

Official Journal

of the European Communities

ISSN 0378-6978

L 305

Volume 32

21 October 1989

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3146/89

of 20 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 19 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 21 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 20 October 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 20 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	21,67	119,61
0712 90 19	21,67	119,61
1001 10 10	24,50	164,25 ⁽¹⁾ ⁽²⁾
1001 10 90	24,50	164,25 ⁽¹⁾ ⁽²⁾
1001 90 91	21,69	111,60
1001 90 99	21,69	111,60
1002 00 00	48,55	113,11 ⁽³⁾
1003 00 10	39,39	116,30
1003 00 90	39,39	116,30
1004 00 10	30,79	106,90
1004 00 90	30,79	106,90
1005 10 90	21,67	119,61 ⁽²⁾ ⁽³⁾
1005 90 00	21,67	119,61 ⁽²⁾ ⁽³⁾
1007 00 90	39,39	129,12 ⁽⁴⁾
1008 10 00	39,39	1,07
1008 20 00	39,39	75,68 ⁽⁴⁾
1008 30 00	39,39	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	39,39	0,00
1101 00 00	43,81	170,58
1102 10 00	81,41	171,79
1103 11 10	52,45	269,06
1103 11 90	46,84	183,53

⁽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 3147/89
of 20 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 19 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 21 October 1989.

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

Done at Brussels, 20 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 20 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	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 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 3148/89
of 20 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 3085/89⁽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 23 October 1989.

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

Done at Brussels, 20 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 296, 14. 10. 1989, p. 5.

ANNEX

to the Commission Regulation of 20 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) (³)	Third countries (except ACP or OCT) (³)
1006 10 21	—	—	138,95	285,10
1006 10 23	—	198,98	129,05	265,30
1006 10 25	—	198,98	129,05	265,30
1006 10 27	—	198,98	129,05	265,30
1006 10 92	—	—	138,95	285,10
1006 10 94	—	198,98	129,05	265,30
1006 10 96	—	198,98	129,05	265,30
1006 10 98	—	198,98	129,05	265,30
1006 20 11	—	—	174,59	356,38
1006 20 13	—	248,72	162,21	331,63
1006 20 15	—	248,72	162,21	331,63
1006 20 17	—	248,72	162,21	331,63
1006 20 92	—	—	174,59	356,38
1006 20 94	—	248,72	162,21	331,63
1006 20 96	—	248,72	162,21	331,63
1006 20 98	—	248,72	162,21	331,63
1006 30 21	13,05	—	226,42	476,69
1006 30 23	12,97	388,99	247,44	518,65
1006 30 25	12,97	388,99	247,44	518,65
1006 30 27	12,97	388,99	247,44	518,65
1006 30 42	13,05	—	226,42	476,69
1006 30 44	12,97	388,99	247,44	518,65
1006 30 46	12,97	388,99	247,44	518,65
1006 30 48	12,97	388,99	247,44	518,65
1006 30 61	13,90	—	241,49	507,68
1006 30 63	13,90	417,00	265,65	556,00
1006 30 65	13,90	417,00	265,65	556,00
1006 30 67	13,90	417,00	265,65	556,00
1006 30 92	13,90	—	241,49	507,68
1006 30 94	13,90	417,00	265,65	556,00
1006 30 96	13,90	417,00	265,65	556,00
1006 30 98	13,90	417,00	265,65	556,00
1006 40 00	0	—	57,70	121,40

(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 3149/89

of 20 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 3086/89⁽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 23 October 1989.

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

Done at Brussels, 20 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 296, 14. 10. 1989, p. 7.

ANNEX

to the Commission Regulation of 20 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 3150/89

of 20 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 3087/89⁽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 2301/89⁽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 and the pound sterling, recorded in accordance with Regulation (EEC) No 3153/85 during the period 11 to 17 October 1989, requires the specific agricultural conversion rates applicable for Greece and for 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 23 October 1989.

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

Done at Brussels, 20 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 296, 14. 10. 1989, p. 9.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 220, 29. 7. 1989, p. 9.

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

(Regulation (EEC) No 3294/86)

ECU 1	=	Bfs	48,2869
	=	DM	2,34113
	=	Dkr	8,93007
	=	Dr	205,398
	=	Pta	147,239
	=	FF	7,85183
	=	£Irl	0,873900
	=	Lit	1 688,73
	=	Fl	2,63785
	=	£	0,786952

COMMISSION REGULATION (EEC) No 3151/89**of 20 October 1989****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

Having regard to Council Regulation (EEC) No 4075/88 of 19 December 1988 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 ⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 4148/88 of 23 December 1988 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 4075/88 and (EEC) No 4077/88 in the beef and veal sector ⁽²⁾ provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 3182/88 ⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 4148/88 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1989 at 10 000 tonnes;

Whereas Article 15 (6) (d) of Regulation (EEC) No 2377/80 lays down that the quantities applied for may be reduced; whereas the applications lodged relate to total quantities which exceed the quantities available; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of the fourth quarter of 1989 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 4148/88 are hereby met to the extent of 4,575 % of the quantity requested.

Article 2

This Regulation shall enter into force on 21 October 1989.

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

Done at Brussels, 20 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 359, 28. 12. 1988, p. 4.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 42.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

COMMISSION REGULATION (EEC) No 3152/89

of 20 October 1989

on the supply of common wheat to the Republic of Zaire 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, by its Decision of 14 July 1989 on the supply of food aid to Zaire, the Commission allocated to the that country 15 000 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to the Republic of Zaire in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

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, 20 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. **Operation No (1):** 571 to 573/89
2. **Programme:** 1989
3. **Recipient:** Republic of Zaire
4. **Representative of the recipient (2):** Midema Sàrl, boîte postale 11497, Kinshasa I, telex 21339 MIDEMA ZR
5. **Place or country of destination:** Zaire
6. **Product to be mobilized:** common wheat
7. **Characteristics and quality of the goods (3):** see list published in OJ No C 216 of 14 August 1987, page 3 (under IIA.1)
Specific characteristics: moisture content: 13,5 % maximum; Hagberg falling number of at least 225; Zeleny index of at least 20
8. **Total quantity:** 15 000 tonnes
9. **Number of lots:** three (A: 5 000 tonnes; B: 5 000 tonnes; C: 5 000 tonnes)
10. **Packaging and marking:** in bulk
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:** Matadi
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:** A: 25. 11 — 10. 12. 1989; B: 20. 12. 1989 — 5. 1. 1990; C: 10. 1 — 25. 1. 1990
18. **Deadline for the supply:** A: 15. 1. 1990; B: 15. 2. 1990; C: 15. 3. 1990
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 7. 11. 1989
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 21. 11. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: 10. 12 — 25. 12. 1989; B: 5. 1 — 20. 1. 1990; C: 30. 1 — 15. 2. 1990
 - (c) deadline for the supply: A: 1. 2. 1990; B: 1. 3. 1990; C: 1. 4. 1990
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders (4):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 AGREC B
25. **Refund payable on request by the successful tenderer (5):** refund applicable on 1. 10. 1989 fixed by Regulation (EEC) No 2936/89 in OJ No L 281 of 30. 9. 1989, page 37

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
M. P. Towers Picton, Delegation of the Commission of the European Communities, 71, avenue des Trois Z, boîte postale 2000, Kinshasa.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 level.
- (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) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

COMMISSION REGULATION (EEC) No 3153/89

of 20 October 1989

on the supply of various lots of skimmed-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 certain countries and beneficiary organizations 7 018 tonnes of skimmed-milk powder;

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, 20 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, 20. 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

LOT A

1. **Operation No⁽¹⁾**: 504/89 — Commission Decision of 12. 4. 1989
2. **Programme**: 1989
3. **Recipient**: UNHCR, Case Postale 2500, CH-1211 Genève 2 Depot, Tel. 739 81 11, telex 27492 UNHCR-CH
4. **Representative of the recipient⁽²⁾**: Bureau du HCR, Shell House, Mountain Inn Area, Mbabane Swaziland, Tel.: 434 14
5. **Place or country of destination**: Swaziland
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods⁽³⁾**: see OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.1 and I.1.A.2)
8. **Total quantity**: 150 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.3)
Supplementary markings on the packaging:
'ACTION No 504/89 / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNHCR ASSISTANCE PROGRAMME / FOR REFUGEES IN SWAZILAND / FOR FREE DISTRIBUTION / MBABANE'
and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: destination — Mbabane
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Durban
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see note ⁽²³⁾
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 25. 11. 1989
18. **Deadline for the supply**: 7. 1. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁴⁾**: 6. 11. 1989, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 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: 24. 11 to 9. 12. 1989
 - (c) deadline for the supply: 21. 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 22037 B
25. **Refund payable on request by the successful tenderer⁽⁵⁾**: refund applicable on 15. 9. 1989, fixed by Commission Regulation (EEC) No 2780/89 (OJ No L 268 of 15. 9. 1989, p. 21)

LOTS B, C, D and E

1. **Operation Nos** ⁽¹⁾: 474/89 to 477/89 — Commission Decision of 19. 4. 1989
2. **Programme**: 1989
3. **Recipient** ⁽²⁾ ⁽¹²⁾: UNRWA Headquarters, Vienna International Center, PO Box 700, A-1400 Vienna, telex 135310 UNRWA A
4. **Representative of the recipient** ⁽³⁾ ⁽⁷⁾: see Annex III
5. **Place or country of destination**: B: Israel; C: Syria; D: Jordan; E: Lebanon
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁸⁾ ⁽¹⁴⁾ ⁽¹⁵⁾: See OJ No C 216 of 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 1 273 tonnes
9. **Number of lots**: 4 (B: 748 tonnes; C: 106 tonnes; D: 233 tonnes; E: 186 tonnes)
10. **Packaging and marking**: one kilogram; in 20-foot containers OJ No C 216 of 14. 8. 1987, pp. 4 and 5 (under I.1.B.4 and I.1.B.4.1). Lot B: ⁽⁹⁾ ⁽¹⁰⁾; Lots C and E: ⁽¹⁰⁾; Lot D: ⁽¹⁰⁾ ⁽¹¹⁾
Supplementary markings on the packaging: see Annex II.
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
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**: B: Ashdod; C: Lattakia; D: Aqaba; E: Beiruth. Option: Lattakia
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**: B, C and E: 20 to 30. 11. 1989; D: 20 to 31. 1. 1990
18. **Deadline for the supply**: B, C, E: 16. 1. 1990; D: 16. 3. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 6. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 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: B, C and E: 4 to 14. 12. 1989; D: 4. to 14. 2. 1990
 - (c) deadline for the supply: B, C, E: 31. 1. 1990; D: 31. 3. 1990
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
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 request by the successful tenderer** ⁽⁵⁾: Refund applicable on 15. 9. 1989 fixed by Commission Regulation (EEC) No 2780/89 (OJ No L 268 of 15. 9. 1989, p. 21)

LOT F

1. **Operation Nos** ⁽¹⁾: 574-575/89 — Commission Decision of 3. 3. 1989
2. **Programme**: 1989
3. **Recipient**: Euronaid, PO box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: F1: Gambia; F2: Rwanda
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3).
8. **Total quantity**: 150 tonnes
9. **Number of lots**: 1 (2 Parts: F1: 60 tonnes; F2: 90 tonnes)
10. **Packaging and marking** ⁽²⁾: 25 kilograms
(See OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3)).
Supplementary markings on the packaging: see Annex II
(See OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5))
11. **Method of mobilization**: the Community market ⁽¹⁹⁾ ⁽²⁰⁾
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1. to 15. 12. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 6. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 11. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 15 to 30. 12. 1989
 - (c) deadline for the supply: —
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 AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 15. 9. 1989, fixed in Commission Regulation (EEC) No 2780/89 (OJ No L 268 of 15. 9. 1989, p. 21)

LOTS G, H, I and K

1. **Operation No** (1): 505 to 508/89 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: WFP, 426 via Cristoforo Colombo, 00145 Roma, Tlx 626675 WFP I
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (2) (14) (15): see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3).
8. **Total quantity**: 1 471 tonnes
9. **Number of lots**: 4 (G: 135 tonnes; H: 474 tonnes; I: 712 tonnes; K: 150 tonnes)
10. **Packaging and marking**: 25 kilograms
(See OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3)).
Supplementary markings on the packaging: see Annex II
(See OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5))
11. **Method of mobilization**: the Community market. Lots H and I (22)
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 25. 11 to 10. 12. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 6. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 10. 12. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 10. 12. to 25. 12. 1989
 - (c) deadline for the supply: —
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 AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (5): refund applicable on 15. 9. 1989, fixed in Commission Regulation (EEC) No 2780/89 (OJ No L 2680 of 15. 9. 1989, p. 21)

LOT L

1. **Operation No** (1): 511/82 Commission Decision of 12 December 1988
2. **Programme**: 1988
3. **Recipient**: Pakistan
4. **Representative of the recipient** (2): Ministry of Health — Dr. M.A. Basit Khan, Assistant Project Director, World Food Programme, Block 47, Pak Sec, Karachi, Pakistan
5. **Place or country of destination**: Pakistan
6. **Product to be mobilized**: vitaminized skimmed-milk powder.
7. **Characteristics and quality of the goods** (3): see list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1. to I.1.B.3.)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (4): 25 kilograms and see list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 6 (under I.1.B.4 and I.1.B.4.3)
Supplementary markings on the packaging:
'ACTION No 511/89 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION'
and see list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
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**: Karachi
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**: 25. 11 to 10. 12. 1989
18. **Deadline for the supply**: 22. 1. 1990
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders** (5): 6. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 11. 1989 at noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 10. 12. to 25. 12. 1989
 - (c) deadline for the supply: 5. 2. 1990
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
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 request by the successful tenderer** (6): Refund applicable on 15. 9. 1989 fixed by Regulation (EEC) No 2789/89 (OJ No L 2680 15. 9. 1989, p. 21)

LOTS M, N and O

1. **Operation Nos** ⁽¹⁾: 489 to 491/89 — Commission Decision of 1. 3. 1988
2. **Programme**: 1989
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** ⁽²⁵⁾ ⁽²⁶⁾: Ministry of Agriculture, Bureau of Animal Husbandry, CPIG Dairy Development Project Office, 11 Ping Li, Beijing People's Republic of China; telex 22233 MAGR CN
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽¹⁴⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.1 to I.1.A.2)
8. **Total quantity**: 3 374 tonnes
9. **Number of lots**: three (M: 1 930 tonnes; N: 722 tonnes; O: 722 tonnes)
10. **Packaging and marking**: 25 kilograms ⁽²⁷⁾ ⁽²⁸⁾ and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.3)
Supplementary markings on packaging:
— 'ACTION No 489/89 } EEC DAIRY DEVELOPMENT PROJECT / 1990 UTILIZATION
— ACTION No 490/89 } PROGRAMME / 6 CITIES / GIFT OF THE EUROPEAN ECONOMIC
— ACTION No 491/89 } COMMUNITY / FOR RECOMBINATION'
and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market
The manufacture of skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at destination warehouse
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Shanghai
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Shanghai Dairy Corporation No 780, Beizhai Road, Bei Xin Jing, Shanghai
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 to 20. 12. 1989
18. **Deadline for the supply**: 3. 2. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁹⁾: 6. 11. 1989, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 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: 20. 12. 1989 to 9. 1. 1990
 - (c) deadline for the supply: 18. 2. 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 AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: refund applicable on 15. 9. 1989, fixed by Commission Regulation (EEC) No 2780/89 (OJ No L 260 of 5. 9. 1989, p. 2)

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall produce a certificate from an official entity, certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member States concerned, have not been exceeded.
- (³) Commission delegate to be contracted by the successful tenderer: see list 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) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards to 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) As soon as the successful tenderer has been informed of the award of the contract, he shall contact the beneficiary or his representative without delay, in order to determine the necessary consignment documents, as well as the details of period, rate and other circumstance concerning shipment.
- (⁷) 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, rue de la Loi 200, 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; not more than 30 containers are to be shipped on any vessels.
- (¹⁰) The 1 000-gram sachets for milk powder described in OJ No C 216, 14. 8. 1987, pp. 4 and 5 (under I.I.B.4 and I.I.B.4.1) must be made of white polyethylene film.
- (¹¹) The expiry date appearing on the packages must be 12 months after the date of manufacture.
- (¹²) The supplier is to detail the Chief, supply division, UNRWA, Vienna, by telex No 135310 UNRWA A, or by telefax No 0222-2307529 the name of the carrying vessel, names and addresses of shipping agent and insurance agent at port of discharge.
- (¹³) Consignment to be stowed in 20-foot containers. The free holding period for containers must be at least 15 days.
- (¹⁴) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (¹⁵) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personal and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (¹⁶) At the request of the beneficiary the successful tenderer shall deliver, for each action number/shipping number, a certificate from an official certifying that for the product to be delivered the standards applicable, relative to nuclear radiation in the Member State concerned, have not been exceeded.
- (¹⁷) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a health certificate for each action number/shipping number.
- (¹⁸) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a certificate of origin for each action number/shipping number.

- (¹⁹) The successful tenderer has to submit to the recipient's agent complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender. The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary' is forwarder.
- (²⁰) The supplier should send a duplicate of the original invoice to :
MM De Keyzer and Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
- (²¹) Shipment to take place in 20-foot containers, conditions FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 3 (2), second subparagraph, of Regulation 2200/87 shall not apply.
- (²²) The two lots must be loaded in the same port.
- (²³) If goods arrive by truck : Ndzevane Refugee Settlement/Big Bend/Swaziland. If by rail : Matate Railway Station/Big Bend/Swaziland.
- (²⁴) Commission delegate to be contacted by the successful tenderer : Mr Th. Ch. O'Sullivan, EEC Delegation, PO Box 16, House No 8, Margalla Road, F 6/3, Islamabad : tel. 82 18 28/82 26 04, telex 54044 COMEU PK, telefax 82 26 04.
- (²⁵) Commission delegate to be contacted by the successful tenderer :
EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing ; tel. 532 44 43, telefax 532 43 42, telex 222690 ECDEL CN.
- (²⁶) The successful tenderer must nominate a representative in Tianjin. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the, China National Import and Export Inspection Corporation (CCIC); cable CHINSPECT, telex 210076 SACI CN.
CCIC may be designated as representative by the successful tenderer.
- (²⁷) The bags must be placed in 20-foot containers.
The free holding period for containers must be at least 15 days.
- (²⁸) New, dry and intact packaging of a net content of 25 kilograms made up as follows : (combination of requirements in I (b) and (c) of Annex II to Commission Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19) :
1 kraft paper bag of a strength of at least 70 g/m²,
1 kraft paper bag with a polyethylene lining, of a strength of at least 80 + 15 g/m²,
3 kraft bags of a strength of at least 70 g/m²,
1 polyethylene inner bag at least 0,12 mm thick, welded or double bond.
-

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
(1)	(2)	(3)	(4)	(5)	(6)
B	748		UNRWA	Israel	Action No 474/89 / Vit. skimmed-milk powder / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Ashdod
C	106		UNRWA	Syria	Action No 475/89 / Vit. skimmed-milk powder / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Latakia
D	233		UNRWA	Jordan	Action No 476/89 / Vit. skimmed-milk powder / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Aqaba / Date of expiry: ...
E	186		UNRWA	Lebanon	Action No 477/89 / Vit. skimmed-milk powder / Gift of the European Economic Community to UNRWA for free distribution to Palestine refugees / Beirut
F	150	F1 : 60	Euronaïd	Gambia	Action No 574/89 / 90124 / Euronaïd / Gift of the European Economic Community / For free distribution
		F2 : 90	Euronaïd	Rwanda	Action No 575/89 / 90623 / Euronaïd / Gift of the European Economic Community / For free distribution
G	135		WFP	Tunisie	Action n° 505/89 / Tunisie 0340800 / LEP / Don de la Communauté économique européenne / Action du Programme alimentaire mondial / Tunis
H	474		WFP	Maroc	Action n° 506/89 / Maroc 0228803 / LEP / Don de la Communauté économique européenne / Action du Programme alimentaire mondial / Tanger

(1)	(2)	(3)	(4)	(5)	(6)
I	712		WFP	Maroc	Action n° 507/89 / Maroc 0228803 / LEP / Don de la Communauté économique européenne / Action du Programme alimentaire mondial / Casablanca
K	150		WFP	Tanzania	Action No 508/89 / Tanzania 0224702 / DSM / Gift of the European Economic Community / Action of the World Food Programme / Dar Es Salaam ⁽¹⁾
L	600		Pakistan	Pakistan	Action No 511/89 / Vitaminized skimmed-milk powder / Gift of the European Economic Community / For free distribution

(¹) Ajouter au marquage un point rouge d'au moins 300 millimètres de diamètre.

(¹) Tilføje til mærkningen en rød plet på mindst 300 mm i diameter.

(¹) Ergänzung der Kennzeichnung durch einen roten Punkt mit einem Durchmesser von mindestens 300 mm.

(¹) Add to the markings a red dot of at least 300 mm in diameter.

(¹) Añádase al marcado un círculo rojo de al menos 300 mm de diámetro.

(¹) Να προστεθεί στη σήμανση κόκκινο σημείο διαμέτρου τουλάχιστον 300 mm.

(¹) Aggiungere alla marcatura un punto rosso di almeno 300 mm di diametro.

(¹) Ter aanvulling op de vermeldingen een rode stip van ten minste 300 mm diameter.

(¹) Juntar à marcação um círculo vermelho de pelo menos 300 mm de diâmetro.

*ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ ΙΙΙ — ANNEX III — ANNEXE III — ALLEGATO III —
BIJLAGE III — ANEXO III*

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	Representante del beneficiario Modtagerens repræsentant Vertreter des Begünstigten Εκπρόσωπος του δικαιούχου Representative of the recipient Représentant du bénéficiaire Rappresentante del beneficiario Vertegenwoordiger van de begunstigde Representante do beneficiário
B	748		UNRWA	Israel	UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem, Israel
C	106		UNRWA	Syria	UNRWA Field Supply and Transport Officer, Syrian Arab Republic, PO Box 4313, Damascus, SAR
D	233		UNRWA	Jordan	UNRWA Field Supply and Transport Officer, Jordan, PO Box 484, Amman, Jordan
E	186		UNRWA	Lebanon	UNRWA Field Supply and Transport Officer, Lebanon, PO Box 947, Beirut, Lebanon

COMMISSION REGULATION (EEC) No 3154/89

of 20 October 1989

abolishing a countervailing charge on apples originating in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2988/89⁽³⁾ introduced a countervailing charge on apples originating in Portugal;

Whereas for apples originating in Portugal there were no prices for six consecutive working days; whereas the conditions specified in Article 26 (1) of Regulation (EEC)

No 1035/72 are therefore fulfilled and the countervailing charge on imports of apples originating in Portugal can be abolished;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2988/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 21 October 1989.

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

Done at Brussels, 20 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 286, 4. 10. 1989, p. 14.

COMMISSION REGULATION (EEC) No 3155/89

of 20 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 3134/89⁽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:

⁽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 301, 19. 10. 1989, p. 26.⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 19 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 23 October 1989.

⁽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, 20 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 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	129,47	132,49
1103 14 00	3,02	129,47	132,49
1103 29 50	3,02	129,47	132,49
1104 19 91	6,04	219,85	225,89
1108 19 10	30,83	185,65	216,48

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 October 1989

concerning the steel area of the Grand Duchy of Luxembourg referred to in Article 4 (2) of Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider programme)

(Only the French text is authentic)

(89/559/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 328/88 of 2 February 1988 instituting a Community programme to assist the conversion of steel areas (Resider programme) ⁽¹⁾, and in particular Articles 3 and 4 thereof,

Whereas Article 4 (2) of Regulation (EEC) No 328/88 stipulates that the Community programme may apply to the steel area of the Grand Duchy of Luxembourg, provided it meets the criteria set out in Article 3 (1) (a), (b) and (c) and the thresholds laid down in Article 4 (1) (a), (b) and (c);

Whereas the Member State concerned must submit an application for approval of the areas to which the Community programme is to apply; whereas the Grand Duchy of Luxembourg has submitted such an application to the Commission in respect of its steel area;

Whereas that area satisfies the abovementioned criteria and thresholds,

HAS ADOPTED THIS REGULATION:

Article 1

The Luxembourg steel area is hereby found to satisfy the criteria in Article 3 (1) (a), (b) and (c) and the thresholds in Article 4 (1) (a), (b) and (c) of Council Regulation (EEC) No 328/88. The Community programme instituted by that Regulation shall therefore apply to that area.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 10 October 1989.

For the Commission

Bruce MILLAN

Member of the Commission

⁽¹⁾ OJ No L 33, 5. 2. 1988, p. 1.

COMMISSION DECISION

of 17 October 1989

terminating the anti-dumping proceeding concerning imports of polyester film
originating in the Republic of Korea

(89/560/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 2423/88
of 11 July 1988 on protection against dumped or
subsidized imports from countries not members of the
European Community⁽¹⁾, and in particular Article 9
thereof,

After consultations within the Advisory Committee as
provided for under the above Regulation,

Whereas :

A. Procedure

(1) In September 1987 the Commission received a
complaint lodged by the European Plastic Films,
Membrane and Covering Manufacturers Association
(AEC) on behalf of producers representing the total
Community production of polyester film against
imports of polyester film originating in the
Republic of Korea (hereafter called 'Korea'). The
complaint contained evidence of dumping and of
material injury resulting therefrom, which was
considered sufficient to justify the initiation of a
proceeding. The Commission accordingly
announced, by a notice published in the *Official
Journal of the European Community*⁽²⁾, the
initiation of an anti-dumping proceeding
concerning imports into the Community of
polyester film, falling within CN codes 3919 10 31,
3919 90 31, 3920 61 00, 3920 62 00, 3920 63 00,
3920 69 00, 3921 19 90, 3921 90 19 and
commenced an investigation.

(2) The Commission officially so advised the exporters
and importers known to be concerned, the
representatives of the exporting country and the
complainant, and gave the parties directly
concerned the opportunity to make known their
views in writing and to request a hearing.

(3) The Commission, for the purpose of obtaining all
the information it deemed to be necessary, sent
questionnaires to the four companies on whose
behalf the complaint was made, in order to allow
each company to demonstrate the injury caused to

it by imports of polyester film from Korea. The
Commission carried out a detailed analysis of those
four companies who returned completed question-
naires and whose combined production represented
the complete Community production.

- (4) All the producers/exporters and some importers
known to be concerned made known their views in
writing. All of the producers/exporters requested
and were granted hearings; the complainant also
requested and was granted a hearing.
- (5) The Commission verified the information received
to the extent it deemed necessary for the purposes
of a preliminary determination and carried out
investigations at the premises of the following
companies :

(a) Community producers :

- Du Pont de Nemours, Luxembourg,
- Hoechst AG, Wiesbaden, Germany,
- ICI, Welwyn Garden City, Hertfordshire,
United Kingdom,
- Rhône-Poulenc, Lyon, France ;

(b) Korean producers/exporters :

- Kolon Industries Inc., Seoul,
- SKC Ltd, Seoul.

- (6) The investigation of dumping covered the year
1987; the trends in the relevant economic factors
to determine whether the Community industry is
suffering material injury were examined for the
years 1984 to 1987.

B. Injury

- (7) With regard to the injury allegedly being caused by
the allegedly dumped imports, the evidence
available to the Commission shows that imports of
all types of polyester film to the Community from
Korea increased from 582 tonnes in 1984 to 890
tonnes in 1985, to 2 207 tonnes in 1986 and to
2 949 tonnes in 1987. This development in imports
represents an increase in market share for the
Korean producers/exporters from 0,6 % in 1984, to
0,9 % in 1985, to 2,0 % in 1986, to 2,4 % in 1987.
During the same period the market share of the
Community industry decreased from 73,4 % in
1984 to 68,1 % in 1987 while its average return on
sales before taxes oscillated from 16,2 % in 1984 to
7,4 % in 1985, to 9,9 % in 1986 and to 10,6 % in

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 7, 12. 1. 1988, p. 9.

1987. In the thin film sector (12 to 36 micron thickness) the imports from Korea represented in 1985 3,0 %, in 1986 6,6 % and in 1987 8,2 % of the respective sales of the Community industry in the Community.

- (8) The Community industry turnover increased from ECU 340 900 000 in 1984 to ECU 360 900 000 in 1985, to ECU 375 800 000 in 1986 and to ECU 384 700 000 in 1987. In the thin film sector where most of the Korean imports took place, the Community industry realized an increase in turnover from ECU 61 300 000 in 1985, to ECU 70 800 000 in 1986 and ECU 72 400 000 in 1987. In this sector, the Community industry achieved in 1987 a weighted average return on sales of 4,9 % while that of all polyester films was 10,6 %.
- (9) As far as capacity, production and employment of the Community industry are concerned, they all increased during the period 1984 to 1987, as did the exports of the Community producers of polyester film to Korea. The prices for all types of polyester film, but above all for those in the thin film sector, decreased during 1984 to 1987. The average price undercutting for all 12-micron film of the Korean exporters ranged between 12,3 % and 24,8 %.
- (10) Taking into account the relevant economic factors as referred above, the Commission come to the conclusion that during the investigation period the imports from Korea have not caused injury to the complainant companies as far as the production of all types of polyester film is concerned and no material injury in the thin film sector. Indeed, the small loss of market share for all types of polyester film cannot totally be imputed to the Korean exporters. The unsatisfactory results in the film sector were not of such a gravity as to harm substantially the complainant producers.

C. Dumping

- (11) In view of the above findings with respect to injury the Commission considered it unnecessary —

notwithstanding the indications of the existence of dumping practices in 1987 — to further investigate the question of dumping with regard to the imports concerned.

D. Withdrawal of the complaint and termination of the proceedings

- (12) After having been informed by the Commission of the above findings, the complainant decided to withdraw the complaint because of changes in the market conditions between the period under investigation — the year 1987 — and 1989.
- (13) In these circumstances, protective measures are unnecessary and the proceeding should be terminated as the continuation of the proceedings would not be in the interest of the Community.

HAS DECIDED AS FOLLOWS :

Sole Article

The anti-dumping proceeding concerning imports of polyester film originating in the Republic of Korea is hereby terminated.

Done at Brussels, 17 October 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 18 October 1989

making an initial allocation to Denmark of part of the resources to be charged to the 1990 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(89/561/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to the most deprived persons in the Community⁽²⁾, as last amended by Regulation (EEC) No 2736/89⁽³⁾, and in particular Article 2 (3) 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⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾, and in particular Article 2 (4) thereof,

Whereas on 20 September 1989, Denmark requested Commission authorization to initiate in 1989 the action on its territory to be financed by resources chargeable to the 1990 budget and indicated the quantities of produce that it wished to distribute; whereas it is desirable to initiate the scheme now in Denmark by making an allocation to that country; whereas this allocation shall not exceed 50 % of the resources allocated by Commission Decision to Denmark in respect of the plan for 1989;

Whereas in order to facilitate the implementation of this scheme it is necessary to specify the rate of exchange to be employed in converting the ecu into the national currency and to do so at a rate which reflects economic reality;

Whereas in accordance with the provisions of Article 1 (4) of Regulation (EEC) No 3744/87 the Commission has

sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The allocation for Denmark of the appropriations referred to in Article 2 (3) of Regulation (EEC) No 3744/87 to be charged to the 1990 budget shall be ECU 1 017 500

This sum shall be converted into national currency at the rate applicable on 4 January 1989 and published in the C series of the *Official Journal of the European Communities*.

2. Subject to the limit set out in paragraph 1, the following quantities of produce may be withdrawn from intervention for distribution in Denmark:

- 10 tonnes of butter,
- 250 tonnes of beef.

3. The withdrawals referred to in paragraph 2 may be made from 1 October 1989.

Article 2

This Decision is addressed to the Member States.

It shall apply with effect from 1 October 1989.

Done at Brussels, 18 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽³⁾ OJ No L 263, 9. 9. 1989, p. 19.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION DECISION

of 18 October 1989

making an initial allocation to France of part of the resources to be charged to the 1990 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(89/562/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to the most deprived persons in the Community⁽²⁾, as last amended by Regulation (EEC) No 2736/89⁽³⁾, and in particular Article 2 (3) 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⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾, and in particular Article 2 (4) thereof,

Whereas on 6 October 1989, France requested Commission authorization to initiate in 1989 the action on its territory to be financed by resources chargeable to the 1990 budget and indicated the quantities of produce that it wished to distribute; whereas it is desirable to initiate the scheme now in France by making an allocation to that country; whereas this allocation shall not exceed 50 % of the resources allocated by Commission Decision to France in respect of the plan for 1989;

Whereas in order to facilitate the implementation of this scheme it is necessary to specify the rate of exchange to be employed in converting the ecu into the national currency and to do so at a rate which reflects economic reality;

Whereas in accordance with the provisions of Article 1 (4) of Regulation (EEC) No 3744/87 the Commission has sought the advice of major organizations familiar with the

problems of the most deprived persons in the Community when drawing up this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The allocation for France of the appropriations referred to in Article 2 (3) of Regulation (EEC) No 3744/87 to be charged to the 1990 budget shall be ECU 12 760 000.

This sum shall be converted into national currency at the rate applicable on 4 January 1989 and published in the C series of the *Official Journal of the European Communities*.

2. Subject to the limit set out in paragraph 1, the following quantities of produce may be withdrawn from intervention for distribution in France:

- 2 250 tonnes of soft wheat,
- 3 000 tonnes of durum wheat,
- 1 150 tonnes of butter,
- 2 100 tonnes of beef.

3. The withdrawals referred to in paragraph 2 may be made from 15 October 1989.

Article 2

This Decision is addressed to the Member States.

It shall apply with effect from 15 October 1989.

Done at Brussels, 18 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽³⁾ OJ No L 263, 9. 9. 1989, p. 19.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.