preserved vegetables falling within CN codes 2001 and 2002).'

3. Article 8 (2) is replaced by the following:

'2. The Member States shall ensure by means of a supervisory system that the production refund is granted solely in respect of olive oil used in the manufacture of preserved foods referred to in Article 2.'

HAS ADOPTED THIS REGULATION:

*Article 2**Article 1*

Regulation (EEC) No 591/79 is hereby amended as follows:

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

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

Done at Brussels, 25 September 1989.

*For the Council**The President*

H. NALLET

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ See page 2 of this Official Journal.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 1.

COUNCIL REGULATION (EEC) No 2904/89**of 25 September 1989****extending Regulation (EEC) No 1832/85 amending Regulation (EEC) No 2036/82
adopting general rules concerning special measures for peas, field beans and
sweet lupins**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1104/88⁽²⁾, and in particular Article 3 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1832/85⁽³⁾ introduced into Regulation (EEC) No 2036/82⁽⁴⁾ the concept of identification and the procedures and time limits for that operation; whereas those provisions far-reachingly amend the existing procedures, which justifies the authorization laid down in Article 2 of Regulation (EEC) No 1832/85 for the Commission to adopt the transitional measures required; whereas, however, some operators have proved incapable of complying with the new rules during the term of validity of the transitional measures laid down by Commission Regulation (EEC) No 1836/85⁽⁵⁾; whereas the Commission should therefore be authorized to extend

the period initially laid down in order to provide a fair solution to the operators' problems of adapting, during 1986 and 1987, to the rules laid down by Regulation (EEC) No 1832/85 once it has been sufficiently established that the operators concerned have been the subject of verification procedures enabling the eligibility of the quantities of peas and field beans in question for the aid to be ensured,

HAS ADOPTED THIS REGULATION:

Article 1

The transitional measures adopted pursuant to Article 2 of Regulation (EEC) No 1832/85 may be extended in accordance with the procedure referred to in that Article.

Article 2

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

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

Done at Brussels, 25 September 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 173, 3. 7. 1985, p. 3.

⁽⁴⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁵⁾ OJ No L 173, 3. 7. 1985, p. 13.

COUNCIL REGULATION (EEC) No 2905/89

of 25 September 1989

establishing Community supervision for the imports of certain agricultural products originating in the Canary Islands (1990)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1391/87 of 18 May 1987 concerning certain adjustments to the arrangements applied to the Canary Islands⁽¹⁾, and in particular Articles 4, 6 and 10 thereof,

Having regard to the proposal from the Commission,

Whereas, in Regulation (EEC) No 1391/87, the Council decided, for certain agricultural products originating in the Canary Islands, upon a progressive reduction of the customs duties applicable in the limits of reference quantities with the possibility for the Community to replace in future the facilities by a system of tariff quotas if it should appear that under the preferential system imported quantities exceed, during the course of a determined year, the reference quantities laid down, and if simultaneously these imports cause damage on the Community market; whereas the application of such a system demands that the Community is regularly informed of the development of these imports originating in the Canary Islands; whereas it is therefore indicated to submit the imports of these products to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on setting off imports of the products in question against the reference quantities at Community level, as and when these products are entered with customs authorities for free circulation;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of amounts set off against the reference quantities and keep the Member States informed,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain goods originating in the Canary Islands shall be subject to

Community supervision and to annual reference quantities.

The description of the goods referred to in the preceding subparagraph, their order numbers, their CN codes and the levels and periods of application of the reference quantities are indicated in the annexed table.

2. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate. If the movement certificate is submitted *a posteriori*, the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph.

Member States shall periodically inform the Commission of imports effected in accordance with the above rules; such information shall be supplied under the conditions laid down in paragraph 3.

3. Member States shall forward to the Commission:

- not later than 15 July 1990, the final amounts set off for products mentioned under Order Nos 17.0003 and 17.0005,
- by 15 October 1990, the cumulative amounts set off for the period from 1 January to 30 September, and by not later than the 20th day of each following month those set off during the preceding month, for the product mentioned under Order No 17.0001.

Article 2

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 3

This Regulation shall enter into force on 1 January 1990.

⁽¹⁾ OJ No L 133, 22. 5. 1987, p. 5.

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

Done at Brussels, 25 September 1989.

For the Council
The President
H. NALLET

ANNEX

Order No	CN code (*)	Description	Reference quantity (tonnes)
17.0001	0804 40 10 } 0804 40 90 }	Avocados, from 1 January to 31 December	} 2 100
17.0003	ex 0807 10 90	Melons each weighing 600 grams or less, from 1 January to 31 March	100
17.0005	ex 0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.), from 1 January to 30 April	100

(*) Taric code : 0807 10 90*13
0807 10 90*17
0810 90 10*10

COMMISSION REGULATION (EEC) No 2906/89

of 28 September 1989

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2860/89 ⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 27 September 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 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

ANNEX

to the Commission Regulation of 28 September 1989 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	34,31	142,74
0712 90 19	34,31	142,74
1001 10 10	17,45	162,85 ⁽¹⁾ ⁽²⁾
1001 10 90	17,45	162,85 ⁽¹⁾ ⁽²⁾
1001 90 91	16,30	111,13
1001 90 99	16,30	111,13
1002 00 00	44,06	116,72 ⁽³⁾
1003 00 10	34,73	112,68
1003 00 90	34,73	112,68
1004 00 10	26,13	104,08
1004 00 90	26,13	104,08
1005 10 90	34,31	142,74 ⁽²⁾ ⁽²⁾
1005 90 00	34,31	142,74 ⁽²⁾ ⁽²⁾
1007 00 90	52,35	144,06 ⁽⁴⁾
1008 10 00	34,73	0,00
1008 20 00	34,73	76,32 ⁽⁴⁾
1008 30 00	34,73	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	34,73	0,00
1101 00 00	36,12	168,88
1102 10 00	74,98	176,70
1103 11 10	41,47	266,84
1103 11 90	38,70	182,08

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

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

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 2907/89

of 28 September 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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2860/89⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 27 September 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 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 28 September 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 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	0	0	0,0
0712 90 19	0	0	0	0,0
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	0,0
1005 90 00	0	0	0	0,0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	4,04
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 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2908/89

of 28 September 1989

adjusting the agricultural conversion rates for the pigmeat sector in Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, and in particular Article 7 (1) thereof,Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽²⁾, as last amended by Regulation (EEC) No 1889/87⁽³⁾, lays down that the agricultural

conversion rates of a Member State should be adjusted so as to avoid the creation of new monetary compensatory amounts;

Whereas the movement of the market rate for the Greek drachma during the reference period 20 to 26 September 1989 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁴⁾, as last amended by Regulation (EEC) No 2829/89⁽⁵⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁶⁾, as last amended by Regulation (EEC) No 3521/88⁽⁷⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Greece effective from 2 October 1989; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IV to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following:

Products	Agricultural conversion rates			
	ECU 1 = Dr...	Applicable until	ECU 1 = Dr...	Applicable from
'Pigmeat	197,070	1 October 1989	197,943	2 October 1989'

Article 2

This Regulation shall enter into force on 2 October 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽³⁾ OJ No L 182, 3. 7. 1987, p. 1.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.⁽⁵⁾ OJ No L 273, 22. 9. 1989, p. 5.⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.⁽⁷⁾ OJ No L 307, 12. 11. 1988, p. 28.

COMMISSION REGULATION (EEC) No 2909/89

of 28 September 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 25 and 26 September 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 29 September 1989.

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

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

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 2910/89

of 28 September 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 4 September 1989, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 4

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 4 September 1989, the level of the premium is fixed at ECU 81,011 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 4 September 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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

It shall apply with effect from 4 September 1989.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	38,075	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	81,011	0
0204 21 00	81,011	0
0204 50 11		0
0204 22 10	56,708	
0204 22 30	89,112	
0204 22 50	105,314	
0204 22 90	105,314	
0204 23 00	147,440	
0204 30 00	60,758	
0204 41 00	60,758	
0204 42 10	42,531	
0204 42 30	66,834	
0204 42 50	78,985	
0204 42 90	78,985	
0204 43 00	110,580	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	105,314	
0210 90 19	147,440	
1602 90 71 :		
— unboned (bone-in)	105,314	
— boned or boneless	147,440	

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

COMMISSION REGULATION (EEC) No 2911/89

of 28 September 1989

on the supply of various consignments of cereals as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1750/89⁽²⁾, and in particular Article 6 (1)(c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 16 120 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Cereals shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

Article 2

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

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation No** ⁽¹⁾: 433/89
2. **Programme**: 1989
3. **Recipient**: Mauritania
4. **Representative of the recipient** ⁽²⁾: Commissariat à la Sécurité Alimentaire, BP 377, Nouakchott; tel.: 514 58; à l'attention de M. le Commissaire à la Sécurité Alimentaire
5. **Place or country of destination**: Mauritania
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.1); specific characteristics: protein content 11 % minimum
8. **Total quantity**: 6 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁴⁾: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIB.1.(a))
Additional markings on the packing:
'ACTION N° 433/89 / FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Nouakchott
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 30. 11. 1989
18. **Deadline for the supply**: 31. 12. 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 17. 10. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 31. 10. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30. 11. 1989
 - (c) deadline for the supply: 31. 12. 1989
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁵⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁶⁾: refund applicable on 1. 9. 1989, fixed by Commission Regulation (EEC) No 2612/89 (OJ No L 252, 30. 8. 1989, p. 14)

ANNEX II

1. **Operation No** (1): 510/89
2. **Programme**: 1988
3. **Recipient**: CICR, Av. de la Paix 17, CH-1202 Geneva; tel.: (022) 734 60 01; telex 22269 ICRC CH
4. **Representative of the recipient** (2): ICRC Delegation, PO Box 4442, Lumumba Avenue, Plot. 11, Kampala, Uganda; tel. 23 05 17 / 23 24 50, telex 62237 ICRC UGA
5. **Place or country of destination**: Uganda
6. **Product to be mobilized**: Milled rice (CN code 1006 30 94 900 or 1006 30 96 900)
7. **Characteristics and quality of the goods** (3) (7): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.10)
8. **Total quantity**: 50 tonnes (120 tonnes of cereals)
9. **Number of lots**: one
10. **Packaging and marking** (4): new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 grams, net capacity 50 kilograms
Marking on bags (at least 5 cm high):
'ACTION No 510/89 / UG-53 / RICE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / KAMPALA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Mombasa (CICR-Kenya: ICRC Regional Delegation, International House (5th floor), Mama Ngina Street, PO Box 73226, Nairobi, Kenya; tel. 26 468/9 or 33 37 96; telex 25216 ICRC KE)
16. **Address of the warehouse and, if appropriate, port of landing**: ICRC Delegation, Red Cross Warehouse, c/o Cartage Workshop, Uganda Railways, Kampala, Uganda
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 20. 11. 1989
18. **Deadline for the supply**: 25. 12. 1989
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders**: 17. 10. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 31. 10. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15. 11. to 5. 12. 1989
 - (c) deadline for the supply: 10. 1. 1990
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5):

Bureau de l'aide alimentaire
à l'attention de Monsieur N. Arend
bâtiment Loi 120, bureau 7/58
200, rue de la Loi
B-1049 Brussels
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 1. 9. 1989 fixed by Commission Regulation (EEC) No 2612/89 (OJ No L 252, 30. 8. 1989, p. 14)

ANNEX III

1. **Operation No (1):** 528/89
2. **Programme:** 1989
3. **Recipient:** Madagascar (Régie malgache des monopoles fiscaux (RMMF), 21, avenue de l'Indépendance, B.P. 23, Antananarivo 101
4. **Representative of the recipient (2):** Ambassade de la république démocratique de Madagascar, avenue de Tervuren 276, B-1150 tel. 770 17 26 Brussels; telex 61197 TELMAD B
5. **Place or country of destination:** Madagascar
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (3):** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under II.A.1); specific characteristics: moisture content: 13,5 % maximum
8. **Total quantity:** 10 000 tonnes
9. **Number of lots:** one
10. **Packaging:** in bulk, plus
 - 210 000 new woven-polypropylene bags for food use, weighing not less than 120 grams, which have been specially treated against the effects of ultraviolet light, 125 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high:
'ACTION N° 528/89 / FROMENT TENDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À MADAGASCAR'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** Toamasina
15. **Port of landing:** —
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 1 to 15. 11. 1989
18. **Deadline for the supply:** 15. 12. 1989
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 17. 10. 1989 at 12 noon
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 31. 10. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30. 11. 1989
 - (c) deadline for the supply: 31. 12. 1989
22. **Amount of the tendering security:** 5 ECU per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (4):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels; telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer (5):** refund applicable on 1. 9. 1989 fixed by Regulation (EEC) No 2612/89 OJ No L 252, of 30. 8. 1989, p. 14)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
see list published in OJ No C 227 of 7. 9. 1985, p. 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
— either by porter at the office referred to in point 24 of this Annex,
— or by telecopier on one of the following numbers in Brussels :
235 01 32,
236 10 97,
235 01 30,
236 20 05.
- (⁶) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
— phytosanitary certificate,
— certificate of origin.
-

COMMISSION REGULATION (EEC) No 2912/89**of 28 September 1989****amending Regulation (EEC) No 1876/89 as regards the fixing of the coefficients required for the application of monetary compensatory amounts in respect of certain milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽¹⁾, as last amended by Regulation (EEC) No 1889/87⁽²⁾, and in particular Article 12 thereof,Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 are fixed by Commission Regulation (EEC) No 1876/89 of 28 June 1989 fixing the monetary compensatory amounts applicable in the agricultural sector and certain coefficients and rates required for their application⁽³⁾, as last amended by Regulation (EEC) No 2826/89⁽⁴⁾;Whereas sales under Regulation (EEC) No 1282/72 of the Commission of 21 June 1972 on the sale of butter at a reduced price to the army and similar forces⁽⁵⁾ have been suspended by Commission Regulation (EEC) No 342/89⁽⁶⁾; whereas, therefore, references to the said Regulation should be deleted;Whereas the selling price applied under 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⁽⁷⁾, as last amended by Regulation (EEC) No 2690/89⁽⁸⁾, has recently been increased; whereas the coefficients applicable in respect of the products concerned should be adjusted accordingly;

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

Regulation (EEC) No 1876/89 is amended as follows:

1. In the table in part 5 of Annex I, the lines covered by CN code 0405 are replaced by the following:

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 188, 1. 7. 1989, p. 1.

⁽⁴⁾ OJ No L 275, 25. 9. 1989, p. 1.

⁽⁵⁾ OJ No L 142, 22. 6. 1972, p. 14.

⁽⁶⁾ OJ No L 39, 11. 2. 1989, p. 19.

⁽⁷⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁸⁾ OJ No L 261, 7. 9. 1989, p. 6.

CN code	Table	Additional code	Notes	Positive			Negative							
				Germany	Nether-lands	Spain	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland	Portugal
				DM	Fl	Pta	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Esc
'0405	04-7	7118		—	—	1 103,47	5,407	—	—	—	—	4 797,3	—	
	04-7	7119		—	—	1 131,06	5,543	—	—	—	—	4 917,2	—	
	04-7	7134		—	—	1 146,19	5,613	—	—	—	—	4 980,0	—	
	04-7	7138		—	—	1 174,84	5,754	—	—	—	—	5 104,5	—	
	04-7	7139		—	—	1 442,82	7,055	—	—	—	—	6 258,6	—	
	04-7	7154		—	—	1 478,89	7,231	—	—	—	—	6 415,1	—	
	04-7	7189		—	—	2 373,06	10,837	—	—	—	—	9 613,8	—	
	04-7	7193		—	—	2 432,39	11,108	—	—	—	—	9 854,2	—	
	04-7	7194		—	—	b × coef	—	—	—	—	—	—	—	
	04-7	7197		b × coef	b × coef	—	b × coef	b × coef	b × coef	b × coef	b × coef	b × coef	b × coef	
	04-7	7198		—	—	b × coef	—	—	—	—	—	—	—	
	04-7	7199		b × coef	b × coef	—	b × coef	b × coef	b × coef	b × coef	b × coef	b × coef	b × coef	
	04-7	7214		—	—	b × coef	—	—	—	—	—	—	—	
	04-7	7218		b × coef	b × coef	—	b × coef	b × coef	b × coef	b × coef	b × coef	b × coef	b × coef	
	04-7	7225		b	b	b	b	b	b	b	b	b	b'	

2. In the appendix to Annex I (additional codes), Table 04-7 is replaced by the following :

TABLE 04-7

CN code	Description	Additional code
0405	— Of a fat content, by weight, less than 80 % (for these products the MCA applicable is the amount indicated per % milkfat (see b) multiplied by the percentage milkfat content per 100 kg product and affected by the following coefficient):	
	— — In the case the product is subject to the measures provided for in Regulations :	
	— — — (EEC) No 3143/85 :	
	— — — — In Spain (coefficient 0,465)	7194
	— — — — In another Member State (coefficient 0,499)	7197
	— — — (EEC) No 570/88 :	
	— — — — Formula A, C or D products :	
	— — — — — In Spain (coefficient 0,483)	7198
	— — — — — In another Member State (coefficient 0,518)	7199
	— — — — Formula B products :	
	— — — — — In Spain (coefficient 0,608)	7214
	— — — — — In another Member State (coefficient 0,651)	7218
	— — Other	7225
	— Of a fat content, by weight, 80 % or more, but less than 82 % :	
	— — In the case the product is subject to the measures provided for in Regulations :	
	— — — (EEC) No 3143/85	7118
	— — — (EEC) No 570/88 :	
	— — — — Formula A, C or D products	7134
	— — — — Formula B products	7139
	— — Other	7189
	— Of a fat content, by weight, 82 % or more, but not exceeding 85 % :	
	— — In the case the product is subject to the measures provided for in Regulations :	
	— — — (EEC) No 3143/85	7119
	— — — (EEC) No 570/88 :	
	— — — — Formula A, C, or D products	7138
	— — — — Formula B products	7154
	— — Other	7193

CN code	Description	Additional code
	– Of a fat content, by weight, exceeding 85 % (for these products the MCA applicable is the amount indicated per % milkfat (see b) multiplied by the percentage milkfat content per 100 kg product and affected by the following coefficient): – – In the case the product is subject to the measures provided for in Regulations: – – – (EEC) No 3143/85: – – – – In Spain (coefficient 0,465) 7194 – – – – In another Member State (coefficient 0,499) 7197 – – – (EEC) No 570/88: – – – – Formula A, C or D products: – – – – – In Spain (coefficient 0,483) 7198 – – – – – In another Member State (coefficient 0,518) 7199 – – – – Formula B products: – – – – – In Spain (coefficient 0,608) 7214 – – – – – In another Member State (coefficient 0,651) 7218 – – Other 7225'	

Article 2

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

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 2913/89
of 28 September 1989
fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as amended by Regulation (EEC) No 2896/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 279, 28. 9. 1989, p. 25.

ANNEX

to the Commission Regulation of 28 September 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	25,87 ⁽¹⁾
1701 11 90	25,87 ⁽¹⁾
1701 12 10	25,87 ⁽¹⁾
1701 12 90	25,87 ⁽¹⁾
1701 91 00	29,80
1701 99 10	29,80
1701 99 90	29,80 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 2914/89

of 28 September 1989

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2860/89⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices

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

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

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

Whereas there are long-term opportunities to export common wheat to certain countries in area VIII; whereas this should be taken into account in fixing the corrective amount for this destination;

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

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

This Regulation shall enter into force on 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1989 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	0	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	(2)	(2)	(2)	(2)	(2)	(2)
	02	0	0	0	0	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	0	0	0	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	- 30,00	- 30,00
1101 00 00 120	01	0	0	0	0	0	- 30,00	- 30,00
1101 00 00 130	01	0	0	0	0	0	- 30,00	- 30,00
1101 00 00 150	01	0	0	0	0	0	- 30,00	- 30,00
1101 00 00 170	01	0	0	0	0	0	- 30,00	- 30,00
1101 00 00 180	01	0	0	0	0	0	- 30,00	- 30,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	- 30,00	- 30,00
1102 10 00 200	01	0	0	0	0	0	- 30,00	- 30,00
1102 10 00 300	01	0	0	0	0	0	- 30,00	- 30,00
1102 10 00 500	01	0	0	0	0	0	- 30,00	- 30,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	0	0	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	0	0	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	0	0	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	0	- 50,00	- 50,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries,

02 Other third countries,

03 Angola, Benin, Burkina Faso, Burundi, Cameroon, Congo, Ivory Coast, Gabon, Gambia, Ghana, Guinea Guinea-Bissau, Equatorial Guinea, Kenya, Madagascar, Mali, Mauritius, Mozambique, Niger, Nigeria, Central African Republic, Rwanda, Senegal, Sierra Leone, Tanzania, Chad, Togo and Zaire.

(2) For these destinations, a corrective amount of ECU 10,00 per tonne is fixed for the period 1 October 1989 to 30 June 1990.

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

COMMISSION REGULATION (EEC) No 2915/89
of 28 September 1989
fixing the aid for cotton

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2796/89 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2796/89 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginmed cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 41,937 ECU per 100 kilograms.

2. However, the amounts of the aid will be confirmed or replaced with effect from 29 September 1989 to take account for the 1989/90 marketing year, as the case may be, of the consequences of the application of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 269, 16. 9. 1989, p. 29.

COMMISSION REGULATION (EEC) No 2916/89
of 28 September 1989
fixing the import levies on milk and milk products

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

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

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

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1167/89 ⁽³⁾, as last amended by Regulation (EEC) No 2775/89 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 28 September 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 121, 29. 4. 1989, p. 20.

⁽⁴⁾ OJ No L 268, 15. 9. 1989, p. 9.

ANNEX

to the Commission Regulation of 28 September 1989 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		12,62
0401 10 90		11,41
0401 20 11		17,82
0401 20 19		16,61
0401 20 91		22,89
0401 20 99		21,68
0401 30 11		59,80
0401 30 19		58,59
0401 30 31		116,40
0401 30 39		115,19
0401 30 91		196,97
0401 30 99		195,76
0402 10 11		77,43
0402 10 19		70,18
0402 10 91	(¹)	0,7018/kg + 20,78
0402 10 99	(¹)	0,7018/kg + 13,53
0402 21 11		129,54
0402 21 17		122,29
0402 21 19		122,29
0402 21 91		174,39
0402 21 99		167,14
0402 29 11	(¹) (²)	1,2229/kg + 20,78
0402 29 15	(¹)	1,2229/kg + 20,78
0402 29 19	(¹)	1,2229/kg + 13,53
0402 29 91	(¹)	1,6714/kg + 20,78
0402 29 99	(¹)	1,6714/kg + 13,53
0402 91 11		31,00
0402 91 19		31,00
0402 91 31		38,75
0402 91 39		38,75
0402 91 51		116,40
0402 91 59		115,19
0402 91 91		196,97
0402 91 99		195,76
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,1277/kg + 17,16
0402 99 39	(¹)	1,1277/kg + 15,95
0402 99 91	(¹)	1,9334/kg + 17,16
0402 99 99	(¹)	1,9334/kg + 15,95

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

CN code	Note	Import levy
0403 10 11		20,23
0403 10 13		25,30
0403 10 19		62,21
0403 10 31	(¹)	0,1419/kg + 19,57
0403 10 33	(¹)	0,1926/kg + 19,57
0403 10 39	(¹)	0,5617/kg + 19,57
0403 90 11		77,43
0403 90 13		129,54
0403 90 19		174,39
0403 90 31	(¹)	0,7018/kg + 20,78
0403 90 33	(¹)	1,2229/kg + 20,78
0403 90 39	(¹)	1,6714/kg + 20,78
0403 90 51		20,23
0403 90 53		25,30
0403 90 59		62,21
0403 90 61	(¹)	0,1419/kg + 19,57
0403 90 63	(¹)	0,1926/kg + 19,57
0403 90 69	(¹)	0,5617/kg + 19,57
0404 10 11		27,77
0404 10 19	(¹)	0,2777/kg + 13,53
0404 10 91	(²)	0,2777/kg
0404 10 99	(²)	0,2777/kg + 13,53
0404 90 11		77,43
0404 90 13		129,54
0404 90 19		174,39
0404 90 31		77,43
0404 90 33		129,54
0404 90 39		174,39
0404 90 51	(¹)	0,7018/kg + 20,78
0404 90 53	(¹)	1,2229/kg + 20,78
0404 90 59	(¹)	1,6714/kg + 20,78
0404 90 91	(¹)	0,7018/kg + 20,78
0404 90 93	(¹)	1,2229/kg + 20,78
0404 90 99	(¹)	1,6714/kg + 20,78
0405 00 10		202,37
0405 00 90		246,89
0406 10 10		221,68
0406 10 90		281,97
0406 20 10	(²)	369,81
0406 20 90		369,81
0406 30 10	(²)	171,81
0406 30 31	(²)	170,41
0406 30 39	(²)	171,81
0406 30 90	(²)	268,53
0406 40 00	(²)	158,11
0406 90 11	(²)	237,59

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

CN code	Note	Import levy
0406 90 13	(³)	243,86
0406 90 15	(³)	243,86
0406 90 17	(³)	243,86
0406 90 19	(³)	369,81
0406 90 21	(³)	237,59
0406 90 23	(³)	185,25
0406 90 25	(³)	185,25
0406 90 27	(³)	185,25
0406 90 29	(³)	185,25
0406 90 31	(³)	185,25
0406 90 33		185,25
0406 90 35	(³)	185,25
0406 90 37	(³)	185,25
0406 90 39	(³)	185,25
0406 90 50	(³)	185,25
0406 90 61		369,81
0406 90 63		369,81
0406 90 69		369,81
0406 90 71		221,68
0406 90 73		185,25
0406 90 75		185,25
0406 90 77		185,25
0406 90 79		185,25
0406 90 81		185,25
0406 90 83		185,25
0406 90 85		185,25
0406 90 89	(³)	185,25
0406 90 91		221,68
0406 90 93		221,68
0406 90 97		281,97
0406 90 99		281,97
1702 10 10		35,49
1702 10 90		35,49
2106 90 51		35,49
2309 10 15		55,06
2309 10 19		71,20
2309 10 39		67,50
2309 10 59		57,53
2309 10 70		71,20
2309 90 35		55,06
2309 90 39		71,20
2309 90 49		67,50
2309 90 59		57,53
2309 90 70		71,20

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

COMMISSION REGULATION (EEC) No 2917/89

of 28 September 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2860/89 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1806/89 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2613/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 2885/89 ⁽⁸⁾;

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

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

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

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

Whereas these exchange rates being those recorded on 27 September 1989;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74 of the Commission ⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2613/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 29 September 1989.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 252, 30. 8. 1989, p. 16.

⁽⁸⁾ OJ No L 277, 27. 9. 1989, p. 27.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 ⁽¹⁾	37,96	109,37	114,20
0714 10 91	34,94	109,37	111,18
0714 10 99	37,96	109,37	114,20
0714 90 11	34,94	109,37 ⁽²⁾	111,18
0714 90 19	37,96	109,37 ⁽²⁾	114,20
1102 90 10	68,93	200,12	206,16
1103 19 30	68,93	200,12	206,16
1103 29 20	68,93	200,12	206,16
1104 11 10	38,66	113,40	116,42
1104 11 90	75,92	222,36	228,40
1104 21 10	58,92	177,89	180,91
1104 21 30	58,92	177,89	180,91
1104 21 50	93,39	277,95	283,99
1104 21 90	38,66	113,40	116,42
1106 20 10	37,96	107,55 ⁽²⁾	114,20
1107 10 91	73,07	197,90	208,78 ⁽²⁾
1107 10 99	57,35	147,87	158,75
1107 20 00	65,04	172,33	183,21 ⁽²⁾
2302 10 10	18,01	51,20	57,20
2302 10 90	31,73	109,71	115,71
2302 20 10	18,01	51,20	57,20
2302 20 90	31,73	109,71	115,71
2302 30 10	18,01	51,20	57,20
2302 30 90	31,73	109,71	115,71
2302 40 10	18,01	51,20	57,20
2302 40 90	31,73	109,71	115,71

⁽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.

COMMISSION REGULATION (EEC) No 2918/89

of 28 September 1989

on the sale at a price fixed in advance of unprocessed dried grapes (sultanas)
from the 1988 harvest held by Greek storage agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1125/89⁽²⁾, and in particular Article 8 (8) thereof,

Having regard to Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables⁽³⁾, as amended by Regulation (EEC) No 2367/89⁽⁴⁾, and in particular Article 6 (1) thereof,

Whereas the Greek storage agencies have, pursuant to Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies⁽⁵⁾, as last amended by Regulation (EEC) No 2328/88⁽⁶⁾, purchased unprocessed dried grapes (sultanas) from the 1988 harvest; whereas in the light of the situation on the market in dried grapes the dried grapes (sultanas) should be offered for sale at prices fixed in advance for processing within the Community for consumption; whereas the selling shall take place in accordance with the provisions of Regulation (EEC) No 626/85;

Whereas when fixing the sale price it must be taken into consideration that the products are no longer eligible for production aid;

Whereas the processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be fixed at such a level that any abuse can be avoided;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agencies listed in Annex I shall undertake the sale of unprocessed currants from the 1988 harvest, the qualities and prices of which are stated in Annex II.
2. Applications to purchase shall be submitted in writing to each storage agency in question at the headquarters of Idagep, 241 Acharnon Street, GR-Athens.
3. Information on the quantities and the places where the products are stored may be obtained by those concerned from the addresses given in Annex I.

Article 2

The processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be ECU 20 per 100 kilograms net.

Article 3

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

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 225, 3. 8. 1989, p. 1.

⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁶⁾ OJ No L 202, 27. 7. 1988, p. 45.

*ANNEX I***List of storage agencies referred to in Article 1 of this Regulation****SULTANAS**

1. KSOS, 24 Kanari Street, Athens, Greece.
2. Enosis Georgikon Sineterismon Iracliou Crete, Iraclio Crete, Greece.
3. Enosis Georgikon Sineterismon Messaras, Mires Iracliou Crete, Greece.
4. Enosis Georgikon Sineterismon Monofatsiou, Assimi Iracliou Crete, Greece.
5. Enosis Agrotikon Sineterismon Pezon-Kallonis, Iracliou Critis, Greece.
6. Enosis Agrotikon Sineterismon Sitias, Sitias Critis, Greece.
7. Agroticos Sineterismos Croussonos, Crousson Critis, Greece.
8. Agroticos Eleourgicos, Oinopiiticos Sineterismos, Kasteli Pediados Critis, Greece.
9. Oinopiiticos Eleourgicos Sineterismos, Ano Archan, Archanes Critis, Greece.

*ANNEX II***Qualities and prices of the dried grapes referred to in Article 1**

	(ECU/100 kg)
Sultana No 1	55,758
Sultana No 2	54,593
Sultana No 4	52,807
Sultana No 5	50,477

COMMISSION REGULATION (EEC) No 2919/89

of 28 September 1989

on the sale at a price fixed in advance of unprocessed currants from the 1988
harvest held by Greek storage agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1125/89 ⁽²⁾, and in particular Article 8 (8) thereof,

Having regard to Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾, as amended by Regulation (EEC) No 2367/89 ⁽⁴⁾, and in particular Article 6 (1) thereof,

Whereas the Greek storage agencies have, pursuant to Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 2328/88 ⁽⁶⁾, purchased unprocessed currants from the 1988 harvest; whereas in the light of the situation on the market in dried grapes the currants should be offered for sale at prices fixed in advance for processing within the Community for consumption; whereas the selling shall take place in accordance with the provisions of Regulation (EEC) No 626/85;

Whereas when fixing the sale price it must be taken into consideration that the products are no longer eligible for production aid;

Whereas the processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be fixed at such a level that any abuse can be avoided;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agencies listed in Annex I shall undertake the sale of unprocessed currants from the 1988 harvest, the qualities and prices of which are stated in Annex II.
2. Applications to purchase shall be submitted in writing to each storage agency in question at the headquarters of Idagep, 241 Acharnon Street, GR-Athens.
3. Information on the quantities and the places where the products are stored may be obtained by those concerned from the addresses given in Annex I.

Article 2

The processing security provided for in Article 6 (1) of Regulation (EEC) No 626/85 shall be ECU 20 per 100 kilograms net.

Article 3

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

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.
⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.
⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.
⁽⁴⁾ OJ No L 225, 3. 8. 1989, p. 1.
⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.
⁽⁶⁾ OJ No L 202, 27. 7. 1988, p. 45.

*ANNEX I***List of storage agencies referred to in Article 1 of this Regulation**

1. ASO, Mezonos 241, Patras, Greece.
2. Panegialios Enosis Sineterismon, Egion, Greece.

*ANNEX II***Qualities and prices of the unprocessed currants from the 1988 harvest referred to in Article 1**

Category	ECU/100 kg net
1. 'Shade', Eghion region	54,487
2. 'Select Sun', Eghion region	53,334
3. 'Shade', Corinth region	52,950
4. 'Select Sun', Corinth region	51,387
5. 'Regular', Eghion region	50,644
6. 'Select Sun' from Patras, the Ionian Islands, the Prefecture of Ilias, Triphilias, and Pylas	49,953
7. 'Regular', Corinth region	49,953
8. 'Select Sun', remainder of Messinia	49,184
9. 'Regular', from Patras, the Ionian Islands, the Prefecture of Ilias, Triphilias and Pylas	48,416
10. 'Regular', remainder of Messinia	47,647
11. 'Regular', other regions	43,575

COMMISSION REGULATION (EEC) No 2920/89

of 28 September 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2860/89 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1989 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	06	95,00
	07	95,00
	02	0
1001 10 90 000	01	10,00
1001 90 91 000	08	35,00
	02	0
1001 90 99 000	04	25,00
	05	25,00
	10	45,00
	02	10,00
1002 00 00 000	03	25,00
	05	25,00
	02	10,00
1003 00 10 000	09	57,00
	02	0
1003 00 90 000	04	37,00
	02	0
1004 00 10 000	08	57,00
	02	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	40,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	59,00
1101 00 00 120	01	59,00
1101 00 00 130	01	53,00
1101 00 00 150	01	50,00
1101 00 00 170	01	47,00
1101 00 00 180	01	44,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	59,00
1102 10 00 200	01	59,00
1102 10 00 300	01	59,00
1102 10 00 500	01	59,00
1102 10 00 900	—	—
1103 11 10 100	01	168,00
1103 11 10 200	01	159,00
1103 11 10 500	01	142,00
1103 11 10 900	01	134,00
1103 11 90 100	01	59,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II b),
- 06 Turkey,
- 07 Algeria,
- 08 Zone I,
- 09 Zone VI, Zone I,
- 10 Angola, Benin, Burkina Faso, Burundi, Cameroon, Congo, Ivory Coast, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Equatorial Guinea, Kenya, Madagascar, Mali, Mauritius, Mozambique, Niger, Nigeria, Central African Republic, Rwanda, Senegal, Sierra Leone, Tanzania, Chad, Togo and Zaire.

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

COMMISSION REGULATION (EEC) No 2921/89

of 28 September 1989

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 29 September 1989.

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

Done at Brussels, 28 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 September 1989 fixing the export refunds on rice and broken rice

Product code	Destination (1)	(ECU/tonne) Amount of refunds
1006 20 11 000	—	—
1006 20 13 000	01	116,90
1006 20 15 000	01	116,90
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	116,90
1006 20 96 000	01	116,90
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	116,90
1006 30 25 000	01	116,90
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	116,90
1006 30 46 000	01	116,90
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	146,12
	03	158,12
	05	158,12
	06	163,12
	07	163,12
	08	158,12
	09	158,12
	10	163,12
	11	163,12
	12	163,12
	13	146,12
	14	163,12
	01	146,12
	13	146,12
1006 30 65 100	01	146,12
	03	158,12
	05	158,12
	06	163,12
	07	163,12
	08	158,12
	09	158,12
	10	163,12
	11	163,12
	12	163,12
	13	146,12
	14	163,12
	01	146,12
	13	146,12
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	146,12
	03	158,12
	05	158,12
	06	163,12
	07	163,12
	08	158,12
	09	158,12
	10	163,12
	11	163,12
	12	163,12
	13	146,12
	14	163,12
1006 30 94 900	01	146,12
	13	146,12
1006 30 96 100	01	146,12
	03	158,12
	05	158,12
	06	163,12
	07	163,12
	08	158,12
	09	158,12
	10	163,12
	11	163,12
	12	163,12
	13	146,12
	14	163,12
1006 30 96 900	01	146,12
	13	146,12
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows:

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

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

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 11 April 1989

authorizing the United Kingdom to apply a measure derogating from Article 21 (1) (a) of the Sixth Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes

(89/533/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — common system of value added tax: uniform basis of assessment⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, hereinafter referred to as the 'Sixth Directive' and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 27 (1) of the Sixth Directive, the Council acting unanimously on a proposal from the Commission, may authorize any Member State to introduce special measures for derogation from the provisions of that Directive, in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance;

Whereas the United Kingdom was authorized by a Council Decision deemed to have been adopted on 14 April 1987, in accordance with the procedure laid down by Article 27 (4) of the Sixth Directive, to introduce, for a period of two years from 1 April 1987, a derogation measure to combat tax avoidance;

Whereas the purpose of that measure is to prevent groups of businesses which are treated as a single taxable person

within the meaning of Article 4 (4) of the Sixth Directive and are not entitled to deduct tax in full from being able to enjoy full deduction of the tax on certain transfers of assets;

Whereas to prevent tax avoidance of this type the United Kingdom applies a legislative provision laying down that the company to which such assets are transferred becomes liable to tax;

Whereas the said measure constitutes a derogation from Article 21 (1) (a) of the Sixth Directive, whereby, under the internal system, the person liable for the tax is the taxable person who carries out the taxable transaction;

Whereas the United Kingdom has, by a letter registered at the Commission on 9 January 1989, requested authorization to extend the said measure by one year pending adoption of other provisions to be based on Article 20 of the Sixth Directive;

Whereas the other Member States were informed on 9 February 1989 of the request made by the United Kingdom; whereas the Council's Decision is deemed to have been adopted if, within two months of the other Member States being informed, neither the Commission nor any Member State being informed, neither the Commission nor any Member State has requested that the matter be raised by the Council; whereas no such request has been made; whereas the Council's Decision is thus deemed to have been adopted on 11 April 1989;

Whereas the said derogation measure will have a favourable effect on the European Communities' own resources arising from value added tax,

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

HAS ADOPTED THIS DECISION :

company to which the assets are transferred becomes liable for tax.

Article 1

By way of derogation from the provisions of Article 21 (1) (a) of the Sixth Directive 77/388/EEC, the United Kingdom is hereby authorized to apply until 31 March 1990 a provision whereby, when assets are totally or partially transferred to a company which is a member of a group of businesses treated as a single taxable person within the meaning of Article 4 (4) of the said Directive and which is not entitled to full deduction of tax, the

Article 2

This Decision is addressed to the United Kingdom.

Done at Luxembourg, 11 April 1989.

For the Council

The President

C. SOLCHAGA CATALAN

COUNCIL DECISION

of 24 May 1989

authorizing the United Kingdom to apply, in respect of certain supplies to unregistered resellers, a measure derogating from Article 11 A (1) (a) of the Sixth Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes

(89/534/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 27 (1) of the Sixth Directive, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to introduce special measures for derogation from that Directive, in order to simplify the procedure for charging the tax or to prevent certain types of tax evasion or avoidance;

Whereas the United Kingdom was authorized by Council Decision 85/369/EEC⁽²⁾, deemed to have been adopted on 13 June 1985, in accordance with the procedure laid down by Article 27 (4) of the Sixth Directive, to introduce for a two-year period a derogation from the Sixth Directive to combat tax avoidance;

Whereas certain marketing structures based on sales of goods effected by taxable persons to non-taxable persons with a view to their resale at the retail stage result in avoidance of tax at the stage of final consumption;

Whereas, in order to prevent such tax avoidance, the United Kingdom applies a measure permitting the tax authorities to adopt administrative decisions the effect of which is to tax supplies made by the taxable persons operating such marketing structures on the basis of the open market value of the goods at the retail stage;

Whereas that measure constitutes a derogation from Article 11 A (1) (a) of the Sixth Directive, which stipulates that, within the territory of the country, the taxable amount in respect of supplies of goods is everything

which constitutes the consideration which has been, or is to be, obtained by the supplier from the purchaser or a third party for such supplies;

Whereas the United Kingdom was authorized by the Council Decision deemed to have been adopted on 25 May 1987⁽³⁾ to extend for two years the derogation authorized by Decision 85/369/EEC;

Whereas the United Kingdom's application for that extension was limited to two years because of the proceedings in Joined Cases 138 and 139/86: reference to the Court of Justice by the 'London Value Added Tax Tribunal' for a preliminary ruling in the proceedings pending before that Tribunal between 'Direct Cosmetics Ltd' and 'Laughtons Photographs Ltd' against 'Commissioners of Customs and Excise' on the interpretation of Article 27 of the Sixth Directive and on the validity of Decision 85/369/EEC; whereas, in its judgment of 12 July 1988⁽⁴⁾, the Court of Justice confirmed the validity of that Decision;

Whereas the United Kingdom, by letter received by the Commission on 24 February 1989, requested authorization to extend the said measure for an indefinite period;

Whereas, in its judgment of 12 July 1988, the Court of Justice ruled *inter alia* that Article 27 of the Sixth Directive permitted the adoption of a derogating measure such as that at issue on condition that the resultant difference in treatment was justified by objective circumstances;

Whereas, in order to satisfy itself that this condition is met, the Commission must be informed of any administrative decisions adopted by the tax authorities in connection with the derogation in question;

Whereas the other Member States were notified of the United Kingdom's request on 22 March 1989; whereas the Council Decision is deemed to have been adopted if, within two months of the other Member States being informed, neither the Commission nor any Member State has requested that the matter be raised by the Council; whereas no such request has been made; whereas the Council's Decision is thus deemed to have been adopted on 24 May 1989;

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽²⁾ OJ No L 199, 31. 7. 1985, p. 60.

⁽³⁾ OJ No L 188, 8. 7. 1987, p. 52.

⁽⁴⁾ OJ No C 205, 6. 8. 1988, p. 5.

Whereas the said measure will not have a negative effect on the European Communities' own resources accruing from value added tax,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 11 A (1) (a) of the Sixth Directive, the United Kingdom is hereby authorized to prescribe, in cases where a marketing structure based on the supply of goods through non-taxable persons results in non-taxation at the stage of final consumption, that the taxable amount for supplies to such persons is to be the open market value of the goods as determined at that stage.

Article 2

The United Kingdom shall inform the Commission of any administrative decisions subsequently adopted in connection with the derogation.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 May 1989.

For the Council

The President

C. SOLCHAGA CATALAN