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Legislation

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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3013/89**of 25 September 1989****on the common organization of the market in sheepmeat and goatmeat**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the operation and development of the common market in agricultural products must be accompanied by the establishment of a common agricultural policy involving common organization of the agricultural markets; whereas the form of such organization may vary from one product to another;

Whereas the arrangements introduced by Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽⁴⁾, as last amended by Regulation (EEC) No 1115/88 ⁽⁵⁾, must be reviewed with a view to the full establishment of a single market;

Whereas in order to attain the objectives set out in Article 39 of the Treaty, in particular market stability and a fair standard of living for the agricultural community concerned, it is necessary to retain certain arrangements facilitating adjustment of supply to market requirements; whereas, in particular, Community sheepmeat and goatmeat producers should continue to be granted a premium to compensate for loss of income and intervention measures should be continued;

Whereas the amount of the premium to be granted to producers, determined on the basis of a Community

single income loss, must take account of the different specializations of production systems in the Community; whereas, in order to limit any increase in the budget cost in this sector, provision should be made for limiting the full rate of the premium to 1 000 animals per producer in the less-favoured areas within the meaning of Directive 75/268/EEC ⁽⁶⁾ and to 500 animals per producer in other areas; whereas, above these figures, the premium will continue to be paid at the reduced level of 50 %;

Whereas, as regards intervention measures, provision should be made for them to take the form of private storage aid, which least affects normal marketing of products;

Whereas the purpose of the abovementioned premium is to ensure a fair return for producers; whereas, however, in view of the possibilities for disposal on the Community market and the Community's international commitments, production of sheepmeat and goatmeat should no longer be encouraged once the Community flock exceeds a certain level established in the light of the market situation; whereas to that end provision should be made for reducing the degree of guarantee afforded by the measures in question; whereas the maximum guaranteed level should be fixed at that which obtained for ewes on 31 December 1987 in the regions concerned and provision should be made for its eventual revision;

Whereas provision should be made for the fixing of a basic price at which intervention measures will come into operation and which will protect the Community market against price fluctuations on the world market for certain products in the sector;

Whereas the creation of a single Community market in sheepmeat and goatmeat involves the introduction of a single set of arrangements applying to trade across the Community's external frontiers; whereas arrangements whereby import levies on certain products replace the customs duty should, in combination with the

⁽¹⁾ OJ No C 319, 12. 12. 1988, p. 36.

⁽²⁾ OJ No C 120, 16. 5. 1989, p. 196.

⁽³⁾ OJ No C 56, 6. 3. 1989, p. 41.

⁽⁴⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽⁵⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽⁶⁾ OJ No L 128, 19. 5. 1975, p. 1.

intervention arrangements, serve to stabilize the Community market by preventing fluctuations in world market prices, when these are lower than the basic price, from disturbing prices ruling within the Community;

Whereas, for the purposes of application of the levy arrangements, free-at-Community-frontier offer prices should be fixed on the basis of quotations recorded on the most representative markets of third countries and a special levy should be fixed for the products in question if the offer prices from one or more third countries are abnormally low;

Whereas, for products falling within CN code 0204, for which the rate of duty is bound under GATT, the levies must be limited to the amount so bound or to that resulting from voluntary restraint agreements;

Whereas, so that the trend in imports and exports can be followed, provision should be made for a system of import and export licences involving the provision of security as a guarantee that importation or exportation will be effected;

Whereas provision should be made for granting a refund on exports to third countries equal to the difference between prices within the Community and on the world market;

Whereas, in addition to the system described above, provision should be made for prohibiting in whole or in part, when the situation on the market so requires, the use of inward or outward processing arrangements;

Whereas the customs duty and levy arrangements make it possible to dispense with all other protective measures at the external frontiers of the Community; whereas, however, the mechanism of common prices, customs duties and levies may, in exceptional circumstances, prove defective; whereas in such cases, so as not to leave the Community market without defence against disturbances that may consequently arise, the import barriers that previously existed having been removed, the Community should be able to take all necessary measures without delay;

Whereas restrictions on free movement resulting from the application of measures intended to prevent the spread of animal diseases may cause difficulties on the market of one or more Member States; whereas provision should be made for the introduction of exceptional market support measures in order to remedy such situations;

Whereas, in order to facilitate implementation of the proposed measures, a procedure should be provided for

establishing close cooperation between the Member States and the Commission within a management committee;

Whereas the common organization of the market in sheepmeat and goatmeat must take appropriate account of the objectives set out in both Article 39 and Article 110 of the Treaty;

Whereas the establishment of a single market based on a common price system would be jeopardized by the granting of certain aids; whereas, therefore, the provisions of the Treaty which allows the assessment of aid granted by Member States and the prohibition of that which is incompatible with the common market should be made to apply to sheepmeat and goatmeat;

Whereas the transition from the arrangements established by Regulation (EEC) No 1837/80 to those introduced by this Regulation should be effected as smoothly as possible; whereas, to that end, provision should be made for transitional measures continuing the arrangements previously applied in certain regions, in particular the variable premium and the specific provisions laid down in Article 5 (5) and (5a) of Regulation (EEC) No 1837/80; whereas, should the United Kingdom decide to maintain the variable premium for a transitional period, the guarantee limitation arrangements must be applied separately in Great Britain and in the rest of the Community; whereas gradual alignment of all the arrangements applicable must lead to the existence of a single premium and the limitation of the guarantee by the 1993 marketing year at the latest;

Whereas expenditure incurred by the Member States in carrying out obligations under this Regulation falls to the Community in accordance with Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 2048/88⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The common organization of the market in sheepmeat and goatmeat shall comprise both price and trading arrangements and cover the following products:

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

CN code	Description
(a) 0104 10 90	Live sheep other than pure-bred breeding animals
0104 20 90	Live goats other than pure-bred breeding animals
0204	Meat of sheep or goats, fresh, chilled or frozen
0210 90 11	Meat of sheep and goats, with bone in, salted, in brine, dried or smoked
0210 90 19	Meat of sheep and goats, boneless, salted, in brine, or smoked
(b) 0104 10 10	Live sheep — pure-bred breeding animals
0104 20 10	Live goats — pure-bred breeding animals
0206 80 99	Edible offal of sheep and goats, fresh or chilled, other than for the manufacture of pharmaceutical products
0206 90 99	Edible offal of sheep and goats, frozen, other than for the manufacture of pharmaceutical products
0210 90 60	Edible offal of sheep and goats, salted, in brine, dried or smoked
1502 00 99	Fats of sheep or goats, raw or rendered, whether or not pressed or solvent-extracted
(c) 1602 90 71	Other prepared or preserved meat or offal of sheep or goats, uncooked ; mixtures of cooked and uncooked meat or offal
(d) 1602 90 79	Other prepared or preserved offal of sheep or goats

Article 2

In order to encourage action by trade and joint trade organizations to facilitate the adjustment of supply to market requirements, the following Community measures may be taken in respect of the products listed in Article 1 :

- (a) measures to improve sheep and goat farming ;
- (b) measures to promote better organization of production, processing and marketing ;
- (c) measures to improve quality ;
- (d) measures to permit the establishment of short- and long-term forecasts on the basis of the means of production used ;
- (e) measures to facilitate the recording of market price trends.

General rules concerning these measures shall be adopted in accordance with the procedure laid down in Article 43 (2) of the Treaty.

TITLE 1

Price, premium and intervention arrangements

Article 3

- 1. In accordance with the procedure laid down in Article 43 (2) of the Treaty, a basic price shall be fixed

annually, for the following marketing year, for fresh and chilled sheep carcasses.

- 2. When the basic price is fixed, account shall be taken in particular of :

- (a) the situation on the sheepmeat market during the current year ;
- (b) the prospects for the production and consumption of sheepmeat ;
- (c) sheepmeat production costs ;
- (d) the market situation in the other livestock product sectors, particularly the beef and veal sector ;
- (e) past experience.

The Council, acting by a qualified majority on a proposal from the Commission, shall fix seasonally adjusted basic prices to take account of the normal seasonal variations on the Community market in sheepmeat.

- 3. Save where a decision to the contrary is taken by the Council, acting by a qualified majority on a proposal from the Commission, the marketing year shall begin on the first Monday in January and shall end on the day preceding that day in the following year.

Article 4

1. A weekly average weighted price for the carcasses of sheep, fresh or chilled, on the representative Community markets shall be established on the basis of the prices recorded on the representative market or markets of each quotation area for the Community standard quality of fresh or chilled sheep carcasses, account being taken of the relative volume of total sheepmeat production in each quotation area.

Quotation area shall mean, without prejudice to Article 24:

- Great Britain,
- Northern Ireland,
- every other Member State taken separately.

2. The Community quotation for the standard quality referred to in paragraph 1 shall be the most widespread production, on average throughout the Community, for flocks specialized in the production of sheepmeat which produce heavy lambs. It shall be instituted in all the Member States by 1 January 1991 at the latest.

The Council, acting by a qualified majority on a Commission proposal,

- shall determine the standard quality,
- shall lay down a definition of lambs which are fattened as heavy carcasses.

3. A producer of light lambs is to be understood as any sheep farmer marketing sheep's milk products based on sheep's milk. All other sheep farmers are to be understood as producers of heavy lambs.

4. Member States shall introduce, to the Commission's satisfaction and by the 1991 marketing year at the latest, a mechanism for differentiating between producers of heavy lambs and producers of light lambs.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30.

Article 5

1. To the extent necessary to offset an income loss by sheepmeat producers in the Community during a marketing year, a premium shall be granted.

To this end, a single income loss shall be determined which shall be deemed to be any difference, per 100 kilograms carcass weight, between the basic price referred to in Article 3 (1) and the arithmetic mean of the weekly market prices recorded in accordance with Article 4.

2. The premium payable per ewe to the producers of heavy lambs referred to in Article 4 (3) shall be obtained by multiplying the income loss referred to in paragraph 1 by a coefficient expressing for the Community as a whole the annual average production of meat from heavy lambs per ewe producing such lambs, expressed per 100 kilograms carcass weight.

3. The amount of the premium payable per ewe to the producers of light lambs referred to in Article 4 (3) shall be obtained by multiplying the income loss referred to in paragraph 1 by a coefficient representing 70 % of the coefficient determined in accordance with the provisions of paragraph 2.

4. Each producer shall receive the premium calculated for the category in which he is classified. However, a producer marketing sheep's milk or sheep's milk products will, if he can prove that at least 40 % of the lambs born on his holding have been fattened as heavy carcasses with a view to their slaughter, be able, at his request, to receive the premium for the heavy category, in proportion with the number of lambs born on his holding which are fattened as heavy carcasses.

5. To offset an income loss by goatmeat producers, a premium shall be granted:

- firstly, in the areas indicated in Annex I, and
- secondly, in the mountain and hill areas within the meaning of Article 3 (3) of Directive 75/268/EEC, other than the areas indicated in Annex I to this Regulation, provided that it is established following the procedure referred to in Article 30 that the production of those areas meets the following two criteria:

- (a) goat rearing is mainly directed towards the production of goatmeat;
- (b) goat and sheep rearing techniques are similar in nature.

The premium payable per she-goat shall be 70 % of the amount per ewe in accordance with paragraph 2.

6. Before the end of each half-year, the Commission shall — in accordance with the procedure laid down in Article 30 — assess the foreseeable income loss for the entire marketing year and the foreseeable amount of the premium.

On the basis of this estimated income loss, the Member States shall be authorized to pay all their producers a half-yearly advance payment of 30 % of the expected premium.

Member States may make provision for these two advance payments to take the form of a single payment to producers as of the end of the second half-year.

The amount of the final premium shall be determined without delay after the end of the marketing year in question and not later than 31 March where appropriate, any balance shall be paid.

Premiums shall be paid to recipient producers on the basis of the number of ewes and/or she-goats kept on their holding over a minimum period to be determined in accordance with the procedure laid down in Article 30.

7. Premiums for producers of sheepmeat and goatmeat referred to in this Regulation will be paid at the full rate within the limit of 1 000 animals per producer in the less-favoured areas within the meaning of Article 3 (3), (4) and (5) of Directive 75/268/EEC and within the limit of 500 animals per producer in other areas.

Outside the limits indicated in the first subparagraph, the premiums payable shall be fixed at 50 % of the amount to be calculated.

In the case of groups, associations or other forms of cooperation between producers, the limits indicated in the first subparagraph shall be applied individually to each of the member farmers.

8. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for implementing this Article, and in particular shall define which producers may receive the premium and for which ewes, and in the areas specified in paragraph 5, for which goats.

The Council, by the same procedure :

- may extend the premium to certain mountain-breed ewes raised in precisely defined areas presenting particularly difficult production conditions that do not qualify as eligible ewes : in such cases the premium payable shall be 70 % of that for eligible ewes in accordance with paragraph 2,
- may specify that the premium is to be granted only to producers keeping a minimum number of ewes or, in the case of the areas specified in paragraph 5, a minimum number of ewes and/or she-goats.

9. The Commission, acting in accordance with the procedure laid down in Article 30 :

- shall fix as appropriate the premium payable per ewe to the producers specified in paragraphs 2 and 3 per mountain-breed female within the meaning of paragraph 8 and per she-goat in the areas specified in paragraph 5,
- shall fix for the duration of each marketing year the coefficients referred to in paragraph 2,
- shall adopt implementing rules for this Article covering, in particular, the submission of premium applications and payment of the premium.

10. Expenditure under the arrangements provided for in this Article shall be deemed to form part of intervention for the purpose of stabilizing agricultural markets.

Article 6

Intervention measures may take the form of private storage aid for carcasses of lambs and cuts thereof.

Article 7

1. Where :

- the price established in accordance with Article 4 on the one hand, and
- the market price in a quotation area referred to in Article 4 (1) on the other hand,

are lower than 90 % of the seasonally adjusted basic price referred to in Article 3 (2) and if they are likely to remain so, a decision may be taken to grant private storage aid as provided for in Article 6 to the quotation area concerned.

2. Where :

- the price established in accordance with Article 4 on the one hand,
- the market price in a quotation area on the other hand,

are lower than 85 % of the seasonally adjusted basic price and are likely to remain so, a decision may be taken to grant storage aid as provided for in Article 6 to the quotation area concerned ; in this instance a decision shall be taken solely within the framework of a tendering procedure.

3. Where the market price for a quotation area is lower than 70 % of the seasonally adjusted basic price for two consecutive weeks, the Commission shall decide to open a tendering procedure for the award of private storage aid in the quotation area concerned.

4. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the application of this Article.

5. The procedure laid down in Article 30 shall be used to determine :

- (a) the products and product qualities admitted for private storage ;
- (b) the initiation of the measures referred to in paragraphs 1, 2 and 3 ;
- (c) the private storage aid, the quantities accepted and termination of the period in respect of which aid may be granted ;
- (d) other rules for the implementation of this Article, in particular the circumstances in which the intervention measures will be applied.

Article 8

1. The maximum guaranteed level is hereby fixed at 63 400 000 head of ewes.

2. For each marketing year :

- if the estimate of ewe numbers for the marketing year exceeds the maximum guaranteed level for that year, the premium provided for in Article 5 shall be reduced for both ewes and she-goats by the effect on

the basis price of a coefficient representing a reduction of 1 % for each 1 % by which the maximum guaranteed level is extended,

- where the mechanism provided for in the first indent, applied to the actual ewe numbers recorded for the preceding marketing year, leads to a premium different from that calculated, the correction shall be made at the time of fixing the definitive premium for ewes for the marketing year in question or, failing that, shall be included in the calculation of the premium for the following marketing year.

3. Detailed rules for the application of this Article, and in particular the coefficient and the premium referred to in paragraph 2, shall be adopted in accordance with the procedure laid down in Article 30.

4. The Commission shall submit to the Council, before 31 December 1989, appropriate proposals dealing with arrangements for limiting guarantees.

The Council, acting in accordance with the procedure laid down in Article 43 of the Treaty, shall review the stabilizer mechanism provided for above by 31 December 1992.

TITLE II

Trade with third countries

Article 9

1. The Common Customs Tariff rates of duty shall apply to the products listed in Article 1 (b), (c) and (d).

2. The Common Customs Tariff rates of duty shall not apply to the products listed in Article 1 (a). An import levy shall be applicable to these products as provided for in this Regulation.

Article 10

Import levies shall be fixed each month by the Commission.

If necessary, the Commission may alter the levies in the intervening period.

Article 11

1. The levy on fresh or chilled carcasses as indicated in Annex II under CN codes 0204 10 00, 0204 21 00 and 0204 50 11 shall be equal to the difference between the

seasonally adjusted basic price and the free-at-Community-frontier offer price.

2. The free-at-Community-frontier offer price referred to in paragraph 1 shall be established on the basis of the purchasing possibilities most representative as regards quality and quantity recorded during a period to be determined prior to the fixing of the levy, account being taken in particular of:

- (a) the supply and demand situation for fresh or chilled sheepmeat;
- (b) world market prices for frozen sheepmeat of a category competitive with fresh or chilled sheepmeat; and
- (c) past experience.

If necessary, the free-at-frontier offer price shall be established on the basis of the most representative purchasing possibilities recorded for live sheep.

3. The levy on live-animals of CN codes 0104 10 90 and 0104 20 90 and on meat as indicated in Annex II under codes 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31, 0204 50 39, 0210 90 11 and 0210 90 19 shall be equal to the levy on the product referred to in paragraph 1 multiplied by a standard coefficient fixed for each of the products in question.

4. The levy chargeable shall be that applicable on the day of import.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30.

Article 12

1. The levy on frozen meat as indicated in Annex II under CN codes 0204 30 00, 0204 41 00 and 0204 50 51 shall be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses; and
- (b) the free-at-Community-frontier offer price for the said frozen meat.

2. The free-at-Community-frontier offer price referred to in paragraph 1 (b) shall be established on the basis of the purchasing for frozen meat most representative as regards quality and quantity, recorded during a period to be determined prior to the fixing of the levy, account being taken in particular of:

- (a) the foreseeable trend of the market in frozen meat;
- (b) the most representative prices on third-country markets for fresh or chilled meat of a category competitive with the frozen meat;
- (c) past experience.

3. For the frozen meat as indicated in Annex II under CN codes 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 the levy shall be equal to the levy fixed for the product referred to in paragraph 1, multiplied by a standard coefficient fixed for each of the products in question.

4. The levy chargeable shall be that applicable on the day of importation.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30.

Article 13

1. A special levy may be fixed for products originating in or coming from one or more third countries if such exports are effected at abnormally low prices.

2. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30.

Article 14

By way of derogation from Articles 11, 12 and 13:

- (a) levies on products of CN codes 0104 10 90 and 0104 20 90 shall be limited to the amount resulting from voluntary restraint agreements;
- (b) levies on products of CN code 0204 for which the rate of duty has been bound under the General Agreement on Tariffs and Trade (GATT) shall be limited to the amount resulting from such binding or to that resulting from voluntary trade agreements.

Article 15

1. The importation into the Community or exportation therefrom of any of the products listed in Article 1 (a), (c) and (d) shall be subject to the submission of an import or export licence issued by the Member States to any applicant who so requests, irrespective of the place of his establishment in the Community.

Such import or export licence shall be valid throughout the Community.

The issue of such licences shall be conditional on the provision of a security as a guarantee that importation or exportation will be effected during the period of validity of the licence. The security shall be wholly or partially forfeit if the operation is not carried out, or is only partially carried out, within that period.

2. Detailed rules for the application of this Article, which may in particular lay down a time limit for the issue of the licences, shall be adopted in accordance with the procedure laid down in Article 30.

Article 16

1. To the extent necessary to enable the products listed in Article 1 to be exported, the difference between the prices for those products on the world market and prices within the Community may be covered by an export refund.

2. The refund shall be the same for the whole Community. It may be varied according to end-use or destination.

The refund shall be granted on application.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for granting export refunds and for the advance fixing thereof.

4. Refunds shall be fixed at regular intervals in accordance with the procedure laid down in Article 30. Where necessary the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

5. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30.

Article 17

This Regulation shall be applied with due regard to the Community's obligations under international agreements.

Article 18

To the extent necessary for the proper working of the common organization of the market in sheepmeat, the Council, acting by a qualified majority on a proposal from the Commission, may prohibit, in whole or in part, the use of inward or outward processing arrangements in respect of the products listed in Article 1.

Article 19

1. The general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from the application of this Regulation shall form part of the Common Customs Tariff.

The Council, acting by a qualified majority on a proposal from the Commission, may adjust this Regulation where such adjustment is carried out as a result of an amendment to the nomenclature of the Common Customs Tariff, and may amend the nomenclature used in this Regulation.

2. Unless otherwise provided in this Regulation or otherwise decided by the Council acting by a qualified majority on a proposal from the Commission, the following shall be prohibited in trade with third countries:

- the levying of any charges having effect equivalent to a customs duty,
- the application of any quantitative restriction or measure having equivalent effect.

Article 20

1. If, by reason of imports or exports, the Community market in one or more of the products listed in Article 1 experiences, or is threatened with, serious disturbance liable to imperil the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt detailed rules for the application of this paragraph and define the cases in which the limits within which Member States may take protective measures.

2. If the situation referred to in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide on the necessary measures, which shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within 24 hours following receipt of the request.

3. Measures adopted by the Commission may be referred to the Council by any Member State within three working days following the day on which they were communicated. The Council shall meet without delay. It may, by a qualified majority, amend or repeal the measures in question.

TITLE III

Transitional provisions

Article 21

Until the end of the 1992 marketing year, the provisions of Title I shall be applicable, subject to those of the following Articles.

Article 22

1. The provisions of this Article shall be applicable to the 1990 marketing year.

2. The following regions are hereby defined:

- region 1: Great Britain,
- region 2: rest of the northern part of the Community,
- region 3: Italy and Greece,
- region 4: Spain and Portugal.

3. A price for fresh or chilled sheep carcasses on the representative Community markets shall be established on the basis of the prices recorded on the representative market or markets in each region or, as regards regions 2, 3 and 4 of each Member State, for the various categories of fresh or chilled sheep carcasses, account being taken of both the volume of each category and of the relative volume of sheep production in each region or, as regards regions 2, 3 and 4, in each Member State.

Moreover, a price for fresh or chilled sheep carcasses on the representative market of the area comprising Ireland and Northern Ireland shall be established, account being taken of the relative volume of production on each market.

4. The calculation of the income loss per region shall be deemed to be any difference, per 100 kilograms carcase weight, between the basic price referred to in Article 3 (1) and the arithmetic mean of the weekly market prices recorded for each region in accordance with paragraph 3.

5. Subject to the provisions of Article 24, the premium payable per ewe and per region shall be obtained by multiplying the income loss referred to in paragraph 4 by a coefficient expressing for each region the average annual production of lambmeat per ewe per 100 kilograms carcase weight established on the basis of the statistical data collected in the Commission.

Furthermore, with regard to the she-goats in the areas referred to in Article 5 (5) and the mountain-breed females specified in Article 5 (8), the premium payable shall be 80 % of the amount payable per ewe.

6. However, if a ewe premium is granted for region 2, at the request of the interested parties:

- a ewe premium equal to that payable in region 2 may be granted in region 3, instead of the premium payable in that region, to interested parties who show to the satisfaction of the competent authority that the lambs from the ewes that they hold will not be slaughtered before the age of two months,
- a she-goat premium equal to 80 % of the ewe premium payable in region 2 may be granted in the areas of region 3 indicated in Article 5 (5) instead of the premium payable in that region if the interested parties show to the satisfaction of the competent authority that the kids from the she-goats that they hold will not be slaughtered before the age of two months.

7. The ewe premium calculated for region 4 shall be increased by an amount representing half of the difference between the amount of the premium, calculated for that region and that paid in region 2, where the latter amount is higher.

8. If one or more Member States comprising regions 3 and 4 have introduced, from the 1990 marketing year, the measures provided for in Article 4 (4), that or those Member States shall receive, instead of the provisions in paragraphs 6 and 7:

- in respect of producers of heavy lambs, the premium paid in region 2,
- in respect of producers of light lambs, a premium corresponding to 70 % of the premium for producers of heavy lambs; this premium shall also apply to she-goats.

9. For the purpose of applying the private storage measures provided for in Article 7, market prices in the quotation area shall be established with reference to the provisions laid down in paragraph 3.

Article 23

1. The provisions of this Article shall be applicable for the 1991 and 1992 marketing years.

2. The following regions are hereby defined:

- region 1: Great Britain,
- region 2: rest of the Community.

3. If the provisions of Article 24 are applied, income loss shall be calculated for each of the regions in accordance with the method of calculation provided for in Article 5 (1).

4. Subject to the provisions of Article 24, the premium payable per ewe and per region to the producers of heavy lambs referred to in Article 4 (3) shall be calculated by multiplying the income loss by a coefficient expressing, for each region, the normal annual average production of heavy lambmeat per ewe producing such lambs, expressed in terms of 100 kilograms of carcase weight. The premium payable per ewe to producers of light lambs and the amount payable for she-goat and per rustic mountain breed female shall be 70 % of the amount payable per ewe to producers of heavy lambs.

5. However, until the end of the 1992 marketing year:

- Italy or Greece may, at their request, be authorized to apply the arrangements laid down in Article 22 (6),
- Spain or Portugal may, at their request, be authorized to apply the arrangements laid down in Article 22 (7).

If one or more of those Member States makes use of this possibility:

- the amount payable in region 2, which is taken into consideration, shall be that calculated for producers of heavy lambs,
- the data from those Member States shall not be taken into account for region 2 in calculating the loss of income and the technical coefficient valid for that region.

Article 24

1. The provisions of this Article shall be applicable for the 1990, 1991 and 1992 marketing years.

2. The United Kingdom may grant in Great Britain a premium for the slaughter of sheep provided that prices recorded on the representative markets of that region are below a 'guide level' corresponding to 85 % of the basic price referred to in Article 3 (2).

The guide level referred to in the first subparagraph shall be seasonally adjusted in the same way as the basic price.

3. Should the variable premium be applied, and for each week of a marketing year, the amount of the premium referred to in paragraph 2 shall be equal to a percentage of the difference between the seasonally adjusted guide level and the market price recorded in the region concerned.

That percentage shall be:

- 1990 marketing year: 75 %,
- 1991 marketing year: 55 %,
- 1992 marketing year: 40 %.

Béfore the beginning of the last two marketing years and at the request of the United Kingdom, the Commission may, in accordance with the procedure laid down in Article 30, authorize the said Member State to apply, without prejudice to paragraph 2, a reduction in the percentages provided for the said marketing years.

4. Should the United Kingdom make use of the provisions laid down in paragraphs 2 and 3, the determination of the amount of the ewe premium applicable in Great Britain shall intervene to reduce the income loss by the weighted average of the variable premiums actually granted.

This average, which shall be expressed per 100 kilograms carcase weight, shall be obtained by dividing the total amount of the premiums actually granted by the weight of the certified animals for which the variable premium may be granted on slaughter or, as appropriate, when they are first placed on the market.

If, after application of the provisions of paragraph 8, this reduction gives rise to an interruption in the progress towards a single ewe premium throughout the Community, the Commission, in accordance with the procedure laid down in Article 30, shall adjust the ewe premium to be granted in Great Britain; in this instance, in accordance with the same procedure, an amount corresponding to the adjustment will be deducted from the amount of the ewe premium to be granted in Great Britain for the following marketing year(s).

5. Should the premium referred to in paragraph 2 be paid, the Commission shall adopt the necessary measures to insure the levying on all the products indicated in Article 1 (a) and (c) leaving Great Britain of an amount equivalent to that of the premium actually paid.

6. In respect of the triggering of the private storage aid measures referred to in Article 7, the market prices recorded in Great Britain shall be increased by the impact of the variable premium.

7. However, as long as the United Kingdom has recourse to the provisions of this Article, an income loss and a coefficient expressing the average production of lambmeat per ewe shall be determined separately for the area comprising Ireland and Northern Ireland. This income loss shall be deemed to be the difference between the basic price and the arithmetic mean of the weekly market prices recorded in that area.

8. The income losses in Great Britain on the one hand (impact of the variable premium not deducted), in the Ireland — Northern Ireland area on the other hand and the coefficients referred to in Article 23 (4) and paragraph 7 of this Article shall be gradually merged into a single income loss and single coefficients in proportion to the actual dismantling of the variable slaughter premium during each marketing year.

9. The Commission shall, in accordance with the procedure laid down in Article 30, adopt detailed rules for the application of this Article. These may in particular include measures to prevent any disturbance to trade in livestock, meat or prepared products resulting from the application of the premium arrangement referred to in paragraph 2.

Expenditure incurred under the arrangements provided for in this Article shall be deemed to form part of intervention for the purpose of stabilizing agricultural markets.

Article 25

1. For as long as the United Kingdom has recourse to the provisions of Article 24, the maximum guaranteed level laid down in Article 8 shall be broken down as follows:

- 18 100 000 head for the Great Britain region,
- 45 300 000 head for the other regions.

2. Should Article 8 (2) be applied, the 'guide level' referred to in Article 24 on which the variable premium is to be calculated shall be reduced by the same percentage as that by which the basic price is reduced pursuant to the first indent of Article 8 (2).

3. Should the United Kingdom apply Article 24, Article 8 (2) and paragraph 2 of this Article shall apply separately to the Great Britain region on the one hand and to all the other regions on the other.

4. However, the reductions in the basic price made in respect of Great Britain on the one hand and the rest of the Community on the other shall gradually be merged into a single reduction in proportion to the actual dismantling of the variable slaughter premium during each marketing year.

TITLE IV

General provisions

Article 26

In order to take account of any restrictions on free movement which might result from the application of

measures to prevent the spread of animal diseases, exceptional measures to support any market affected by such restrictions may be taken under the procedure laid down in Article 30, but only to the extent that and for such period as is strictly necessary for the support of that market.

Article 27

Save as otherwise provided in this Regulation, Articles 92, 93 and 94 of the Treaty shall apply to the production of, and trade in, the products listed in Article 1 of this Regulation.

Article 28

Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation.

Rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 30.

Article 29

1. A Management Committee for Sheep and Goats (hereinafter called 'the Committee') is hereby set up, consisting of representatives of the Member States with a representative of the Commission as chairman.

2. Within the Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The chairman shall not vote.

Article 30

1. Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to the Committee either on his own initiative or at the request of the representative of a Member State.

2. The Commission representative shall submit a draft of the measures to be taken. The Committee shall deliver its opinion on such measures within a time limit to be set by the chairman according to the urgency of the matter. Opinions shall be adopted by a majority of 54 votes.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated by the Commission to the Council. In that event the Commission may, for not more than one month from the date of such communication, defer application of the measures which it has adopted.

The Council, acting by a qualified majority, may take a different decision within one month.

Article 31

The Committee may consider any other question referred to it by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 32

This Regulation shall be so applied that appropriate account is taken of the objectives set out in both Article 39 and Article 110 of the Treaty.

Article 33

The Annexes may be amended by the Council, acting by a qualified majority on a proposal from the Commission.

Article 34

The transitional provisions required in order to bring into operation Article 24 (5) relating to trade with third countries shall be adopted in accordance with the procedure laid down in Article 30.

Article 35

1. Regulation (EEC) No 1837/80 is hereby repealed with the exception of the measures provided for in Article 5, paragraph 5a of which shall be extended; these measures shall remain applicable to the premiums granted for the 1989 marketing year.

2. References to the Regulation repealed by paragraph 1 shall be construed as references to this Regulation.

Article 36

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

It shall apply from 1 January 1990.

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 I

1. FRANCE : Corsica.
2. GREECE : the whole country.
3. ITALY : Lazio, Abruzzo, Molise, Campania, Apulia, Basilicata, Calabria, Sicily and Sardinia.
4. SPAIN : the autonomous communities of Andalusia, Aragón, the Balearic Islands, Castile-La Mancha, Castile-Léon, Catalonia, Extremadura, Galicia (with the exception of the provinces of Corunna and Lugo), Madrid, Murcia, La Rioja and Valenciana.
5. PORTUGAL : the whole country, with the exception of the Azores and Madeira.

ANNEX II

CN code	Description
Section (a)	
	Meat of sheep and goats, fresh or chilled :
0204 10 00	— Carcases and half-carcases of lamb
0204 21 00	— Carcases and half-carcases of sheep other than those of lamb
0204 22 10	— Short forequarters of sheep
0204 22 30	— Chines and/or best ends of sheep
0204 22 50	— Legs of sheep
0204 22 90	— Other cuts with bone in of sheep
0204 23 00	— Boneless cuts of sheep
0204 50 10	— Carcases and half-carcases of goats
0204 50 13	— Short forequarters of goats
0204 50 15	— Chines and/or best ends of goats
0204 50 19	— Legs of goats
0204 50 31	— Other cuts with bone in of goats
0204 50 39	— Boneless cuts of goats
Section (b)	
	Meat of sheep and goats, salted, in brine, dried or smoked :
0210 90 11	— With bone in
0210 90 19	— Boneless
Section (c)	
	Meat of sheep and goats, frozen :
0204 30 00	— Carcases and half-carcases of lamb
0204 41 00	— Carcases and half-carcases of sheep, other than those of lamb
0204 42 10	— Short forequarters of sheep
0204 42 30	— Chines and/or best ends of sheep
0204 42 50	— Legs of sheep
0204 42 90	— Other cuts with bone in of sheep
0204 43 00	— Boneless cuts of sheep
0204 50 51	— Carcases and half-carcases of goats
0204 50 53	— Short forequarters of goats
0204 50 55	— Chines and/or best ends of goats
0204 50 59	— Legs of goats
0204 50 71	— Other cuts with bone in of goats
0204 50 79	— Boneless cuts of goats

COUNCIL REGULATION (EEC) No 3014/89

of 3 October 1989

establishing Community surveillance for certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco which are subject to reference quantities (1990)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries (1), and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Additional Protocols to the Cooperation Agreements between the European Economic Community and Cyprus (2), Yugoslavia (3), Egypt (4), Jordan (5), Israel (6), Tunisia (7), Syria (8), Malta (9) and Morocco (10), have been concluded; whereas these Protocols provided for the progressive reduction, subject to reference quantities laid down within a set timetable, of the customs duties applicable to certain agricultural products originating in those countries and covered by the respective Agreements;

Whereas, by virtue of Article 3 (2) of Regulation (EEC) No 451/89, a surveillance system is provided for the agricultural products in question; whereas it is appropriate therefore to submit the imports of products subject to reference quantities, shown in the Annex, to a system of surveillance for the year 1990; whereas, however, the agricultural products mentioned in Article 1 of the said Regulation are subject only to normal statistical surveillance;

Whereas, under the respective Agreements, when the rate of customs duty applied to imports into the Community of Ten of a product subject to a reference quantity is lower than that applying in respect of Spain, Portugal or both of these Member States, the process of dismantling begins once duty on imports of that product from Spain and Portugal falls below that applied to imports of the product in question from the other countries; whereas, for this reason, the Annex to this Regulation lists only

products in respect of which tariff dismantling begins or continues in 1990;

Whereas the application of these arrangements requires that the Community be kept regularly informed of the progress of such imports originating in the countries in question; whereas this objective may be achieved by means of an administrative procedure whereby imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation;

Whereas the said administrative procedure requires close and rapid cooperation between the Member States and the Commission, which must, in particular, be able to monitor the charging of amounts against the reference quantities and keep the Member States informed,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco for which reference quantities shall be set within pre-determined timetables shall be subject to Community surveillance.

The description of the products referred to in the first subparagraph, their serial numbers, their CN codes, Taric codes and the quantities and timetable applying to the reference quantities are given in the table in the Annex.

2. Amounts shall be charged by Member States against the reference quantities as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate conforming to the rules laid down in the Protocol concerning the definition of the concept of originating products annexed to each Agreement with the countries concerned.

Where the movement certificate is produced at a later date, the amount shall be charged against the corresponding reference quantity at the date of acceptance of the declaration of release for free circulation.

3. Member States shall forward to the Commission:

— not later than 15 July 1990 the final returns for the amounts charged against the reference quantities of the products bearing serial numbers 18.0010, 18.0040, 18.0140 or 18.0150,

(1) OJ No L 52, 24. 2. 1989, p. 7.

(2) OJ No L 393, 31. 12. 1987, p. 2.

(3) OJ No L 389, 31. 12. 1987, p. 73.

(4) OJ No L 297, 21. 10. 1987, p. 11.

(5) OJ No L 297, 21. 10. 1987, p. 19.

(6) OJ No L 327, 30. 11. 1988, p. 36.

(7) OJ No L 297, 21. 10. 1987, p. 36.

(8) OJ No L 327, 30. 11. 1988, p. 58.

(9) OJ No L 81, 23. 3. 1989, p. 1.

(10) OJ No L 224, 13. 8. 1988, p. 18.

- not later than 15 September 1990, the final return for the amounts charged against the reference quantities of the products bearing serial numbers 18.0015 and 18.0130,
- by 15 October 1990, and not later than the fifteenth day of each subsequent month, the returns for the cumulative amounts charged during the period 1 January to 30 September, and during the preceding month respectively, against the reference quantities of the products bearing serial numbers 18.0070, 18.0080, 18.0090, 18.0100, 18.0170, 18.0180, 18.0200, 18.0220 and 18.0230,
- by 15 November 1990, and not later than the fifteenth day of each subsequent month, the return for the

cumulative amounts charged during the preceding month against the reference quantities of the products bearing serial number 18.0050.

The level of utilization of a reference quantity shall be determined at Community level on the basis of imports charged against it in the manner described in this paragraph.

Article 2

This Regulation shall enter into force on 1 January 1990.

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

Done at Luxembourg, 3 October 1989.

For the Council

The President

R. DUMAS

ANNEX

Serial No	CN code	TARIC code	Description (a)	Timetable	Origin	Reference quantity (in tonnes)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18.0010	ex 0701 90 51	0701 90 51*10 0701 90 51*20	New potatoes	1. 1. - 31. 3.	Tunisia	2 600
18.0015	0701 90 51 ex 0701 90 59	0701 90 59*10	New potatoes	1. 1. - 15. 5. 16. 5. - 31. 5.	Malta	3 000
18.0040	ex 0707 00 11	0707 00 11*12	Cucumbers of a length not exceeding 15 cm	1. 1. - 28. 2. 1. 1. - 28. 2. 1. 1. - 28. 2.	Egypt Jordan Malta	100 100 50
18.0050	0709 10 00		Artichokes	1. 10. - 31. 12. 1. 10. - 31. 12.	Egypt Cyprus	100 100
18.0070	0709 60 10		Sweet peppers	1. 1. - 31. 12.	Morocco	1 000
18.0080	0712 20 00		Onions, dried	1. 1. - 31. 12.	Syria	700
18.0090	ex 0712 90 90	0712 90 90*20	Garlic, dried	1. 1. - 31. 12.	Egypt	1 000
18.0100	0713 10 11 0713 10 19		Peas, for sowing	1. 1. - 31. 12.	Morocco	400
18.0130	ex 0806 10 15	0806 10 15*50 0806 10 15*60 0806 10 15*70 0806 10 15*80 0806 10 15*91	Fresh table grapes	1. 2. - 30. 6.	Israel	1 900
18.0140	ex 0807 10 90	0807 10 90*13 0807 10 90*17	Melons of a weight not exceeding 600 grams	1. 1. - 31. 3. 1. 1. - 31. 3.	Egypt Jordan	100 100
18.0150	0810 90 10		Kiwifruit (Actinidia Chinensis Planch.)	1. 1. - 30. 4. 1. 1. - 30. 4. 1. 1. - 30. 4.	Israel Cyprus Morocco	200
18.0170	ex 2001 10 00	2001 10 00*11 2001 10 00*19	Cucumbers, preserved by vinegar	1. 1. - 31. 12.	Yugoslavia	3 000
18.0180	ex 2004 90 30 2005 30 00	2004 90 30*10	Sauerkraut	1. 1. - 31. 12.	Yugoslavia	150
18.0200	2008 50 61		Apricots	1. 1. - 31. 12.	Morocco	6 300
18.0220	ex 2008 30 91	2008 30 91*12 2008 30 91*91	Pulp of citrus fruit	1. 1. - 31. 12.	Israel	2 900
18.0230	ex 2008 50 99 ex 2008 70 99	2008 50 99*10 2008 70 99*10	Apricots and peaches in halves (including nectarine halves)	1. 1. - 31. 12.	Morocco	6 000

(a) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the designation of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the application of the CN code. Where ex CN code positions are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

COMMISSION REGULATION (EEC) No 3015/89

of 6 October 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 5 October 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 7 October 1989.

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

Done at Brussels, 6 October 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 6 October 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	20,52	121,50
0712 90 19	20,52	121,50
1001 10 10	22,81	161,55 ⁽¹⁾ ⁽²⁾
1001 10 90	22,81	161,55 ⁽¹⁾ ⁽²⁾
1001 90 91	20,40	111,28
1001 90 99	20,40	111,28
1002 00 00	47,56	111,34 ⁽³⁾
1003 00 10	38,34	114,33
1003 00 90	38,34	114,33
1004 00 10	29,74	105,73
1004 00 90	29,74	105,73
1005 10 90	20,52	121,50 ⁽³⁾ ⁽²⁾
1005 90 00	20,52	121,50 ⁽³⁾ ⁽²⁾
1007 00 90	38,34	127,03 ⁽⁴⁾
1008 10 00	38,34	0,00
1008 20 00	38,34	77,33 ⁽⁴⁾
1008 30 00	38,34	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	38,34	0,00
1101 00 00	42,00	169,23
1102 10 00	80,02	170,07
1103 11 10	49,83	264,88
1103 11 90	44,89	182,30

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3016/89

of 6 October 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 5 October 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 7 October 1989.

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

Done at Brussels, 6 October 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 6 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0,32	0,32	0
0712 90 19	0	0,32	0,32	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	0,81
1004 00 90	0	0	0	0,81
1005 10 90	0	0,32	0,32	0
1005 90 00	0	0,32	0,32	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 3017/89**of 6 October 1989****fixing the import levies on rice and broken rice**

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

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

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 1806/89 ⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 2637/89 ⁽⁵⁾, as
last amended by Regulation (EEC) No 2924/89 ⁽⁶⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2637/89 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 the products listed in
Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 255, 1. 9. 1989, p. 8.

⁽⁶⁾ OJ No L 281, 30. 9. 1989, p. 5.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	138,95	285,10
1006 10 23	—	193,52	125,41	258,03
1006 10 25	—	193,52	125,41	258,03
1006 10 27	—	193,52	125,41	258,03
1006 10 92	—	—	138,95	285,10
1006 10 94	—	193,52	125,41	258,03
1006 10 96	—	193,52	125,41	258,03
1006 10 98	—	193,52	125,41	258,03
1006 20 11	—	—	174,59	356,38
1006 20 13	—	241,91	157,67	322,54
1006 20 15	—	241,91	157,67	322,54
1006 20 17	—	241,91	157,67	322,54
1006 20 92	—	—	174,59	356,38
1006 20 94	—	241,91	157,67	322,54
1006 20 96	—	241,91	157,67	322,54
1006 20 98	—	241,91	157,67	322,54
1006 30 21	13,05	—	226,42	476,69
1006 30 23	12,97	379,81	241,32	506,41
1006 30 25	12,97	379,81	241,32	506,41
1006 30 27	12,97	379,81	241,32	506,41
1006 30 42	13,05	—	226,42	476,69
1006 30 44	12,97	379,81	241,32	506,41
1006 30 46	12,97	379,81	241,32	506,41
1006 30 48	12,97	379,81	241,32	506,41
1006 30 61	13,90	—	241,49	507,68
1006 30 63	13,90	407,16	259,09	542,88
1006 30 65	13,90	407,16	259,09	542,88
1006 30 67	13,90	407,16	259,09	542,88
1006 30 92	13,90	—	241,49	507,68
1006 30 94	13,90	407,16	259,09	542,88
1006 30 96	13,90	407,16	259,09	542,88
1006 30 98	13,90	407,16	259,09	542,88
1006 40 00	0	—	54,85	115,70

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

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

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

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

COMMISSION REGULATION (EEC) No 3018/89
of 6 October 1989
fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 ⁽³⁾, as last amended by Regulation (EEC) No 2925/89 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.

⁽⁴⁾ OJ No L 281, 30. 9. 1989, p. 7.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 10	1st period 11	2nd period 12	3rd period 1
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 3019/89

of 6 October 1989

altering the specific agricultural conversion rates applicable in the rice sector

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

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾, and in particular Article 2 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1889/87 ⁽⁴⁾, and in particular Article 9 (2) thereof,

Whereas by Commission Regulation (EEC) No 3294/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 2654/89 ⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 3521/88 ⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Greek drachma, the Spanish peseta, the Italian lira and the pound sterling, recorded in accordance with Regulation (EEC) No 3153/85 during the period 27 September to 3 October 1989, requires the specific agricultural conversion rates applicable for Greece, Spain, Italy and the United Kingdom to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.

⁽⁶⁾ OJ No L 255, 1. 9. 1989, p. 62.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 307, 12. 11. 1988, p. 28.

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

(Regulation (EEC) No 3294/86)

ECU 1	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	203,425
	= Pta	147,239
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 688,73
	= Fl	2,63785
	= £	0,765209

COMMISSION REGULATION (EEC) No 3020/89**of 6 October 1989****amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EEC) No 2859/89 ⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2) and (3) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in

an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 7 October 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 274, 23. 9. 1989, p. 39.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1

Member States or regions of a Member State and quality groups referred to in Article 1

États membres ou régions d'États membres et groupes de qualité visés à l'article 1^{er}

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1

In artikel 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no artigo 1º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique/België			×			
Deutschland					×	×
España			×			
Ireland					×	×
Luxembourg			×			×
Northern Ireland					×	×

COMMISSION REGULATION (EEC) No 3021/89
of 6 October 1989
on the supply of whole milk powder 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 the UNRWA, 51 tonnes of whole milk powder to be supplied;

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

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex 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, 6 October 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

LOTS A and B

1. **Operation Nos** ⁽¹⁾: 472 and 473/89 — Commission Decision of 19. 4. 1989
2. **Programme**: 1989
3. **Recipient** ⁽²⁾ ⁽¹²⁾: UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna (telex 135310 UNRWA A)
4. **Representative of the recipient** ⁽³⁾ ⁽⁷⁾:
Lot A: UNRWA, Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem, Israel.
Lot B: UNRWA, Field Supply and Transport Officer, Syrian Arab Republic, PO Box 4313, Damascus, Syrian Arab Republic.
5. **Place or country of destination**: Lot A: Israel; Lot B: Syria
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods**: ⁽²⁾ ⁽⁶⁾
8. **Total quantity**: 51 tonnes
9. **Number of lots**: two (A: 34 tonnes; B: 17 tonnes)
10. **Packaging and marking** ⁽¹⁰⁾: 1 kg in 20-foot containers; OJ No C 216, 14. 8. 1987, pp. 4 and 5 (under I.1.B.4 and I.1.B.4.1).
Lot A: ⁽⁹⁾ ⁽¹⁰⁾; Lot B: ⁽¹⁰⁾.
Supplementary markings on the packaging: see Annex II
11. **Method of mobilization**: Community market
The manufacture of the whole milk powder must be carried out after the award of the tender
12. **Stage of supply** ⁽¹¹⁾: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Ashdod; Lot B: Latakia
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**: Lot A: 6 to 12. 11. 1989; Lot B: 6 to 12. 12. 1989
18. **Deadline for the supply**: Lot A: 17. 12. 1989; Lot B: 17. 1. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽⁸⁾: 23. 10. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 11. 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: Lot A: 20 to 26. 11. 1989; Lot B: 20 to 26. 12. 1989
 - (c) deadline for the supply: Lot A: 31. 12. 1989; Lot B: 31. 1. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: 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 Bruxelles, telex 22037 AGREC B
25. **Refund payable on request by the successful tenderer** ⁽⁹⁾: refund applicable on 15. 9. 1989 fixed by Commission Regulation (EEC) No 2780/89 (OJ No L 268, 15. 9. 1989, p. 21)

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) The whole milk powder with 26 % minimum fat content must be obtained by the spray method and must be manufactured not more than one month before the date of shipment. The quality must be extra grade and the milk powder must have the following characteristics :
- | | |
|--|---|
| (a) fat content : | 26,0 % minimum |
| (b) water content : | 2,5 % maximum |
| (c) titratable acidity (in solids, / non-fat) : ADMI | |
| — as ml of decinormal sodium hydroxide solution : | 3,0 % maximum |
| — as lactic acid : | 0,15 % maximum |
| (d) lactate content (in solids, / non-fat) | 150 mg/100 g maximum |
| (e) additives : | none |
| (f) phosphatase test : | negative, i.e. not more than 4 µg of phenol per g of reconstituted milk |
| (g) solubility index : | 0,5 ml maximum |
| (h) burnt : | 15,0 mg maximum, i.e. at least disc B |
| (i) micro-organism content : | 50 000 per g maximum |
| (k) coliform test : | negative in 0,1 g |
| (l) buttermilk test : | negative |
| (m) whey test : | negative |
| (n) odour and flavour : | clean |
| (o) appearances : | coloured particles |
- (³) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (⁴) 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
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 36) 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.
- (⁶) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment, and the details of period, rate and other circumstances concerning shipment.
- (⁷) The successful tenderer shall send a copy of the shipping documents to the following address : Delegation of the Commission to (country of destination), s/c service 'valise diplomatique', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.
- (⁸) Certificates and documents required for each shipment :
- one original and two copies of insurance certificates
 - one original and two copies of health certificate
 - one original and two copies of inspection certificate regarding quality, quantity and packing
 - one certificate of non-contamination by radioactivity
 - one original and two copies of the certificate of origin.

- (⁹) Consignment to be stowed in 20 foot containers containing not more than 17 metric tonnes each net ; nor more than 30 containers are to be shipped on any vessel.
- (¹⁰) The 1 000 gram sachets for milk powder described in OJ No C 216, 14. 8. 1987, p. 4 and 5 (under I.1.B.4 and I.1.B.4.1), must be made of white polyethylene film.
- (¹¹) The contracted shipping terms shall be considered to be *ex quai* port of destination's container yard. UNRWA shall be granted 20 days (Saturdays, Sundays and official public and religious holidays included) free of container detention charges at the port of discharge taken from the day/time of the relevant customs etc. clearance having been effected. Bonafide detention charges levied in respect of container detention(s) in excess of the said 20 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- (¹²) The supplier is to detail the chief, supply division, UNRWA, Vienna, by telex No 135310 UNRWA A, or by telefax 0222-2307529 the name of the carrying vessel, names and addresses of shipping agent and insurance agent at port of discharge.
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*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II —
BIJLAGE II — ANEXO II*

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	34		UNRWA	Israel	Action No 472/89 / Whole milk powder / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Ashdod / Date of production :...
B	17		UNRWA	Syria	Action No 473/89 / Whole milk powder / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Latakia / Date of production :...

COMMISSION REGULATION (EEC) No 3022/89

of 6 October 1989

on the supply of corned beef 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 1 019 tonnes of corned beef;

Whereas it is necessary to make these supplies 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

Corned beef shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. 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, 6 October 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

1. **Operations Nos (1):** 423 to 425/89
2. **Programme:** 1989
3. **Recipient (2):** UNRWA Headquarters, Vienna International Centre, PO Box 700, A-1400 Vienna (telex 135310 UNRWA A)
4. **Representative of the recipient (2):**
 - A. UNRWA Field Supply and Transport Officer, Syrian Arab Republic, PO Box 4313, Damascus, Syrian Arab Republic
 - B. UNRWA Field Supply and Transport Officer, Jordan, PO Box 484, Amman, Jordan
 - C. UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem, Israel
5. **Place or country of destination:**
 - A: Syrian Arab Republic
 - B: Jordan
 - C: Israel
6. **Product to be mobilized:** corned beef
7. **Characteristics and quality of the goods: (3) (8)**

Corned beef made exclusively of beef

 - Moisture content: maximum 60 %
 - Protein: minimum 21 %, the amount of collagen as a percentage of the total protein contents should not exceed 30 %
 - Fats: maximum 15,5 %
 - Salt: maximum 2 %, 50 ppm maximum total nitrate expressed as sodium nitrate
 - Sugar: maximum 1 %
 - Ash: maximum 3,5 %

The product should not contain bones, ligaments, gristle, hair or extraneous matter, should not be finely minced and should be free from objectionable odours and flavours
8. **Total quantity:** 1 019 tonnes
9. **Number of lots:** three (A: 275 tonnes; B: 245 tonnes; C: 499 tonnes)
10. **Packaging and marking:**

The corned beef must be in tins of 340 g net each. The tins must be hermetically sealed with no trace of corrosion on the seams or internal parts

Special markings/labelling on/of tins: the lithographed label must show:

 - (a) a list of ingredients
 - (b) the net contents of the tin in grams
 - (c) the name and address of the manufacturer
 - (d) the country of origin
 - (e) the words 'NOT FOR SALE. GIFT OF THE EUROPEAN ECONOMIC COMMUNITY' in 5 mm block letters on two sides
 - (f) the production and expiry dates

The production and expiry dates are to be embossed on the lids of the tins. The expiry date to be indicated is the date of production plus four years, hence four years after the date of production

The tins are to be packed in export fibre (maritime) cartons suitable for shipment (sea transport). Each carton is to contain 48 tins, properly sealed upon packing; the sealed cartons must be secured with strong fibre or other suitable securing tape. The cartons must be stowed in 20-foot containers (FLC/LCL shipper's count-load and stowage) (9)

Marking on cartons (in letters at least 5 cm high):

 - A: 'ACTION No 424/89 CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES/LATAKIA'
 - B: 'ACTION No 425/89 CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES/AQABA'
 - C: 'ACTION No 423/89 CORNED BEEF / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES/ASHDOD'

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 :**
 - A : LATAKIA
 - B : AQABA
 - C : ASHDOD (*)
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 :** 23. 12. 1989
19. **Procedure for determining the costs of supply :** invitation to tender
20. **Deadline for the submission of tenders :** 23. 10. 1989 at 12 noon
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 6. 11. 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 : 11 to 15. 12. 1989
 - (c) deadline for the supply : 15. 1. 1990
22. **Amount of tendering security :** ECU 15 per tonne
23. **Amount of delivery security :** 10 % of the tender in ecus
24. **Address for submission of tenders (*) :**

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 application by the successful tenderer (*) :** Refund applicable fixed by Commission Regulation (EEC) No 2655/89 (OJ No L 255, 1. 9. 1989, p. 64)

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 *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (³) The successful tenderer is to deliver to the recipient a certificate from an official entity certifying that, for the product to be delivered, the standards applicable relating to nuclear radiation in the Member State concerned have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), 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 the Annex.
- (⁶) Supply free at terminal, as provided for in Article 14 (5) (a) of Regulation (EEC) No 2200/87, implies that the following costs at the port of landing are to be borne by the successful tenderer :
- should containers be used on an FCL/FCL or LCL/FCL basis, all the costs of unloading and transportation of the containers to the terminal stacking stage, thus excluding THC (terminal handling charges), container destuffing costs, local charges incurred at a later stage, and costs occasioned by delays of detention or returning the containers,
 - should containers be used on an LCL/LCL or FCL/LCL basis, all the costs of unloading and transportation of the containers including, by way of derogation from the aforementioned Article 14 (5) (a), the LCL charges (destuffing of the goods), thus with the exception of the local charges incurred after the stage of destuffing the goods from the containers.
- (⁷) The supplier is to inform the Manager, Supply Division, UNRWA, Vienna, by telex number 135310 UNRWA A, of the name of the carrying vessel and the names and addresses of the shipping agent and insurance agent at the port of landing.
- (⁸) Certificates and documents required for each shipment :
- one original and two copies of insurance certificates,
 - one original and two copies of the health certificate,
 - one original and two copies of the inspection certificate regarding quality, quantity and packing,
 - one certificate of non-contamination by radioactivity.
- (⁹) Ashdod : consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net, not more than 30 containers being shipped on any vessel.

COMMISSION REGULATION (EEC) No 3023/89**of 6 October 1989****opening an invitation to tender for the sale of olive oil held by the Spanish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 12 (4) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78⁽³⁾ provides that olive oil held by the intervention agencies shall be put up for sale by tender;

Whereas, pursuant to Article 1 (2) of Commission Regulation (EEC) No 629/86⁽⁴⁾, the Spanish intervention agency holds in stock large quantities of olive oil;

Whereas Commission Regulation (EEC) No 2960/77⁽⁵⁾, as last amended by Regulation (EEC) No 3818/85⁽⁶⁾, laid down the conditions for the sale by tender on the Community market and for export of olive oil; whereas the state of the market in olive oil is at present favourable for the sale of part of the said oil;

Whereas in the present situation of the market in virgin olive oil where supply is low compared with demand and in order to provide the greatest possible number of operators with a minimum supply for their immediate needs, it should be stipulated that each operator may only submit tenders for a maximum quantity; whereas in order to avoid any misuse of this provision and therefore prevent a limited number of operators from monopolizing the quantities put up for sale, it should be stipulated that only recognized operators may submit tenders in response to this invitation; whereas, for the same purpose and given the particular situation on the Spanish market, certain of the quantities put up for sale should be reserved for packaging plants and refineries;

Whereas special time limits should be laid down for withdrawal of the olive oil to expedite its placing on the market;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Spanish intervention agency 'Servicio Nacional de Productos Agrarios', hereinafter referred to as 'Senpa', shall open an invitation to tender in accordance with the provisions of this Regulation and of Regulation (EEC) No 2960/77 for the sale on the Community market of the following quantities of olive oil:

- 4 000 tonnes of extra virgin olive oil,
- 4 000 tonnes of virgin olive oil,
- 12 000 tonnes of lampante virgin olive oil.

60 % of each of the quantities referred to in the first subparagraph shall be reserved for packaging plants and refineries.

By way of derogation from Article 5 (2) of Regulation (EEC) No 2960/77, Senpa shall, where the quantity of oil in a container exceeds 500 tonnes, be authorized to establish several lots with part only of that oil.

Article 2

The invitation to tender shall be published on 9 October 1989.

Particulars of the lots of oil offered for sale and of the places where they are stored shall be displayed at the central office of Senpa, calle Beneficencia 8, Madrid 28004, Spain.

A copy of the invitation to tender shall be sent without delay to the Commission.

Article 3

1. The tenders must reach Senpa, calle Beneficencia 8, Madrid 28004, Spain, not later than 2 p.m. (local time) on 20 October 1989. Tenders shall be admissible only if submitted by a natural or legal person who exercises an activity in the olive oil sector and is entered in that status as at 31 December 1988 in a public register of a Member State.

Furthermore, no tenderer may submit a tender for a quantity in excess of 1 000 tonnes for lampante virgin olive oil, and 300 tonnes for virgin and extra virgin olive oil.

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

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 15.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 60, 1. 3. 1986, p. 8.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 20.

2. However, notwithstanding paragraph 1 as regards the quantities referred to in the second subparagraph of Article 1, tenders shall be admissible only if submitted:

- as regards Spain and Portugal, by a packaging plant registered as such at 31 December 1988 in a public register held by the Member State concerned,
- as regards the other Member States, by an approved packaging plant within the meaning of Commission Regulation (EEC) No 2677/85⁽¹⁾, as last amended by (EEC) No 2677/85⁽¹⁾, as last amended by Regulation (EEC) No 3629/88⁽²⁾,
- by a refinery registered as such at 31 December 1988 in a public register held by a Member State.

Article 4

1. With regard to lampante virgin olive oil, tenders shall be submitted for an oil of 3° acidity.

2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to paid shall be equal to the price tendered, increased or reduced in accordance with the scale below:

- up to 3° acidity:
increase of Pta 48,93 for each tenth of a degree of acidity below 3°,
- above 3° up to 8° acidity,
reduction of Pta 48,93 for each tenth of a degree of acidity above 3°,
- above 8° acidity,
additional reduction of Pta 53,51 for each tenth of a degree above 8°.

Article 5

Not later than three days after the expiry of the time limit laid down for the submission of tenders, Senpa shall send

the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 6

The minimum selling price per 100 kilograms of oil shall be fixed, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, on the basis of the tenders received, not later than the 10th working day after the expiry of each final date laid down for the submission of tenders. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

Article 7

The olive oil shall be sold by Senpa not later than the fifth working day after the date of notification of the decision referred to in Article 6.

Senpa shall supply the agencies responsible for storage with a list of the lots remaining unsold.

Article 8

The product shall be withdrawn within 30 working days of the date of sale.

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be Pta 3 000 per 100 kilograms.

Article 9

The storage charge referred to in Article 15 of Regulation (EEC) No 2960/77 shall be Pta 400 per 100 kilograms.

Article 10

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

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 254, 25. 9. 1985, p. 5.

⁽²⁾ OJ No L 316, 23. 11. 1988, p. 42.

COMMISSION REGULATION (EEC) No 3024/89**of 6 October 1989****fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Algeria, Morocco and Tunisia must be reduced**

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 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC)

No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of 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⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during July, August and September 1989 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	29,38
2302 30 90	62,95
2302 40 10	29,38
2302 40 90	62,95

COMMISSION REGULATION (EEC) No 3025/89

of 6 October 1989

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced

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 1030/77 of 17 May 1977 concluding the Interim Agreement between the European Economic Community and the Arab Republic of Egypt⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation (EEC) No 1030/77 provides that the variable component of the levy calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽²⁾, as last amended by Regulation (EEC) No 1906/87⁽³⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the

levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable during July, August and September 1989 to the products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40 are to be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph of paragraph 3 of the exchange of letters covered by Regulation (EEC) No 1030/77 to be deducted from the variable component applicable to bran and sharps originating in Egypt shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

(ECU/tonne)	
CN code	Amount
2302 10 10	29,38
2302 10 90	62,95
2302 20 10	29,38
2302 20 90	62,95
2302 30 10	29,38
2302 30 90	62,95
2302 40 10	29,38
2302 40 90	62,95

COMMISSION REGULATION (EEC) No 3026/89
of 6 October 1989

**fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Argentina must be reduced**

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

Having regard to Council Regulation (EEC) No 1058/88
of 28 March 1988 on the import of bran, sharps and other
residues derived from the sifting, milling or other working
of cereals other than maize and rice and amending
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽¹⁾,
and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the
variable component of the levy, calculated in accordance
with Article 2 of Council Regulation (EEC) No 2744/75
of 29 October 1975 on the import and export system for
products processed from cereals and from rice⁽²⁾ as last
amended by Regulation (EEC) No 1906/87⁽³⁾, is to be
reduced by an amount equal to 40 % of the average of
the variable components of the levies applicable to the
product in question in the three months preceding the
months during which that amount is fixed; whereas that
reduction is applicable to products falling within CN
codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90
for up to a maximum of 550 000 tonnes per year on the
import of the products in question originating in
Argentina and from any other third country which applies
to exports of those products a special tax of an amount
equal to that by which the variable amount of the levy is

reduced and which provides satisfactory proof of payment
of that tax;

Whereas Commission Regulation (EEC) No 1193/88⁽⁴⁾,
as amended by Regulation (EEC) No 84/89⁽⁵⁾, lays down
the detailed rules of application of the special
arrangements for imports of bran, sharps and other
residues, whether or not in the form of pellets, derived
from the sifting, milling or other working of cereals other
than maize and rice falling within CN codes 2302 30 and
2302 40,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1058/88 by which the variable amount of the levy
applicable to imports of bran, sharps and other residues
originating in Argentina and in any other third country
meeting the conditions laid down in that Article must be
reduced shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 November
1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁴⁾ OJ No L 111, 30. 4. 1988, p. 87.

⁽⁵⁾ OJ No L 13, 17. 1. 1989, p. 13.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	19,58
2302 30 90	41,96
2302 40 10	19,58
2302 40 90	41,96

COMMISSION REGULATION (EEC) No 3027/89

of 6 October 1989

fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular Article 11 thereof,Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules

for the application of Regulation (EEC) No 2412/73⁽⁴⁾, as amended by Regulation (EEC) No 3817/85⁽⁵⁾, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during July, August and September 1989,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 16.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)	
CN code	Amounts to be deducted
1006 10 21	73,85
1006 10 23	63,25
1006 10 25	63,25
1006 10 27	63,25
1006 10 92	73,85
1006 10 94	63,25
1006 10 96	63,25
1006 10 98	63,25
1006 20 11	92,31
1006 20 13	79,06
1006 20 15	79,06
1006 20 17	79,06
1006 20 92	92,31
1006 20 94	79,06
1006 20 96	79,06
1006 20 98	79,06
1006 30 21	123,19
1006 30 23	129,44
1006 30 25	129,44
1006 30 27	129,44
1006 30 42	123,19
1006 30 44	129,44
1006 30 46	129,44
1006 30 48	129,44
1006 30 61	131,20
1006 30 63	138,77
1006 30 65	138,77
1006 30 67	138,77
1006 30 92	131,20
1006 30 94	138,77
1006 30 96	138,77
1006 30 98	138,77
1006 40 00	22,85

COMMISSION REGULATION (EEC) No 3028/89
of 6 October 1989
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89⁽³⁾, as last amended by Regulation (EEC) No 3009/89⁽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 7 October 1989.

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

Done at Brussels, 6 October 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 288, 6. 10. 1989, p. 15.

ANNEX

to the Commission Regulation of 6 October 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	26,94 ⁽¹⁾
1701 11 90	26,94 ⁽¹⁾
1701 12 10	26,94 ⁽¹⁾
1701 12 90	26,94 ⁽¹⁾
1701 91 00	31,84
1701 99 10	31,84
1701 99 90	31,84 ⁽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 3029/89

of 6 October 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 2893/89 ⁽⁷⁾, as last amended by Regulation (EEC) No 3011/89 ⁽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 5 October 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 Commission Regulation (EEC) No 1579/74 ⁽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 2893/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 7 October 1989.

⁽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 279, 28. 9. 1989, p. 16.

⁽⁸⁾ OJ No L 288, 6. 10. 1989, p. 23.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 6 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 6 October 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)
1102 30 00	3,02	123,07	126,09
1103 14 00	3,02	123,07	126,09
1102 30 00	3,02	123,07	126,09
1104 19 91	6,04	208,98	215,02
1108 19 10	30,83	176,47	207,30

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2965/89 of 29 September 1989 providing for the grant of private storage aid fixed at a standard rate in advance in respect of carcasses, half-carcasses, hindquarters and forequarters of adult male bovine animals

(Official Journal of the European Communities No L 281 of 30 September 1989)

Page 106, Article 12 (4), fifth line:

for: 'and the weight';

read: 'and the weight are shown';
