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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 3112/89**

**of 17 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2860/89<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 17 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 18 October 1989.

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

<sup>(2)</sup> OJ No L 274, 23. 9. 1989, p. 41.

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

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

<sup>(5)</sup> OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 17 October 1989.

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

# ANNEX

to the Commission Regulation of 17 October 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

| CN code    | Levies   |                                      |
|------------|----------|--------------------------------------|
|            | Portugal | Third country                        |
| 0709 90 60 | 20,52    | 122,07                               |
| 0712 90 19 | 20,52    | 122,07                               |
| 1001 10 10 | 22,81    | 164,25 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 22,81    | 164,25 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 20,40    | 112,41                               |
| 1001 90 99 | 20,40    | 112,41                               |
| 1002 00 00 | 47,56    | 113,11 <sup>(3)</sup>                |
| 1003 00 10 | 38,34    | 116,30                               |
| 1003 00 90 | 38,34    | 116,30                               |
| 1004 00 10 | 29,74    | 106,90                               |
| 1004 00 90 | 29,74    | 106,90                               |
| 1005 10 90 | 20,52    | 122,07 <sup>(3)</sup> <sup>(2)</sup> |
| 1005 90 00 | 20,52    | 122,07 <sup>(3)</sup> <sup>(2)</sup> |
| 1007 00 90 | 38,34    | 129,12 <sup>(3)</sup>                |
| 1008 10 00 | 38,34    | 1,07                                 |
| 1008 20 00 | 38,34    | 75,68 <sup>(3)</sup>                 |
| 1008 30 00 | 38,34    | 0,00 <sup>(2)</sup>                  |
| 1008 90 10 | (?)      | (?)                                  |
| 1008 90 90 | 38,34    | 0,00                                 |
| 1101 00 00 | 42,00    | 170,82                               |
| 1102 10 00 | 80,02    | 171,79                               |
| 1103 11 10 | 49,83    | 269,06                               |
| 1103 11 90 | 44,89    | 184,02                               |

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

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

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 3113/89

of 17 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2860/89<sup>(2)</sup>, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 17 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 18 October 1989.

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

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

## ANNEX

to the Commission Regulation of 17 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<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 |
| 0709 90 60 | 0             | 0                | 0                | 0               |
| 0712 90 19 | 0             | 0                | 0                | 0               |
| 1001 10 10 | 0             | 0                | 0                | 0               |
| 1001 10 90 | 0             | 0                | 0                | 0               |
| 1001 90 91 | 0             | 0                | 0                | 0               |
| 1001 90 99 | 0             | 0                | 0                | 0               |
| 1002 00 00 | 0             | 0                | 0                | 0               |
| 1003 00 10 | 0             | 0                | 0                | 0               |
| 1003 00 90 | 0             | 0                | 0                | 0               |
| 1004 00 10 | 0             | 1,59             | 1,59             | 1,65            |
| 1004 00 90 | 0             | 1,59             | 1,59             | 1,65            |
| 1005 10 90 | 0             | 0                | 0                | 0               |
| 1005 90 00 | 0             | 0                | 0                | 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<br>10 | 1st period<br>11 | 2nd period<br>12 | 3rd period<br>1 | 4th period<br>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 3114/89

of 17 October 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1115/88<sup>(2)</sup>,Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80<sup>(3)</sup>, as last amended by Regulation (EEC) No 1075/89<sup>(4)</sup>, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 25 September 1989, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 25

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 25 September 1989, the level of the premium is fixed at ECU 88,223 per 100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

*Article 2*

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 25 September 1989, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

*Article 3*

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

It shall apply with effect from 25 September 1989.

<sup>(1)</sup> OJ No L 183, 16. 7. 1980, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 36.

<sup>(3)</sup> OJ No L 154, 9. 6. 1984, p. 27.

<sup>(4)</sup> OJ No L 114, 27. 4. 1989, p. 13.

<sup>(5)</sup> OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 17 October 1989.

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

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## ANNEX

to the Commission Regulation of 17 October 1989 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

(ECU/100 kg)

| CN code             | Amounts                                                                                      |                                                                                      |
|---------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                     | A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80 | B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 <sup>(1)</sup> |
|                     | Live weight                                                                                  | Live weight                                                                          |
| 0104 10 90          | 41,465                                                                                       | 0                                                                                    |
| 0104 20 90          |                                                                                              | 0                                                                                    |
|                     | Net weight                                                                                   | Net weight                                                                           |
| 0204 10 00          | 88,223                                                                                       | 0                                                                                    |
| 0204 21 00          | 88,223                                                                                       | 0                                                                                    |
| 0204 50 11          |                                                                                              | 0                                                                                    |
| 0204 22 10          | 61,756                                                                                       |                                                                                      |
| 0204 22 30          | 97,045                                                                                       |                                                                                      |
| 0204 22 50          | 114,690                                                                                      |                                                                                      |
| 0204 22 90          | 114,690                                                                                      |                                                                                      |
| 0204 23 00          | 160,566                                                                                      |                                                                                      |
| 0204 30 00          | 66,167                                                                                       |                                                                                      |
| 0204 41 00          | 66,167                                                                                       |                                                                                      |
| 0204 42 10          | 46,317                                                                                       |                                                                                      |
| 0204 42 30          | 72,784                                                                                       |                                                                                      |
| 0204 42 50          | 86,017                                                                                       |                                                                                      |
| 0204 42 90          | 86,017                                                                                       |                                                                                      |
| 0204 43 00          | 120,424                                                                                      |                                                                                      |
| 0204 50 13          |                                                                                              | 0                                                                                    |
| 0204 50 15          |                                                                                              | 0                                                                                    |
| 0204 50 19          |                                                                                              | 0                                                                                    |
| 0204 50 31          |                                                                                              | 0                                                                                    |
| 0204 50 39          |                                                                                              | 0                                                                                    |
| 0204 50 51          |                                                                                              | 0                                                                                    |
| 0204 50 53          |                                                                                              | 0                                                                                    |
| 0204 50 55          |                                                                                              | 0                                                                                    |
| 0204 50 59          |                                                                                              | 0                                                                                    |
| 0204 50 71          |                                                                                              | 0                                                                                    |
| 0204 50 79          |                                                                                              | 0                                                                                    |
| 0210 90 11          | 114,690                                                                                      |                                                                                      |
| 0210 90 19          | 160,566                                                                                      |                                                                                      |
| 1602 90 71 :        |                                                                                              |                                                                                      |
| — unboned (bone-in) | 114,690                                                                                      |                                                                                      |
| — boned or boneless | 160,566                                                                                      |                                                                                      |

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

## COMMISSION REGULATION (EEC) No 3115/89

of 17 October 1989

concerning applications for STM licences for milk and milk products submitted during the first 10 days of October 1989

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM)<sup>(1)</sup>, as last amended by Regulation (EEC) No 3296/88<sup>(2)</sup>, and in particular Article 6 (4) thereof,

Having regard to Commission Regulation (EEC) No 606/86 of 28 February 1986 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten<sup>(3)</sup>, as last amended by Regulation (EEC) No 419/89<sup>(4)</sup>, and in particular Article 3 (2) thereof,

Whereas pursuant to Article 6 (3) of Regulation (EEC) No 574/86 the Commission has been notified of the applications for STM licences for milk and milk products during the first 10 days of October 1989; whereas the necessary provisions regarding the acceptance of the said applications should be adopted,

HAS ADOPTED THIS REGULATION:

## Article 1

Applications for STM licences submitted during the first 10 days of October 1989 and notified to the Commission shall be accepted for the tonnages applied for, adjusted by the coefficient set out below in the case of the following products and the categories referred to in Article 2 of Regulation (EEC) No 606/86:

| CN code | Description                                                   | Coefficient |
|---------|---------------------------------------------------------------|-------------|
| ex 0401 | Milk and cream, fresh, not concentrated or sweetened:         |             |
| ex 0403 | — in immediate packings of a net capacity of 2 litres or less | 0,01833     |
|         | — other                                                       | 1,00000     |
| 0405 00 | Butter and other fats and oils derived from milk              | 0,00497     |
| ex 0406 | Cheese:                                                       |             |
|         | — Category 1: Emmentaler, Gruyère                             | 0,43705     |
|         | — Category 2: Blue-veined cheese                              | 0,14615     |
|         | — Category 3: Processed cheese                                | 0,00515     |
|         | — Category 4: Parmigiano Reggiano, Grana Padano               | 0,22531     |
|         | — Category 5: Havarti, fat content 60 %                       | 0,00251     |
|         | — Category 6: Edam in balls, Gouda                            | 0,00854     |
|         | — Category 7: Soft ripened cow's milk cheeses                 | 0,00400     |
|         | — Category 8: Cheddar, Chester                                | 0,00313     |
|         | — Category 9: Other                                           | 0,00693     |

<sup>(1)</sup> OJ No L 57, 1. 3. 1986, p. 1.

<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.

<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 28.

<sup>(4)</sup> OJ No L 49, 21. 2. 1989, p. 10.

*Article 2*

This Regulation shall enter into force on 18 October 1989.

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 3116/89

of 17 October 1989

amending Regulation No 163/67/EEC on fixing the additional amount for imports of poultry-farming products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(1)</sup>, as last amended by Regulation (EEC) No 1235/89<sup>(2)</sup>, and in particular Article 8 (4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat<sup>(3)</sup>, as last amended by Regulation (EEC) No 1235/89, and in particular Article 8 (4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin<sup>(4)</sup>, as amended by Regulation (EEC) No 4001/87<sup>(5)</sup>, and in particular Article 5 (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 conversion rates to be applied for the purposes of the common agricultural policy<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>,

Whereas Article 8 of Regulations (EEC) No 2771/75 and (EEC) No 2777/75 and Article 5 of Regulation (EEC) No 2783/75 make provision for fixing amounts additional to import levies on the poultry-farming products concerned where the free-at-frontier offer price is less than the sluice-gate price; whereas the detailed rules for determining the free-at-frontier offer price are laid down in Article 1 of Commission Regulation No 163/67/EEC<sup>(8)</sup>, as amended by Regulation (EEC) No 1527/73<sup>(9)</sup>;

Whereas, in order to facilitate administrative procedures and preclude the risk of market distortion, offer prices and sluice-gate prices should be compared in ecus and the free-at-frontier price should therefore be expressed in ecus using the conversion rate referred to in Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of 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<sup>(10)</sup>, as last amended by Regulation (EEC) No 2300/89<sup>(11)</sup>;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following paragraph 3 is added to Article 1 of Regulation No 163/67/EEC:

'3. The offer price shall be expressed in ecus on the basis of the prices referred to in paragraph 2, recorded in the national currency of the Member State concerned and converted into ecus using the rates referred to in Article 3a of Commission Regulation (EEC) No 3152/85<sup>(12)</sup>, applying on the day the prices in question are recorded.

However, where the prices referred to in paragraph 2 relate to a monthly period, they shall be converted into ecus using the monthly average of the rates in question.

(<sup>(1)</sup>) OJ No L 310, 21. 11. 1985, p. 1.'

*Article 2*

This Regulation shall enter into force on 31 October 1989.

(<sup>(10)</sup>) OJ No L 310, 21. 11. 1985, p. 1.

(<sup>(11)</sup>) OJ No L 220, 29. 7. 1989, p. 8.

(<sup>(1)</sup>) OJ No L 282, 1. 11. 1975, p. 49.

(<sup>(2)</sup>) OJ No L 128, 11. 5. 1989, p. 29.

(<sup>(3)</sup>) OJ No L 282, 1. 11. 1975, p. 77.

(<sup>(4)</sup>) OJ No L 282, 1. 11. 1975, p. 104.

(<sup>(5)</sup>) OJ No L 377, 31. 12. 1987, p. 44.

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

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

(<sup>(8)</sup>) OJ No 129, 28. 6. 1967, p. 2577/67.

(<sup>(9)</sup>) OJ No L 154, 9. 6. 1973, p. 1.

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 3117/89**  
**of 17 October 1989**  
**amending Regulation (EEC) No 209/88 on the fixing of additional amounts for**  
**imports of pigmeat products from third countries**

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 1249/89<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>,

Whereas Article 13 of Regulation (EEC) No 2759/75 makes provision for fixing amounts additional to import levies on pigmeat products where the free-at-frontier offer price is less than the sluice-gate price; whereas the detailed rules for determining the free-at-frontier offer price are laid down in Article 1 of Commission Regulation (EEC) No 209/88<sup>(5)</sup>;

Whereas, in order to harmonize administrative procedures, offer prices and sluice-gate prices should be compared in ecus and the free-at-frontier offer price should therefore be expressed in ecus using the conversion rate referred to in Article 3a of Commission Regulation (EEC) No 3152/85 of 11 November 1985 laying down detailed rules for the application of 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<sup>(6)</sup>, as last amended by Regulation (EEC) No 2300/89<sup>(7)</sup>;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following paragraph is hereby added to Article 1 of Regulation (EEC) No 209/88:

'The offer price shall be expressed in ecus on the basis of the prices referred to in the first paragraph, recorded in the national currency of the Member State concerned and converted into ecus using the rates referred to in Article 3a of Commission Regulation (EEC) No 3152/85<sup>(8)</sup>, applicable on the day the prices in question are recorded.

However, where the prices referred to in the first paragraph relate to a monthly period, they shall be converted into ecus using the monthly average of the rates in question.

(<sup>5</sup>) OJ No L 310, 21. 11. 1986, p. 1.'

*Article 2*

This Regulation shall enter into force on 31 October 1989.

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 129, 11. 5. 1989, p. 12.

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

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

<sup>(5)</sup> OJ No L 21, 21. 1. 1988, p. 5.

<sup>(6)</sup> OJ No L 310, 21. 11. 1985, p. 1.

<sup>(7)</sup> OJ No L 220, 29. 7. 1989, p. 8.

**COMMISSION REGULATION (EEC) No 3118/89**  
**of 17 October 1989**  
**amending Regulation (EEC) No 3153/85 laying down detailed rules for the**  
**calculation of monetary compensatory amounts**

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture <sup>(1)</sup>, as last amended by Regulation (EEC) No 1889/87 <sup>(2)</sup>, and in particular Article 12 thereof,

Whereas Article 1 of Commission Regulation (EEC) No 209/88 of 26 January 1988 on the fixing of additional amounts for imports of pigmeat products from third countries <sup>(3)</sup>, as amended by Regulation (EEC) No 3117/89 <sup>(4)</sup>, and Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries <sup>(5)</sup>, as last amended by Regulation (EEC) No 3116/89 <sup>(6)</sup>, state that import offer prices and common prices are to be compared using the conversion rate used to fix the monetary compensatory amounts; whereas Article 9 (a) of Commission Regulation (EEC) No

3153/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 2301/89 <sup>(8)</sup>, which lays down other detailed rules for comparing the prices in question should accordingly be deleted;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the relevant management committees,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 9 (a) of Regulation (EEC) No 3153/85 is hereby deleted.

*Article 2*

This Regulation shall enter into force on 31 October 1989.

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 182, 3. 7. 1987, p. 1.

<sup>(3)</sup> OJ No L 21, 21. 1. 1988, p. 5.

<sup>(4)</sup> See page 12 of this Official Journal.

<sup>(5)</sup> OJ No 129, 28. 6. 1967, p. 2577/67.

<sup>(6)</sup> See page 10 of this Official Journal.

<sup>(7)</sup> OJ No L 310, 21. 11. 1985, p. 4.

<sup>(8)</sup> OJ No L 220, 29. 7. 1989, p. 7.

**COMMISSION REGULATION (EEC) No 3119/89****of 17 October 1989****amending Regulation (EEC) No 3294/86 fixing the conversion rate to be applied  
in respect of levies and refunds 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<sup>(1)</sup>, as last amended by  
Regulation (EEC) No 1636/87<sup>(2)</sup>, and in particular Article  
2(4) thereof,

Whereas Commission Regulation (EEC) No 3294/86<sup>(3)</sup>,  
as last amended by Regulation (EEC) No 3087/89<sup>(4)</sup>, fixes  
a specific agricultural conversion rate; whereas, for the  
sake of simplifying administration, the conversion rate  
used for the calculation of monetary compensatory  
amounts should be used for the specific agricultural  
conversion rate in the rice sector; whereas that rate is  
fixed pursuant to Article 3a of Commission Regulation  
(EEC) No 3152/85 of 11 November 1985 laying down  
detailed rules for the application of 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<sup>(5)</sup>, as last  
amended by Regulation (EEC) No 2300/89<sup>(6)</sup>;

Whereas the measures provided for in this Regulation are  
in accordance with the opinion of the relevant  
management committees,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3294/86 is hereby amended as  
follows:

1. Article 1 (2) is replaced by the following:  
‘2. The specific agricultural conversion rate shall be  
the rate referred to in Article 3a of Commission  
Regulation (EEC) No 3152/85<sup>(\*)</sup>.

<sup>(\*)</sup> OJ No L 310, 21. 11. 1985, p. 1.’

2. Articles 1 (3), 2 and 3 and the Annex are deleted.

*Article 2*

This Regulation shall enter into force on 3 October 1989.

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(3)</sup> OJ No L 304, 30. 10. 1986, p. 25.

<sup>(4)</sup> OJ No L 296, 14. 10. 1989, p. 9.

<sup>(5)</sup> OJ No L 310, 21. 11. 1985, p. 1.

<sup>(6)</sup> OJ No L 220, 29. 7. 1989, p. 8.

**COMMISSION REGULATION (EEC) No 3120/89****of 17 October 1989****determining for the Member States the estimated loss of income and the estimated level of the premium payable per ewe and per female goat for the 1989 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat <sup>(1)</sup>, as last amended by Regulation (EEC) No 1115/88 <sup>(2)</sup>, and in particular Article 5 <sup>(4)</sup> thereof,

Whereas Article 5 <sup>(1)</sup> of Regulation (EEC) No 1837/80 provides for the granting of a premium to compensate for the loss of income sustained by producers of sheepmeat, and in certain areas, of goatmeat; whereas these areas are defined in Annex III to Regulation (EEC) No 1837/80 and in Article 1 of Commission Regulation (EEC) No 1065/86 of 11 April 1986 determining the mountain areas in which the premium for goatmeat is granted <sup>(3)</sup>, as amended by Regulation (EEC) No 3519/86 <sup>(4)</sup>, determining the mountain areas in which the premium may be granted; whereas Article 5 <sup>(9)</sup> of Regulation (EEC) No 1837/80 provides for the possibility of the granting of premiums to producers of female sheep of certain mountain breeds other than eligible ewes in certain areas; whereas these sheep and these areas are defined in the Annex to Council Regulation (EEC) No 872/84 of 31 March 1984 laying down the general rules for the granting of premiums to sheepmeat producers <sup>(5)</sup>, as last amended by Regulation (EEC) No 1970/87 <sup>(6)</sup>;

Whereas pursuant to Article 5 <sup>(4)</sup> of Regulation (EEC) No 1837/80 and to enable an advance payment to be made to sheepmeat and goatmeat producers operating in less-favoured agricultural areas, the foreseeable loss of income should be estimated in the light of the foreseeable trend in market prices;

Whereas under Article 5 <sup>(3)</sup> of Regulation (EEC) No 1837/80 the amount of the premium per ewe and per region is obtained by multiplying the loss of income referred to in Article 5 <sup>(2)</sup> by a coefficient expressing for each region the normal annual average production of lamb meat per ewe expressed per 100 kilograms of

carcase weight; whereas, however, for region 5 this loss of income must be reduced by the weighted average of the variable premiums actually granted and the foreseeable premiums for the remainder of the 1989 marketing year, such average being obtained in accordance with the provisions of Article 5 <sup>(6)</sup>; whereas also under Article 5 <sup>(3)</sup> the amount of the premium per female goat is fixed at 80 % of the premium per ewe; whereas under Article 5 <sup>(9)</sup> the amount of the premium per female sheep other than eligible ewes is also fixed at 80 % of the premium per ewe;

Whereas, pursuant to Article 9a of Regulation (EEC) No 1837/80, the amount of the premium must be reduced by the impact on the basic price of the coefficient provided for in Article 9a <sup>(2)</sup>; whereas that coefficient was provisionally fixed by Commission Regulation (EEC) No 3817/88 of 7 December 1988 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat <sup>(7)</sup> for the 1989 marketing year;

Whereas Commission Regulation (EEC) No 2448/89 <sup>(8)</sup> accordingly determined the estimated loss of income and the estimated level of the premium payable per ewe and per female goat for the 1989 marketing year, and authorized certain Member States to pay an advance; whereas, in the light of the present situation on the Community market and in particular the collapse of market prices, the estimated loss of income and the estimated level of the premium payable per ewe and per female goat for the 1989 marketing year should be redetermined; whereas, by way of derogation from Article 4 <sup>(1)</sup> of Commission Regulation (EEC) No 3007/84 <sup>(9)</sup>, as last amended by Regulation (EEC) No 1514/86 <sup>(10)</sup>, the advance for the 1989 marketing year should therefore be 50 % of the estimated foreseeable premium; whereas, in accordance with Article 4 <sup>(3)</sup> of the said Regulation, the advance is paid only where it is not less than ECU 1;

Whereas, in Member States which have already paid the advance referred to in Regulation (EEC) No 2448/89, the amount payable to producers who have received the advance is the difference between the advance payable under this Regulation and that referred to in Regulation (EEC) No 2448/89;

<sup>(1)</sup> OJ No L 183, 16. 7. 1980, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 36.

<sup>(3)</sup> OJ No L 97, 12. 4. 1986, p. 25.

<sup>(4)</sup> OJ No L 325, 20. 11. 1986, p. 17.

<sup>(5)</sup> OJ No L 90, 1. 4. 1984, p. 40.

<sup>(6)</sup> OJ No L 184, 3. 7. 1987, p. 23.

<sup>(7)</sup> OJ No L 337, 8. 12. 1988, p. 16.

<sup>(8)</sup> OJ No L 233, 10. 8. 1989, p. 5.

<sup>(9)</sup> OJ No L 283, 27. 10. 1984, p. 28.

<sup>(10)</sup> OJ No L 132, 21. 5. 1986, p. 16.

Whereas, in accordance with Article 4(4) of Regulation (EEC) No 3007/84, where Article 5(5) of Regulation (EEC) No 1837/80 is applied, the advance paid where appropriate in region 2, is not paid in region 1; whereas, however, in view of the present situation of the markets in region 1, Greece and Italy should be authorized to pay the advance on the said premium by way of derogation from Article 4(4);

Whereas, for budgetary reasons, the granting of advance payments should only be authorized from 16 October 1989;

Whereas Regulation (EEC) No 2448/89 should be repealed;

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

HAS ADOPTED THIS REGULATION:

#### Article 1

A difference is hereby found between the basic price and the foreseeable market price during the 1989 marketing year for the following regions:

(ECU/100 kg)

| Region | Difference |
|--------|------------|
| 2      | 108,674    |
| 3      | 92,407     |
| 4      | 130,814    |
| 5      | 142,929    |
| 6      | 115,949    |
| 7      | 78,871     |

#### Article 2

1. The estimated amount of the premium payable per ewe and per region is as follows:

(ECU)

| Region | Estimated amount of the premium payable per ewe |
|--------|-------------------------------------------------|
| 2      | 20,105                                          |
| 3      | 20,792                                          |
| 4      | 22,892                                          |
| 5      | 8,230                                           |
| 6      | 20,291                                          |
| 7      | 14,982                                          |

2. Pursuant to Article 5(4) of Regulation (EEC) No 1837/80, the advance which the Member States are authorized to pay to sheepmeat producers located in less-favoured agricultural areas shall be as follows:

(ECU)

| Region | Advance on premium payable per ewe |
|--------|------------------------------------|
| 2      | 10,053                             |
| 3      | 10,396                             |
| 4      | 11,446                             |
| 5      | 4,115                              |
| 6      | 10,146                             |
| 7      | 7,491                              |

#### Article 3

1. The estimated amount of the premium payable per female goat and per region in the areas designated in Annex III to Regulation (EEC) No 1837/80 and in Article 1 of Regulation (EEC) No 1065/86 is as follows:

(ECU)

| Region | Estimated amount of the premium payable per female goat |
|--------|---------------------------------------------------------|
| 2      | 16,084                                                  |
| 7      | 11,986                                                  |

2. Pursuant to Article 5(4) of Regulation (EEC) No 1837/80, the advance which the Member States are authorized to pay to goatmeat producers located in the less-favoured areas with the areas designated in paragraph 1 above shall be as follows:

(ECU)

| Region | Advance on premium payable per female goat |
|--------|--------------------------------------------|
| 2      | 8,042                                      |
| 7      | 5,993                                      |

#### Article 4

1. The estimated amount of the premium payable per female sheep other than eligible ewe and per region in the areas mentioned in the Annex to Regulation (EEC) No 872/84 is as follows:

(ECU)

| Region | Estimated amount of the premium payable per female sheep other than eligible ewes |
|--------|-----------------------------------------------------------------------------------|
| 5      | 6,584                                                                             |

2. Pursuant to Article 5(4) of Regulation (EEC) No 1837/80, the advance which the Member States are authorized to pay to producers of female sheep other than eligible ewes located in less-favoured agricultural areas within the areas mentioned in paragraph 1 above shall be as follows:

| (ECU)  |                                                                      |
|--------|----------------------------------------------------------------------|
| Region | Advance on premium payable per female sheep other than eligible ewes |
| 5      | 3,292                                                                |

*Article 5*

In Member States which have paid the advance referred to in Regulation (EEC) No 2448/89, the amount payable to producers who have received that advance shall be the difference between the advance payable under this Regulation and that referred to in Regulation (EEC) No 2448/89.

*Article 6*

In accordance with Article 5 (4) of Regulation (EEC) No 1837/80 and by way of derogation from Article 4 (4) of Regulation (EEC) No 3007/84, Member States of region 1 are hereby authorized to pay the advance payable in region 2 to producers of sheepmeat and, in the case of the

areas specified in Annex III to Regulation (EEC) No 1837/80 and Article 1 of Regulation (EEC) No 1065/86, to producers of goatmeat.

*Article 7*

The advances provided for under this Regulation may be granted as from 15 October 1989. National aids in the form of an advance on the ewe premium granted before this date under the conditions laid down by this Regulation and authorized pursuant to the third subparagraph of Article 93 (2) of the Treaty of Rome shall be considered as having been granted for the purposes of this Regulation as from 16 October 1989.

*Article 8*

Regulation (EEC) No 2448/89 is hereby repealed.

*Article 9*

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

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

Done at Brussels, 17 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 12 October 1989

amending for the second time Decision 89/224/EEC recognizing certain parts of Belgium as being officially swine fever free

(Only the French and Dutch texts are authentic)

(89/553/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 80/1095/EEC of 11 November 1980 laying down conditions designed to render and keep the territory of the Community free from classical swine fever<sup>(1)</sup>, as last amended by Directive 87/487/EEC<sup>(2)</sup>, and in particular Article 7 (2) thereof,

Having regard to the Commission Decision 88/529/EEC approving the plan for the eradication of classical swine fever presented by the Kingdom of Belgium<sup>(3)</sup>;

Whereas the development of the disease situation has led the Belgian authorities, in conformity with their plan, to instigate measures which guarantee the protection and maintenance of the status of certain regions;

Whereas, following a favourable development in the disease situation, the Commission adopted Decision 89/224/EEC<sup>(4)</sup>, as amended by Decision 89/446/EEC<sup>(5)</sup>, recognizing certain parts of the territory of Belgium as officially swine fever free;

Whereas no swine fever has been detected and vaccination against swine fever has been stopped for more than 15 months within the areas designated to be recognized as officially swine fever free;

Whereas the status of the designated officially swine fever free regions will be maintained by the application of the measures foreseen in Article 7 (2) of Directive 80/1095/EEC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

In the Annex to Commission Decision 89/224/EEC the indent is replaced by the following:

— The Provinces of West Flanders, Liege, Luxembourg, Namur, Brabant, Henegouwen and Limburg.

*Article 2*

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 12 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 325, 1. 12. 1980, p. 1.

<sup>(2)</sup> OJ No L 280, 3. 10. 1987, p. 24.

<sup>(3)</sup> OJ No L 291, 25. 10. 1988, p. 78.

<sup>(4)</sup> OJ No L 92, 5. 4. 1989, p. 25.

<sup>(5)</sup> OJ No L 211, 22. 7. 1989, p. 10.