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## Legislation

### Contents

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

- \* Council Regulation (EEC) No 3280/89 of 24 October 1989 fixing, for the 1989/90 marketing year, the representative market price and the threshold price for olive oil and the percentages of consumption aid to be retained in accordance with Article 11 (5) and (6) of Regulation No 136/66/EEC . . . . .** 1
- Commission Regulation (EEC) No 3281/89 of 31 October 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal . . . . . 2
- Commission Regulation (EEC) No 3282/89 of 31 October 1989 fixing the premiums to be added to the import levies on cereals, flour and malt . . . . . 4
- Commission Regulation (EEC) No 3283/89 of 31 October 1989 fixing the export refunds on products processed from cereals and rice . . . . . 6
- Commission Regulation (EEC) No 3284/89 of 31 October 1989 fixing the export refunds on cereal-based compound feedingstuffs . . . . . 9
- Commission Regulation (EEC) No 3285/89 of 31 October 1989 altering the corrective amount applicable to the refund on cereals . . . . . 17
- Commission Regulation (EEC) No 3286/89 of 31 October 1989 fixing the import levies on syrups and certain other products in the sugar sector . . . . . 19
- Commission Regulation (EEC) No 3287/89 of 31 October 1989 fixing the export refunds on syrups and certain other sugar products exported in the natural state 21
- Commission Regulation (EEC) No 3288/89 of 31 October 1989 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries . . . . . 24
- Commission Regulation (EEC) No 3289/89 of 31 October 1989 fixing the export refunds on oil seeds . . . . . 25

Price : ECU 10,50.

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

|                                                                                                                                                                                                                                                                                                          |           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| Commission Regulation (EEC) No 3290/89 of 31 October 1989 fixing the amount of aid for peas, field beans and sweet lupins .....                                                                                                                                                                          | 28        |
| Commission Regulation (EEC) No 3291/89 of 31 October 1989 fixing the rate of the aid for dried fodder .....                                                                                                                                                                                              | 35        |
| Commission Regulation (EEC) No 3292/89 of 31 October 1989 fixing for November 1989 the levy applicable in Spain to products subject to the price control system ....                                                                                                                                     | 38        |
| Commission Regulation (EEC) No 3293/89 of 31 October 1989 fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89 .....                                   | 39        |
| Commission Regulation (EEC) No 3294/89 of 30 October 1989 on the sale, under the procedure laid down in Regulation (EEC) No 3143/85, of butter held by certain intervention agencies and intended for direct consumption in the form of concentrated butter .....                                        | 40        |
| <b>* Commission Regulation (EEC) No 3295/89 of 31 October 1989 fixing the additional levy and the reimbursement in the cereals sector for the 1989/90 marketing year .....</b>                                                                                                                           | <b>43</b> |
| <b>* Commission Regulation (EEC) No 3296/89 of 31 October 1989 amending Regulation (EEC) No 2033/85 adapting the guaranteed total quantities of milk and milk products referred to in Article 5c of Council Regulation (EEC) No 804/68 and in Article 6 of Council Regulation (EEC) No 857/84 ....</b>   | <b>45</b> |
| <b>* Commission Regulation (EEC) No 3297/89 of 31 October 1989 amending certain 'guide' quantities provided for in Regulation (EEC) No 3972/88 under the supplementary mechanism applicable to trade in beef and veal .....</b>                                                                          | <b>47</b> |
| Commission Regulation (EEC) No 3298/89 of 31 October 1989 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty .....                                                                                                  | 48        |
| Commission Regulation (EEC) No 3299/89 of 31 October 1989 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty .....                                                                                       | 50        |
| Commission Regulation (EEC) No 3300/89 of 31 October 1989 fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty .....                                                                                 | 53        |
| Commission Regulation (EEC) No 3301/89 of 31 October 1989 fixing the aid for cotton .....                                                                                                                                                                                                                | 56        |
| Commission Regulation (EEC) No 3302/89 of 31 October 1989 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products .....                                                                                                               | 57        |
| <b>* Commission Regulation (EEC) No 3303/89 of 31 October 1989 fixing the estimated soya bean production for the 1989/90 marketing year, the actual soya bean production for the 1988/89 marketing year and the adjustment to be made in the aid for soya beans for the 1989/90 marketing year .....</b> | <b>60</b> |

(Continued on inside back cover)

Contents (continued)

|                                                                                                                                                        |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EEC) No 3304/89 of 31 October 1989 fixing the accession compensatory amounts for olive oil for 1989/90 .....                    | 61 |
| Commission Regulation (EEC) No 3305/89 of 31 October 1989 fixing the aid for soya beans .....                                                          | 64 |
| Commission Regulation (EEC) No 3306/89 of 31 October 1989 altering the import levies on products processed from cereals and rice .....                 | 67 |
| Commission Regulation (EEC) No 3307/89 of 31 October 1989 altering the export refunds on white sugar and raw sugar exported in the natural state ..... | 70 |
| Commission Regulation (EEC) No 3308/89 of 31 October 1989 fixing the amount of the subsidy on oil seeds .....                                          | 72 |
| Commission Regulation (EEC) No 3309/89 of 31 October 1989 altering the export refunds on malt .....                                                    | 76 |

## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 3280/89**

**of 24 October 1989**

**fixing, for the 1989/90 marketing year, the representative market price and the threshold price for olive oil and the percentages of consumption aid to be retained in accordance with Article 11 (5) and (6) of Regulation No 136/66/EEC**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 2902/89<sup>(2)</sup>, and in particular the second subparagraph of Article 4 (4) and Article 11 (6) thereof,

Having regard to the proposal from the Commission,

Whereas the representative market price must be fixed according to the criteria laid down in Article 7 of Regulation No 136/66/EEC;

Whereas the threshold price must be fixed in such a way that the selling price for the imported product at the frontier crossing point determined in accordance with Article 9 of Regulation No 136/66/EEC is the same as the representative market price, account being taken of the effect of the measures referred to in Article 11 (6) of the said Regulation;

Whereas the application of the above criteria results in fixing the representative market price and the threshold price at the levels shown in Article 1 of this Regulation;

Whereas, pursuant to Article 11 (5) and (6) of Regulation No 136/66/EEC, a certain percentage of the consumption aid during each olive oil marketing year is to be used, on

the one hand, to finance the recognized trade organizations referred to in paragraph 3 of the abovementioned Article and, on the other hand, to finance measures to promote olive oil consumption in the Community; whereas the said percentages for the 1989/1990 marketing year should be fixed,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1989/90 marketing year the representative market price and the threshold price for olive oil shall be as follows:

- representative market price: ECU 190,61/100 kg,
- threshold price: ECU 189,43/100 kg.

*Article 2*

1. For the 1989/90 marketing year the percentage of consumption aid referred to in Article 11 (5) of Regulation No 136/66/EEC shall be 1,4 %.
2. For the 1989/90 marketing year the percentage of consumption aid to be allocated to the measures referred to in Article 11 (6) of Regulation No 136/66/EEC shall be 4 %.

*Article 3*

This Regulation shall enter into force on 1 November 1989.

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

Done at Luxembourg, 24 October 1989.

*For the Council*

*The President*

H. NALLET

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

## COMMISSION REGULATION (EEC) No 3281/89

of 31 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 30 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 1 November 1989.

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

Done at Brussels, 31 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. 1.

## ANNEX

to the Commission Regulation of 31 October 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

| CN code    | Levies   |                                      |
|------------|----------|--------------------------------------|
|            | Portugal | Third country                        |
| 0709 90 60 | 23,05    | 119,72                               |
| 0712 90 19 | 23,05    | 119,72                               |
| 1001 10 10 | 26,35    | 166,82 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 26,35    | 166,82 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 23,07    | 117,29                               |
| 1001 90 99 | 23,07    | 117,29                               |
| 1002 00 00 | 49,93    | 115,02 <sup>(3)</sup>                |
| 1003 00 10 | 40,77    | 116,60                               |
| 1003 00 90 | 40,77    | 116,60                               |
| 1004 00 10 | 32,17    | 111,17                               |
| 1004 00 90 | 32,17    | 111,17                               |
| 1005 10 90 | 23,05    | 119,72 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 23,05    | 119,72 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 40,77    | 130,94 <sup>(4)</sup>                |
| 1008 10 00 | 40,77    | 3,54                                 |
| 1008 20 00 | 40,77    | 69,87 <sup>(4)</sup>                 |
| 1008 30 00 | 40,77    | 0,00 <sup>(5)</sup>                  |
| 1008 90 10 | (7)      | (7)                                  |
| 1008 90 90 | 40,77    | 0,00                                 |
| 1101 00 00 | 45,89    | 177,79                               |
| 1102 10 00 | 83,49    | 174,61                               |
| 1103 11 10 | 55,37    | 273,10                               |
| 1103 11 90 | 48,93    | 191,38                               |

<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 3282/89

of 31 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 30 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 1 November 1989.

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

Done at Brussels, 31 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 31 October 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

(ECU/tonne)

| CN code    | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 |
|------------|---------------|------------------|-----------------|-----------------|
| 0709 90 60 | 0             | 0,55             | 0,55            | 1,54            |
| 0712 90 19 | 0             | 0,55             | 0,55            | 1,54            |
| 1001 10 10 | 0             | 0                | 0               | 0               |
| 1001 10 90 | 0             | 0                | 0               | 0               |
| 1001 90 91 | 0             | 0                | 0               | 1,71            |
| 1001 90 99 | 0             | 0                | 0               | 1,71            |
| 1002 00 00 | 0             | 0                | 0               | 0               |
| 1003 00 10 | 0             | 0                | 0               | 0               |
| 1003 00 90 | 0             | 0                | 0               | 0               |
| 1004 00 10 | 0             | 0                | 0               | 0,79            |
| 1004 00 90 | 0             | 0                | 0               | 0,79            |
| 1005 10 90 | 0             | 0,55             | 0,55            | 1,54            |
| 1005 90 00 | 0             | 0,55             | 0,55            | 1,54            |
| 1007 00 90 | 0             | 0                | 0               | 0               |
| 1008 10 00 | 0             | 0                | 0               | 0               |
| 1008 20 00 | 0             | 0                | 0               | 11,88           |
| 1008 30 00 | 0             | 0                | 0               | 0               |
| 1008 90 90 | 0             | 0                | 0               | 0               |
| 1101 00 00 | 0             | 0                | 0               | 2,40            |

## B. Malt

(ECU/tonne)

| CN code    | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 |
|------------|---------------|------------------|-----------------|-----------------|-----------------|
| 1107 10 11 | 0             | 0                | 0               | 3,04            | 3,04            |
| 1107 10 19 | 0             | 0                | 0               | 2,27            | 2,27            |
| 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 3283/89

of 31 October 1989

fixing the export refunds 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2860/89<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(4)</sup>, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75<sup>(5)</sup>, and Article 2 of Council Regulation (EEC) No 1431/76<sup>(6)</sup> laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice<sup>(7)</sup>, as last amended by Regulation (EEC) No 1906/87<sup>(8)</sup>, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68<sup>(9)</sup>, as amended by Regulation (EEC) No 2764/71<sup>(10)</sup>, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

<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 166, 25. 6. 1976, p. 1.

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

<sup>(5)</sup> OJ No L 281, 1. 11. 1975, p. 78.

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

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

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

<sup>(9)</sup> OJ No L 181, 27. 7. 1968, p. 1.

<sup>(10)</sup> OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas Commission Regulation (EEC) No 2806/71 <sup>(1)</sup> lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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

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

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 284, 28. 12. 1971, p. 9.

<sup>(2)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(3)</sup> OJ No L 153, 13. 6. 1987, p. 1.

## ANNEX

to the Commission Regulation of 31 October 1989 fixing the export refunds on products  
processed from cereals and rice

| (ECU/tonne)    |        | (ECU/tonne)    |        |
|----------------|--------|----------------|--------|
| Product code   | Refund | Product code   | Refund |
| 1102 20 10 100 | 110,88 | 1104 22 10 900 | —      |
| 1102 20 10 300 | 95,04  | 1104 22 30 100 | 118,64 |
| 1102 20 10 900 | —      | 1104 22 30 900 | —      |
| 1102 20 90 100 | 95,04  | 1104 22 50 000 | —      |
| 1102 20 90 900 | —      | 1104 23 10 100 | 118,80 |
| 1102 30 00 000 | —      | 1104 23 10 300 | 91,08  |
| 1102 90 10 100 | 95,99  | 1104 23 10 900 | —      |
| 1102 90 10 900 | 65,27  | 1104 29 10 100 | —      |
| 1102 90 30 100 | 125,62 | 1104 29 10 900 | —      |
| 1102 90 30 900 | —      | 1104 29 91 000 | 62,59  |
| 1103 12 00 100 | 125,62 | 1104 29 95 000 | 62,59  |
| 1103 12 00 900 | —      | 1104 30 10 000 | 11,78  |
| 1103 13 11 100 | 142,56 | 1104 30 90 000 | 19,80  |
| 1103 13 11 300 | 110,88 | 1107 10 11 000 | 83,84  |
| 1103 13 11 500 | 95,04  | 1107 10 91 000 | 113,90 |
| 1103 13 11 900 | —      | 1108 11 00 100 | 94,20  |
| 1103 13 19 100 | 142,56 | 1108 11 00 900 | —      |
| 1103 13 19 300 | 110,88 | 1108 12 00 100 | 126,72 |
| 1103 13 19 500 | 95,04  | 1108 12 00 900 | —      |
| 1103 13 19 900 | —      | 1108 13 00 100 | 126,72 |
| 1103 13 90 100 | 95,04  | 1108 13 00 900 | —      |
| 1103 13 90 900 | —      | 1108 14 00 100 | —      |
| 1103 14 00 000 | —      | 1108 14 00 900 | —      |
| 1103 19 10 000 | 62,59  | 1108 19 10 100 | 174,40 |
| 1103 19 30 100 | 99,18  | 1108 19 10 900 | —      |
| 1103 19 30 900 | —      | 1108 19 90 100 | —      |
| 1103 21 00 000 | 48,04  | 1108 19 90 900 | —      |
| 1103 29 20 000 | 65,27  | 1109 00 00 100 | 0,00   |
| 1103 29 30 000 | —      | 1109 00 00 900 | —      |
| 1103 29 40 000 | 80,78  | 1702 30 51 000 | 165,53 |
| 1104 11 90 100 | 95,99  | 1702 30 59 000 | 126,72 |
| 1104 11 90 900 | —      | 1702 30 91 000 | 165,53 |
| 1104 12 90 100 | 139,58 | 1702 30 99 000 | 126,72 |
| 1104 12 90 300 | 111,66 | 1702 40 90 000 | 126,72 |
| 1104 12 90 900 | —      | 1702 90 50 100 | 165,53 |
| 1104 19 10 000 | 48,04  | 1702 90 50 900 | 126,72 |
| 1104 19 50 110 | 126,72 | 1702 90 75 000 | 173,45 |
| 1104 19 50 130 | 102,96 | 1702 90 79 000 | 120,38 |
| 1104 19 50 150 | —      | 2106 90 55 000 | 126,72 |
| 1104 19 50 190 | —      | 2302 10 10 000 | 15,22  |
| 1104 19 50 900 | —      | 2302 10 90 100 | 15,22  |
| 1104 19 91 000 | —      | 2302 10 90 900 | —      |
| 1104 21 10 100 | 95,99  | 2302 20 10 000 | 15,22  |
| 1104 21 10 900 | —      | 2302 20 90 100 | 15,22  |
| 1104 21 30 100 | 95,99  | 2302 20 90 900 | —      |
| 1104 21 30 900 | —      | 2302 30 10 000 | 15,22  |
| 1104 21 50 100 | 127,98 | 2302 30 90 000 | 15,22  |
| 1104 21 50 300 | 102,38 | 2302 40 10 000 | 15,22  |
| 1104 21 50 900 | —      | 2302 40 90 000 | 15,22  |
| 1104 22 10 100 | 111,66 | 2303 10 11 100 | 63,36  |
|                |        | 2303 10 11 900 | —      |

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

## COMMISSION REGULATION (EEC) No 3284/89

of 31 October 1989

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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 the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs<sup>(4)</sup>, as last amended by Regulation (EEC) No 944/87<sup>(5)</sup>, provides

that, when export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs<sup>(6)</sup>, as last amended by Regulation (EEC) No 1349/87<sup>(7)</sup>, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice<sup>(8)</sup>, as amended by Regulation (EEC) No 3049/89<sup>(9)</sup>, should be used;

<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 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 60.

<sup>(5)</sup> OJ No L 90, 2. 4. 1987, p. 2.

<sup>(6)</sup> OJ No L 246, 30. 9. 1969, p. 11.

<sup>(7)</sup> OJ No L 127, 16. 5. 1987, p. 14.

<sup>(8)</sup> OJ No L 134, 28. 5. 1977, p. 53.

<sup>(9)</sup> OJ No L 292, 11. 10. 1989, p. 10.

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

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

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

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal;

whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

#### *Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 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.

## ANNEX

to the Commission Regulation of 31 October 1989 fixing the export refunds on  
cereal-based compound feedingstuffs

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 10 11 050 | —               | —                |
| 2309 10 11 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 10 11 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 10 11 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 10 11 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 10 11 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 10 11 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 10 11 900 | —               | —                |
| 2309 10 13 050 | —               | —                |
| 2309 10 13 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 10 13 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 10 13 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 10 13 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 10 13 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 10 13 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 10 13 900 | —               | —                |
| 2309 10 31 050 | —               | —                |
| 2309 10 31 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 10 31 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 10 31 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 10 31 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 10 31 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 10 31 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 10 31 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 10 31 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 10 31 510 | 01              | 34,85            |
|                | 09              | —                |

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 10 31 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 10 31 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 10 31 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 10 31 900 | —               | —                |
| 2309 10 33 050 | —               | —                |
| 2309 10 33 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 10 33 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 10 33 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 10 33 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 10 33 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 10 33 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 10 33 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 10 33 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 10 33 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 10 33 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 10 33 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 10 33 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 10 33 900 | —               | —                |
| 2309 10 51 050 | —               | —                |
| 2309 10 51 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 10 51 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 10 51 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 10 51 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 10 51 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 10 51 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 10 51 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 10 51 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 10 51 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 10 51 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 10 51 610 | 01              | 43,56            |
|                | 09              | —                |

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 10 51 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 10 51 710 | 01              | 52,27            |
|                | 09              | —                |
| 2309 10 51 790 | 01              | 37,13            |
|                | 09              | —                |
| 2309 10 51 810 | 01              | 57,02            |
|                | 09              | —                |
| 2309 10 51 890 | 01              | 40,50            |
|                | 09              | —                |
| 2309 10 51 900 | —               | —                |
| 2309 10 53 050 | —               | —                |
| 2309 10 53 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 10 53 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 10 53 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 10 53 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 10 53 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 10 53 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 10 53 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 10 53 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 10 53 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 10 53 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 10 53 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 10 53 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 10 53 710 | 01              | 52,27            |
|                | 09              | —                |
| 2309 10 53 790 | 01              | 37,13            |
|                | 09              | —                |
| 2309 10 53 810 | 01              | 57,02            |
|                | 09              | —                |
| 2309 10 53 890 | 01              | 40,50            |
|                | 09              | —                |
| 2309 10 53 900 | —               | —                |
| 2309 90 31 050 | —               | —                |
| 2309 90 31 110 | 01              | 4,36             |
|                | 09              | —                |

| (ECU / tonne)  |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 90 31 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 90 31 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 90 31 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 90 31 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 90 31 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 90 31 900 | —               | —                |
| 2309 90 33 050 | —               | —                |
| 2309 90 33 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 90 33 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 90 33 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 90 33 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 90 33 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 90 33 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 90 33 900 | —               | —                |
| 2309 90 41 050 | —               | —                |
| 2309 90 41 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 90 41 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 90 41 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 90 41 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 90 41 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 90 41 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 90 41 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 90 41 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 90 41 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 90 41 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 90 41 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 90 41 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 90 41 900 | —               | —                |
| 2309 90 43 050 | —               | —                |
| 2309 90 43 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 90 43 190 | 01              | 3,09             |
|                | 09              | —                |

| (ECU/tonne)    |                 |                  |
|----------------|-----------------|------------------|
| Product code   | Destination (1) | Amount of refund |
| 2309 90 43 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 90 43 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 90 43 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 90 43 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 90 43 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 90 43 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 90 43 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 90 43 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 90 43 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 90 43 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 90 43 900 | —               | —                |
| 2309 90 51 050 | —               | —                |
| 2309 90 51 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 90 51 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 90 51 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 90 51 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 90 51 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 90 51 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 90 51 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 90 51 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 90 51 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 90 51 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 90 51 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 90 51 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 90 51 710 | 01              | 52,27            |
|                | 09              | —                |
| 2309 90 51 790 | 01              | 37,13            |
|                | 09              | —                |
| 2309 90 51 810 | 01              | 57,02            |
|                | 09              | —                |

*(ECU / tonne)*

| Product code   | Destination (1) | Amount of refund |
|----------------|-----------------|------------------|
| 2309 90 51 890 | 01              | 40,50            |
|                | 09              | —                |
| 2309 90 51 900 | —               | —                |
| 2309 90 53 050 | —               | —                |
| 2309 90 53 110 | 01              | 4,36             |
|                | 09              | —                |
| 2309 90 53 190 | 01              | 3,09             |
|                | 09              | —                |
| 2309 90 53 210 | 01              | 8,71             |
|                | 09              | —                |
| 2309 90 53 290 | 01              | 6,19             |
|                | 09              | —                |
| 2309 90 53 310 | 01              | 17,42            |
|                | 09              | —                |
| 2309 90 53 390 | 01              | 12,38            |
|                | 09              | —                |
| 2309 90 53 410 | 01              | 26,14            |
|                | 09              | —                |
| 2309 90 53 490 | 01              | 18,56            |
|                | 09              | —                |
| 2309 90 53 510 | 01              | 34,85            |
|                | 09              | —                |
| 2309 90 53 590 | 01              | 24,75            |
|                | 09              | —                |
| 2309 90 53 610 | 01              | 43,56            |
|                | 09              | —                |
| 2309 90 53 690 | 01              | 30,94            |
|                | 09              | —                |
| 2309 90 53 710 | 01              | 52,27            |
|                | 09              | —                |
| 2309 90 53 790 | 01              | 37,13            |
|                | 09              | —                |
| 2309 90 53 810 | 01              | 57,02            |
|                | 09              | —                |
| 2309 90 53 890 | 01              | 40,50            |
|                | 09              | —                |
| 2309 90 53 900 | —               | —                |

(1) The destinations are as follows:

- 01 Zones A, B, C, D and E as specified in Annex II to the amended Regulation (EEC) No 1124/77,
- 09 Other destinations.

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

**COMMISSION REGULATION (EEC) No 3285/89****of 31 October 1989****altering the corrective amount applicable to the refund on cereals**

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 2860/89 <sup>(2)</sup>, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 3145/89 <sup>(4)</sup>, as amended by Regulation (EEC) No 3180/89 <sup>(5)</sup>;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to amended Regulation (EEC) No 3145/89, which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 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 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 303, 20. 10. 1989, p. 18.

<sup>(5)</sup> OJ No L 308, 25. 10. 1989, p. 8.

## ANNEX

to the Commission Regulation of 31 October 1989 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

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

(1) For the following destinations:

01 All third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

## COMMISSION REGULATION (EEC) No 3286/89

of 31 October 1989

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar<sup>(3)</sup>, as last amended by Regulation (EEC) No 1428/78<sup>(4)</sup>, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75<sup>(5)</sup>, as last amended by Regulation (EEC) No 2860/89<sup>(6)</sup>, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(7)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(8)</sup>,

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

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

<sup>(3)</sup> OJ No L 151, 30. 6. 1968, p. 42.

<sup>(4)</sup> OJ No L 171, 28. 6. 1978, p. 34.

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

<sup>(6)</sup> OJ No L 274, 23. 9. 1989, p. 41.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

*ANNEX*

to the Commission Regulation of 31 October 1989 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

| CN code    | Basic amount per percentage point of sucrose content and per 100 kg net of the product in question | Amount of levy per 100 kg of dry matter |
|------------|----------------------------------------------------------------------------------------------------|-----------------------------------------|
| 1702 20 10 | 0,3376                                                                                             | —                                       |
| 1702 20 90 | 0,3376                                                                                             | —                                       |
| 1702 30 10 | —                                                                                                  | 43,43                                   |
| 1702 40 10 | —                                                                                                  | 43,43                                   |
| 1702 60 10 | —                                                                                                  | 43,43                                   |
| 1702 60 90 | 0,3376                                                                                             | —                                       |
| 1702 90 30 | —                                                                                                  | 43,43                                   |
| 1702 90 60 | 0,3376                                                                                             | —                                       |
| 1702 90 71 | 0,3376                                                                                             | —                                       |
| 1702 90 90 | 0,3376                                                                                             | —                                       |
| 2106 90 30 | —                                                                                                  | 43,43                                   |
| 2106 90 59 | 0,3376                                                                                             | —                                       |

## COMMISSION REGULATION (EEC) No 3287/89

of 31 October 1989

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89<sup>(2)</sup>, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar<sup>(3)</sup>, as last amended by Regulation (EEC) No 1489/76<sup>(4)</sup>, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar<sup>(5)</sup>, as last amended by Regulation (EEC) No 1714/88<sup>(6)</sup>;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the produc-

tion refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry<sup>(7)</sup>, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75<sup>(8)</sup>, as amended by Regulation (EEC) No 1714/88;

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

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.<sup>(2)</sup> OJ No L 114, 27. 4. 1989, p. 1.<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.<sup>(4)</sup> OJ No L 167, 26. 6. 1976, p. 13.<sup>(5)</sup> OJ No L 50, 4. 3. 1970, p. 1.<sup>(6)</sup> OJ No L 152, 18. 6. 1988, p. 23.<sup>(7)</sup> OJ No L 170, 27. 6. 1978, p. 9.<sup>(8)</sup> OJ No L 162, 1. 7. 1977, p. 9.

- 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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(2)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of

prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 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.

## ANNEX

to the Commission Regulation of 31 October 1989 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

| Product code   | Basic amount per percentage point of sucrose content and per 100 kg net of the product in question <sup>(1)</sup> | Amount of refund per 100 kg of dry matter <sup>(2)</sup> |
|----------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1702 40 10 100 |                                                                                                                   | 26,98                                                    |
| 1702 60 10 000 |                                                                                                                   | 26,98                                                    |
| 1702 60 90 000 | 0,2698                                                                                                            |                                                          |
| 1702 90 30 000 |                                                                                                                   | 26,98                                                    |
| 1702 90 60 000 | 0,2698                                                                                                            |                                                          |
| 1702 90 71 000 | 0,2698                                                                                                            |                                                          |
| 1702 90 90 900 | 0,2698                                                                                                            |                                                          |
| 2106 90 30 000 |                                                                                                                   | 26,98                                                    |
| 2106 90 59 000 | 0,2698                                                                                                            |                                                          |

<sup>(1)</sup> The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

<sup>(2)</sup> Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

## COMMISSION REGULATION (EEC) No 3288/89

of 31 October 1989

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, in accordance with Article 303 of the Act of Accession, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2928/89 <sup>(4)</sup>, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 15,35 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 18.

<sup>(4)</sup> OJ No L 281, 30. 9. 1989, p. 14.

## COMMISSION REGULATION (EEC) No 3289/89

of 31 October 1989

fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds<sup>(3)</sup>, as last amended by the Act of Accession of Greece, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture<sup>(4)</sup>, as last amended by Regulation (EEC) No 3215/89<sup>(5)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed<sup>(6)</sup>, as last amended by Regulation (EEC) No 2216/88<sup>(7)</sup>, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats<sup>(8)</sup>, as last amended by Regulation (EEC) No 2662/87<sup>(9)</sup>, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the

1989/90 marketing year were fixed by Regulations (EEC) No 1228/89<sup>(10)</sup> and (EEC) No 1229/89<sup>(11)</sup>;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86<sup>(12)</sup>;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89<sup>(13)</sup>;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds<sup>(14)</sup>, as last amended by Regulation (EEC) No 1815/84<sup>(15)</sup>, provides that the amount of the refund must be calculated on the

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

<sup>(3)</sup> OJ No 125, 26. 6. 1967, p. 2461/67.

<sup>(4)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(5)</sup> OJ No L 312, 27. 10. 1989, p. 20.

<sup>(6)</sup> OJ No L 167, 25. 7. 1972, p. 9.

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

<sup>(8)</sup> OJ No L 213, 11. 8. 1975, p. 1.

<sup>(9)</sup> OJ No L 252, 3. 9. 1987, p. 6.

<sup>(10)</sup> OJ No L 128, 11. 5. 1989, p. 20.

<sup>(11)</sup> OJ No L 128, 11. 5. 1989, p. 22.

<sup>(12)</sup> OJ No L 53, 1. 3. 1986, p. 55.

<sup>(13)</sup> OJ No L 254, 31. 8. 1989, p. 9.

<sup>(14)</sup> OJ No L 75, 30. 3. 1971, p. 16.

<sup>(15)</sup> OJ No L 170, 29. 6. 1984, p. 46.

basis of the weight of exported seeds ; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed ; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter ; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount ;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84 <sup>(1)</sup> ;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary ;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84 <sup>(2)</sup>, as last amended by Regulation (EEC) No 431/89 <sup>(3)</sup>, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate ;

(b) for the other Member States, the difference between :

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage ; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84 ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation ; whereas it is not necessary to fix a refund for sunflower seed ;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants ; whereas in the interests of sound market management a reduction should be made ;

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

HAS ADOPTED THIS REGULATION :

#### *Article 1*

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. There shall be no refund on sunflower seed.

3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

#### *Article 2*

This Regulation shall enter into force on 1 November 1989.

<sup>(1)</sup> OJ No L 113, 28. 4. 1984, p. 8.

<sup>(2)</sup> OJ No L 170, 29. 6. 1984, p. 41.

<sup>(3)</sup> OJ No L 50, 22. 2. 1989, p. 7.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# ANNEX

to the Commission Regulation of 31 October 1989 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

|                                    | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 |
|------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|
| 1. Gross refunds (ECU):            |               |                  |                 |                 |                 |                 |
| — Spain                            | 21,940        | 22,218           | —               | —               | —               | —               |
| — Portugal                         | 19,500        | 19,739           | —               | —               | —               | —               |
| — other Member States              | 18,500        | 18,778           | —               | —               | —               | —               |
| 2. Final refunds:                  |               |                  |                 |                 |                 |                 |
| Seeds harvested and exported from: |               |                  |                 |                 |                 |                 |
| — Federal Republic of Germany (DM) | 44,19         | 44,84            | —               | —               | —               | —               |
| — Netherlands (Fl)                 | 48,80         | 49,53            | —               | —               | —               | —               |
| — BLEU (Bfrs/Lfrs)                 | 893,31        | 906,73           | —               | —               | —               | —               |
| — France (FF)                      | 138,50        | 140,64           | —               | —               | —               | —               |
| — Denmark (Dkr)                    | 165,21        | 167,69           | —               | —               | —               | —               |
| — Ireland (£ Irl)                  | 15,415        | 15,653           | —               | —               | —               | —               |
| — United Kingdom (£)               | 10,805        | 11,000           | —               | —               | —               | —               |
| — Italy (Lit)                      | 30 548        | 31 013           | —               | —               | —               | —               |
| — Greece (Dr)                      | 2 609,50      | 2 621,90         | —               | —               | —               | —               |
| — Spain (Pta)                      | 3 467,71      | 3 510,21         | —               | —               | —               | —               |
| — Portugal (Esc)                   | 3 601,20      | 3 647,09         | —               | —               | —               | —               |

## COMMISSION REGULATION (EEC) No 3290/89

of 31 October 1989

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins<sup>(1)</sup>, as last amended by Regulation (EEC) No 1104/88<sup>(2)</sup>, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins<sup>(3)</sup>, as last amended by Regulation (EEC) No 3870/88<sup>(4)</sup>, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82<sup>(5)</sup>, as last amended by Regulation (EEC) No 2904/89<sup>(6)</sup>;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89<sup>(7)</sup>; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1247/89<sup>(8)</sup>;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82<sup>(9)</sup>, as last amended by Regulation (EEC) No 1238/87<sup>(10)</sup>, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86<sup>(11)</sup> delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(12)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(13)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of

<sup>(1)</sup> OJ No L 162, 12. 6. 1982, p. 28.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 16.

<sup>(3)</sup> OJ No L 342, 19. 12. 1985, p. 1.

<sup>(4)</sup> OJ No L 345, 14. 12. 1988, p. 21.

<sup>(5)</sup> OJ No L 219, 28. 7. 1982, p. 1.

<sup>(6)</sup> OJ No L 280, 29. 9. 1989, p. 4.

<sup>(7)</sup> OJ No L 129, 11. 5. 1989, p. 7.

<sup>(8)</sup> OJ No L 129, 11. 5. 1989, p. 9.

<sup>(9)</sup> OJ No L 219, 28. 7. 1982, p. 36.

<sup>(10)</sup> OJ No L 117, 5. 5. 1987, p. 9.

<sup>(11)</sup> OJ No L 133, 21. 5. 1986, p. 21.

<sup>(12)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1938/89<sup>(1)</sup>; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89<sup>(2)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 187, 1. 7. 1989, p. 68.

<sup>(2)</sup> OJ No L 255, 1. 9. 1989, p. 71.

## ANNEX I

## Gross aid

Products intended for human consumption :

(ECU per 100 kg)

|                           | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 | 6th period<br>5 |
|---------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Peas used :               |               |                  |                 |                 |                 |                 |                 |
| — in Spain                | 6,017         | 6,175            | 6,333           | 6,491           | 6,649           | 6,807           | 6,807           |
| — in Portugal             | 6,059         | 6,217            | 6,375           | 6,533           | 6,691           | 6,849           | 6,849           |
| — in another Member State | 6,374         | 6,532            | 6,690           | 6,848           | 7,006           | 7,164           | 7,164           |
| Field beans used :        |               |                  |                 |                 |                 |                 |                 |
| — in Spain                | 6,374         | 6,532            | 6,690           | 6,848           | 7,006           | 7,164           | 7,164           |
| — in Portugal             | 6,059         | 6,217            | 6,375           | 6,533           | 6,691           | 6,849           | 6,849           |
| — in another Member State | 6,374         | 6,532            | 6,690           | 6,848           | 7,006           | 7,164           | 7,164           |

Products used in animal feed :

(ECU per 100 kg)

|                                                              | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 | 6th period<br>5 |
|--------------------------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| A. Peas used :                                               |               |                  |                 |                 |                 |                 |                 |
| — in Spain                                                   | 9,842         | 10,085           | 10,243          | 10,400          | 10,558          | 10,715          | 11,104          |
| — in Portugal                                                | 9,575         | 9,822            | 9,979           | 10,137          | 10,294          | 10,452          | 10,853          |
| — in another Member State                                    | 9,934         | 10,177           | 10,334          | 10,492          | 10,649          | 10,807          | 11,191          |
| B. Field beans used :                                        |               |                  |                 |                 |                 |                 |                 |
| — in Spain                                                   | 9,842         | 10,085           | 10,243          | 10,400          | 10,558          | 10,715          | 11,104          |
| — in Portugal                                                | 9,575         | 9,822            | 9,979           | 10,137          | 10,294          | 10,452          | 10,853          |
| — in another Member State                                    | 9,934         | 10,177           | 10,334          | 10,492          | 10,649          | 10,807          | 11,191          |
| C. Sweet lupins harvested in Spain and used :                |               |                  |                 |                 |                 |                 |                 |
| — in Spain                                                   | 12,070        | 12,184           | 12,184          | 12,184          | 12,184          | 12,184          | 12,702          |
| — in Portugal                                                | 11,714        | 11,833           | 11,833          | 11,833          | 11,833          | 11,833          | 12,367          |
| — in another Member State                                    | 12,193        | 12,306           | 12,306          | 12,306          | 12,306          | 12,306          | 12,818          |
| D. Sweet lupins harvested in another Member State and used : |               |                  |                 |                 |                 |                 |                 |
| — in Spain                                                   | 12,060        | 12,174           | 12,174          | 12,174          | 12,174          | 12,174          | 12,692          |
| — in Portugal                                                | 11,704        | 11,823           | 11,823          | 11,823          | 11,823          | 11,823          | 12,357          |
| — in another Member State                                    | 12,183        | 12,296           | 12,296          | 12,296          | 12,296          | 12,296          | 12,808          |

## ANNEX II

## Final aid

Products intended for human consumption :

(in national currency per 100 kg)

|                                    | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 | 6th period<br>5 |
|------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Products harvested in :            |               |                  |                 |                 |                 |                 |                 |
| — BLEU (Bfrs/Lfrs)                 | 307,78        | 315,41           | 323,04          | 330,67          | 338,30          | 345,93          | 345,93          |
| — Denmark (Dkr)                    | 56,92         | 58,33            | 59,74           | 61,15           | 62,56           | 63,98           | 63,98           |
| — Federal Republic of Germany (DM) | 15,05         | 15,42            | 15,80           | 16,17           | 16,54           | 16,91           | 16,91           |
| — Greece (Dr)                      | 776,54        | 805,06           | 833,58          | 862,11          | 890,63          | 919,15          | 919,15          |
| — Spain (Pta)                      | 982,95        | 1 007,32         | 1 031,68        | 1 056,05        | 1 080,42        | 1 104,78        | 1 104,78        |
| — France (FF)                      | 49,07         | 50,28            | 51,50           | 52,72           | 53,93           | 55,15           | 55,15           |
| — Ireland (£ Irl)                  | 5,461         | 5,596            | 5,732           | 5,867           | 6,002           | 6,138           | 6,138           |
| — Italy (Lit)                      | 10 721        | 10 987           | 11 253          | 11 518          | 11 784          | 12 050          | 12 050          |
| — Netherlands (Fl)                 | 16,81         | 17,23            | 17,65           | 18,06           | 18,48           | 18,90           | 18,90           |
| — Portugal (Esc)                   | 1 223,82      | 1 254,16         | 1 284,49        | 1 314,83        | 1 345,17        | 1 375,50        | 1 375,50        |
| — United Kingdom (£)               | 3,513         | 3,625            | 3,736           | 3,847           | 3,958           | 4,070           | 4,070           |

Amounts to be deducted in the case of :

- Peas used in Spain (Pta): 55,05,
- Peas, and field beans used in Portugal (Esc): 60,48.

## ANNEX III

## Partial aids

Peas intended for animal feed :

(in national currency per 100 kg)

|                                             | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 | 6th period<br>5 |
|---------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Products harvested in :                     |               |                  |                 |                 |                 |                 |                 |
| — BLEU (Bfrs/Lfrs)                          | 479,68        | 491,42           | 499,00          | 506,63          | 514,21          | 521,84          | 540,38          |
| — Denmark (Dkr)                             | 88,71         | 90,88            | 92,28           | 93,69           | 95,10           | 96,51           | 99,94           |
| — Federal Republic of Germany (DM)          | 23,46         | 24,03            | 24,40           | 24,77           | 25,14           | 25,52           | 26,42           |
| — Greece (Dr)                               | 1 482,63      | 1 528,01         | 1 556,33        | 1 584,85        | 1 613,18        | 1 641,70        | 1 717,86        |
| — Spain (Pta)                               | 1 531,95      | 1 569,43         | 1 593,64        | 1 618,00        | 1 642,21        | 1 666,58        | 1 725,80        |
| — France (FF)                               | 76,47         | 78,34            | 79,55           | 80,77           | 81,97           | 83,19           | 86,15           |
| — Ireland (£ Irl)                           | 8,511         | 8,719            | 8,854           | 8,989           | 9,124           | 9,259           | 9,588           |
| — Italy (Lit)                               | 16 709        | 17 118           | 17 382          | 17 648          | 17 912          | 18 177          | 18 823          |
| — Netherlands (Fl)                          | 26,20         | 26,85            | 27,26           | 27,68           | 28,09           | 28,51           | 29,52           |
| — Portugal (Esc)                            | 1 907,35      | 1 954,00         | 1 984,15        | 2 014,48        | 2 044,63        | 2 074,97        | 2 148,69        |
| — United Kingdom (£)                        | 6,186         | 6,361            | 6,472           | 6,583           | 6,694           | 6,805           | 7,093           |
| Amounts to be deducted in the case of use : |               |                  |                 |                 |                 |                 |                 |
| — Spain (Pta)                               | 14,19         | 14,19            | 14,03           | 14,19           | 14,03           | 14,19           | 13,42           |
| — Portugal (Esc)                            | 68,93         | 68,16            | 68,16           | 68,16           | 68,16           | 68,16           | 64,90           |

## ANNEX IV

## Corrective amount to be added to the amounts in Annex III

(in national currency per 100 kg)

| Use of the products                | BLEU  | DK    | DE    | EL     | ESP   | FR    | IRL   | IT    | NL    | PT    | UK     |
|------------------------------------|-------|-------|-------|--------|-------|-------|-------|-------|-------|-------|--------|
| Products harvested in :            |       |       |       |        |       |       |       |       |       |       |        |
| — BLEU (FB/Flux)                   | 0,00  | 0,00  | 0,00  | 41,96  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 28,93  |
| — Denmark (Dkr)                    | 0,00  | 0,00  | 0,00  | 7,76   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 5,35   |
| — Federal Republic of Germany (DM) | 0,00  | 0,00  | 0,00  | 2,05   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 1,41   |
| — Greece (Dr)                      | 0,00  | 0,00  | 0,00  | 172,37 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 118,82 |
| — Spain (Pta)                      | 0,00  | 0,00  | 0,00  | 134,02 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 92,39  |
| — France (FF)                      | 0,00  | 0,00  | 0,00  | 6,69   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 4,61   |
| — Ireland (£ Irl)                  | 0,000 | 0,000 | 0,000 | 0,745  | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,513  |
| — Italy (Lit)                      | 0     | 0     | 0     | 1462   | 0     | 0     | 0     | 0     | 0     | 0     | 1008   |
| — Netherlands (Fl)                 | 0,00  | 0,00  | 0,00  | 2,29   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 1,58   |
| — Portugal (Esc)                   | 0,00  | 0,00  | 0,00  | 166,86 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 115,02 |
| — United Kingdom (£)               | 0,000 | 0,000 | 0,000 | 0,653  | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,450  |

## ANNEX V

## Partial aids

Field beans intended for animal feed :

(in national currency per 100 kg)

|                                             | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 | 6th period<br>5 |
|---------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Products harvested in :                     |               |                  |                 |                 |                 |                 |                 |
| — BLEU (Bfrs/Lfrs)                          | 479,68        | 491,42           | 499,00          | 506,63          | 514,21          | 521,84          | 540,38          |
| — Denmark (Dkr)                             | 88,71         | 90,88            | 92,28           | 93,69           | 95,10           | 96,51           | 99,94           |
| — Federal Republic of Germany (DM)          | 23,46         | 24,03            | 24,40           | 24,77           | 25,14           | 25,52           | 26,42           |
| — Greece (Dr)                               | 1 482,63      | 1 528,01         | 1 556,33        | 1 584,85        | 1 613,18        | 1 641,70        | 1 717,86        |
| — Spain (Pta)                               | 1 531,95      | 1 569,43         | 1 593,64        | 1 618,00        | 1 642,21        | 1 666,58        | 1 725,80        |
| — France (FF)                               | 76,47         | 78,34            | 79,55           | 80,77           | 81,97           | 83,19           | 86,15           |
| — Ireland (£ Irl)                           | 8,511         | 8,719            | 8,854           | 8,989           | 9,124           | 9,259           | 9,588           |
| — Italy (Lit)                               | 16 709        | 17 118           | 17 382          | 17 648          | 17 912          | 18 177          | 18 823          |
| — Netherlands (Fl)                          | 26,20         | 26,85            | 27,26           | 27,68           | 28,09           | 28,51           | 29,52           |
| — Portugal (Esc)                            | 1 907,35      | 1 954,00         | 1 984,15        | 2 014,48        | 2 044,63        | 2 074,97        | 2 148,69        |
| — United Kingdom (£)                        | 6,186         | 6,361            | 6,472           | 6,583           | 6,694           | 6,805           | 7,093           |
| Amounts to be deducted in the case of use : |               |                  |                 |                 |                 |                 |                 |
| — Spain (Pta)                               | 14,19         | 14,19            | 14,03           | 14,19           | 14,03           | 14,19           | 13,42           |
| — Portugal (Esc)                            | 68,93         | 68,16            | 68,16           | 68,16           | 68,16           | 68,16           | 64,90           |

## ANNEX VI

## Corrective amount to be added to the Amounts in Annex V

(in national currency per 100 kg)

| Use of the products                | BLEU  | DK    | DE    | EL     | ESP   | FR    | IRL   | IT    | NL    | PT    | UK     |
|------------------------------------|-------|-------|-------|--------|-------|-------|-------|-------|-------|-------|--------|
| Products harvested in :            |       |       |       |        |       |       |       |       |       |       |        |
| — BLEU (Bfrs/Lfrs)                 | 0,00  | 0,00  | 0,00  | 41,96  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 28,93  |
| — Denmark (Dkr)                    | 0,00  | 0,00  | 0,00  | 7,76   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 5,35   |
| — Federal Republic of Germany (DM) | 0,00  | 0,00  | 0,00  | 2,05   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 1,41   |
| — Greece (Dr)                      | 0,00  | 0,00  | 0,00  | 172,37 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 118,82 |
| — Spain (Pta)                      | 0,00  | 0,00  | 0,00  | 134,02 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 92,39  |
| — France (FF)                      | 0,00  | 0,00  | 0,00  | 6,69   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 4,61   |
| — Ireland (£ Irl)                  | 0,000 | 0,000 | 0,000 | 0,745  | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,513  |
| — Italy (Lit)                      | 0     | 0     | 0     | 1 462  | 0     | 0     | 0     | 0     | 0     | 0     | 1 008  |
| — Netherlands (Fl)                 | 0,00  | 0,00  | 0,00  | 2,29   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 1,58   |
| — Portugal (Esc)                   | 0,00  | 0,00  | 0,00  | 166,86 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 115,02 |
| — United Kingdom (£)               | 0,000 | 0,000 | 0,000 | 0,653  | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,450  |

## ANNEX VII

## Partial aid

Sweet lupins intended for use in animal feed :

(in national currency per 100 kg)

|                                                | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 | 6th period<br>5 |
|------------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Products harvested in :                        |               |                  |                 |                 |                 |                 |                 |
| — BLEU (Bfrs/Lfrs)                             | 588,28        | 593,74           | 593,74          | 593,74          | 593,74          | 593,74          | 618,46          |
| — Denmark (Dkr)                                | 108,80        | 109,80           | 109,80          | 109,80          | 109,80          | 109,80          | 114,38          |
| — Federal Republic of Germany (DM)             | 28,77         | 29,03            | 29,03           | 29,03           | 29,03           | 29,03           | 30,24           |
| — Greece (Dr)                                  | 1 886,36      | 1 908,77         | 1 908,77        | 1 908,77        | 1 908,77        | 1 908,77        | 2 010,32        |
| — Spain (Pta)                                  | 1 878,78      | 1 896,20         | 1 896,20        | 1 896,20        | 1 896,20        | 1 896,20        | 1 975,16        |
| — France (FF)                                  | 93,78         | 94,65            | 94,65           | 94,65           | 94,65           | 94,65           | 98,59           |
| — Ireland (£ Irl)                              | 10,438        | 10,535           | 10,535          | 10,535          | 10,535          | 10,535          | 10,973          |
| — Italy (Lit)                                  | 20 492        | 20 682           | 20 682          | 20 682          | 20 682          | 20 682          | 21 543          |
| — Netherlands (Fl)                             | 32,14         | 32,44            | 32,44           | 32,44           | 32,44           | 32,44           | 33,79           |
| — Portugal (Esc)                               | 2 339,16      | 2 360,86         | 2 360,86        | 2 360,86        | 2 360,86        | 2 360,86        | 2 459,16        |
| — United Kingdom (£)                           | 7,764         | 7,849            | 7,849           | 7,849           | 7,849           | 7,849           | 8,234           |
| Amounts to be deducted in the case of use in : |               |                  |                 |                 |                 |                 |                 |
| — Spain (Pta)                                  | 18,97         | 18,81            | 18,81           | 18,81           | 18,81           | 18,81           | 17,89           |
| — Portugal (Esc)                               | 91,97         | 90,82            | 90,82           | 90,82           | 90,82           | 90,82           | 86,59           |

## ANNEX VIII

## Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

| Use of products :                  | BLEU  | DK    | DE    | EL     | ES    | FR    | IRL   | IT    | NL    | PT    | UK    |
|------------------------------------|-------|-------|-------|--------|-------|-------|-------|-------|-------|-------|-------|
| Products harvested in :            |       |       |       |        |       |       |       |       |       |       |       |
| — BLEU (Bfrs/Lfrs)                 | 0,00  | 0,00  | 0,00  | 30,52  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 21,04 |
| — Denmark (Dkr)                    | 0,00  | 0,00  | 0,00  | 5,64   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 3,89  |
| — Federal Republic of Germany (DM) | 0,00  | 0,00  | 0,00  | 1,49   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 1,03  |
| — Greece (Dr)                      | 0,00  | 0,00  | 0,00  | 125,36 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 86,41 |
| — Spain (Pta)                      | 0,00  | 0,00  | 0,00  | 97,47  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 67,19 |
| — France (FF)                      | 0,00  | 0,00  | 0,00  | 4,87   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 3,35  |
| — Ireland (£ Irl)                  | 0,000 | 0,000 | 0,000 | 0,542  | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,373 |
| — Italy (Lit)                      | 0     | 0     | 0     | 1 063  | 0     | 0     | 0     | 0     | 0     | 0     | 733   |
| — Netherlands (Fl)                 | 0,00  | 0,00  | 0,00  | 1,67   | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 1,15  |
| — Portugal (Esc)                   | 0,00  | 0,00  | 0,00  | 121,35 | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 0,00  | 83,65 |
| — United Kingdom (£)               | 0,000 | 0,000 | 0,000 | 0,475  | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,000 | 0,327 |

## ANNEX IX

## Exchange rate of the ecu to be used

|                               | BLEU    | DK      | DE      | EL      | ES      | FR      | IRL      | IT       | NL      | PT      | UK       |
|-------------------------------|---------|---------|---------|---------|---------|---------|----------|----------|---------|---------|----------|
| In national currency, ECU 1 = | 42,4582 | 7,85212 | 2,05853 | 182,285 | 129,953 | 6,90403 | 0,768411 | 1 498,49 | 2,31943 | 174,331 | 0,691042 |

## COMMISSION REGULATION (EEC) No 3291/89

of 31 October 1989

fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder<sup>(1)</sup>, as last amended by Regulation (EEC) No 2275/89<sup>(2)</sup>, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1111/89 of 27 April 1989 fixing for the 1989/90 marketing year the guide price for dried fodder<sup>(3)</sup>;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder<sup>(4)</sup>, as last amended by Regulation (EEC) No 1110/89<sup>(5)</sup>, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded

during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder<sup>(6)</sup>, as last amended by Regulation (EEC) No 2293/89<sup>(7)</sup>;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

<sup>(1)</sup> OJ No L 142, 30. 5. 1978, p. 1.

<sup>(2)</sup> OJ No L 218, 28. 7. 1989, p. 1.

<sup>(3)</sup> OJ No L 118, 29. 4. 1989, p. 4.

<sup>(4)</sup> OJ No L 171, 28. 6. 1978, p. 1.

<sup>(5)</sup> OJ No L 118, 29. 4. 1989, p. 3.

<sup>(6)</sup> OJ No L 179, 1. 7. 1978, p. 10.

<sup>(7)</sup> OJ No L 218, 28. 7. 1989, p. 30.

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

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

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these

products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 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.

## ANNEX

## to the Commission Regulation of 31 October 1989 fixing the rate of the aid for dried fodder

Aid applicable from 1 November 1989 to dried fodder:

(ECU/tonne)

|     | Fodder dehydrated by artificial heat drying<br>Protein concentrates |          |                           | Fodder otherwise dried |          |                           |
|-----|---------------------------------------------------------------------|----------|---------------------------|------------------------|----------|---------------------------|
|     | Spain                                                               | Portugal | Other<br>Member<br>States |                        | Portugal | Other<br>Member<br>States |
| Aid | 67,133                                                              | 78,895   | 80,373                    |                        | 45,895   | 47,373                    |

Aid in case of advance fixing for the month of:

(ECU/tonne)

| December 1989      | 67,246 | 79,009 | 80,486 |  | 46,009 | 47,486 |
|--------------------|--------|--------|--------|--|--------|--------|
| January 1990       | 64,222 | 75,940 | 77,462 |  | 42,940 | 44,462 |
| February 1990      | 64,108 | 75,824 | 77,348 |  | 42,824 | 44,348 |
| March 1990         | 64,108 | 75,824 | 77,348 |  | 42,824 | 44,348 |
| April 1990         | 60,669 | 72,334 | 73,909 |  | 39,334 | 40,909 |
| May 1990 (1)       | 0,000  | 0,000  | 0,000  |  | 0,000  | 0,000  |
| June 1990 (1)      | 0,000  | 0,000  | 0,000  |  | 0,000  | 0,000  |
| July 1990 (1)      | 0,000  | 0,000  | 0,000  |  | 0,000  | 0,000  |
| August 1990 (1)    | 0,000  | 0,000  | 0,000  |  | 0,000  | 0,000  |
| September 1990 (1) | 0,000  | 0,000  | 0,000  |  | 0,000  | 0,000  |
| October 1990 (1)   | 0,000  | 0,000  | 0,000  |  | 0,000  | 0,000  |

(1) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

## COMMISSION REGULATION (EEC) No 3292/89

of 31 October 1989

fixing for November 1989 the levy applicable in Spain to products subject to the price control system

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 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain <sup>(1)</sup>, as last amended by Regulation (EEC) No 3729/88 <sup>(2)</sup>, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1990, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, an ex factory price for crude soya oil of Pta 106 per kilogram and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a State organization; whereas therefore, the system providing for the said levy will make any further intervention by the State superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

*Article 1*

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be ECU 313,94 per tonne of oil for November 1989.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 107, 24. 4. 1986, p. 17.

<sup>(2)</sup> OJ No L 326, 30. 11. 1988, p. 21.

## COMMISSION REGULATION (EEC) No 3293/89

of 31 October 1989

fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89<sup>(2)</sup>, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 999/89 of 17 April 1989 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup>, as amended by Regulation (EEC) No 1381/89<sup>(4)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 999/89, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 27th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 27th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 29,761 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 107, 19. 4. 1989, p. 6.

<sup>(4)</sup> OJ No L 139, 23. 5. 1989, p. 5.

## COMMISSION REGULATION (EEC) No 3294/89

of 30 October 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 2a of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter<sup>(3)</sup>, as last amended by Regulation (EEC) No 2690/89<sup>(4)</sup>, introduces the option of selling intervention butter in two stages, firstly by tendering and secondly at prices fixed at a standard rate in advance;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

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

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

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

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

5. Only those tenders which reach the intervention agencies concerned not later than 12 noon on 7 November 1989 and those applications for purchase submitted from the fifth working day following the above deadline shall be taken into consideration.

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

*Article 2*

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

2. Tenders shall state:

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

3. A tender shall not be valid unless:

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

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

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

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

<sup>(4)</sup> OJ No L 261, 7. 9. 1989, p. 6.

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

### Article 3

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

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

### Article 4

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

### Article 5

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

### Article 6

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

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

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

### Article 7

1. When the amount referred to in Article 6 (1) has been paid and the destination security has been lodged, the intervention agency shall issue a removal warrant indicating :
  - (a) the quantity in respect of which the conditions referred to above have been satisfied and the tender, identified by a serial number, to which it relates ;
  - (b) the coldstore where it is stored ;
  - (c) the final date for removing the butter ;
  - (d) the final date for processing and packing.
2. If the payment referred to in Article 6 (1) has been made without removal of the butter having been effected within the period referred to above, the successful tenderer shall bear the cost and risk of storing the butter with effect from the day following that referred to in paragraph 1 (c). Removal may be effected by instalments.
3. The butter shall be handed over by the intervention agency in packages bearing, in clear and legible print, the statement referred to in Article 3 (2) of Regulation (EEC) No 3143/85.

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

### Article 8

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

### Article 9

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

### Article 10

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

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

Done at Brussels, 30 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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*ANNEX I*

| Member State   | Product (%)      | Quantity (tonnes) | Minimum price expressed in ECU per 100 kg |
|----------------|------------------|-------------------|-------------------------------------------|
| Spain          | Butter $\geq$ 82 | 260               | 150                                       |
| Ireland        | Butter $\geq$ 80 | 570               | 150                                       |
| United Kingdom | Butter $\geq$ 80 | 570               | 150                                       |

*ANNEX II*

Addresses of the intervention agencies

- Servicio Nacional de Productos Agrarios (SENPA),  
Calle Beneficencia 8, E-28004 Madrid;  
tel. (341)522 29 61,  
telex 41818 SENPA E,  
telefax 521 98 32;
  - Department of Agriculture and Food, Dairying (Trade) Division,  
Agriculture House,  
Kildare Street,  
IRL-Dublin 2;  
tel. (35 31) 78 90 11,  
telex 93 607 agri-ei,  
telefax 616 263;
  - Internal Market Division,  
Intervention Board for Agricultural Produce,  
Fountain House,  
2 Queens Walk,  
UK-Reading, Berks RG1 7QW;  
tel. (44) 734-58 36 26,  
telex 848302.
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## COMMISSION REGULATION (EEC) No 3295/89

of 31 October 1989

fixing the additional levy and the reimbursement in the cereals sector for the 1989/90 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 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 2860/89<sup>(2)</sup>, and in particular Articles 4 (5) and 4b (5) thereof,

Having regard to Council Regulation (EEC) No 729/89 of 20 March 1989 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector<sup>(3)</sup>, and in particular Article 2 (4) thereof,

Whereas the Commission has ascertained that cereal production in 1989/90 exceeds the maximum guaranteed quantity by 500 000 tonnes; whereas, as a result of this finding, the additional co-responsibility levy should be fixed at 0,31 % of the intervention price applicable for common wheat;

Whereas, pursuant to Commission Regulation (EEC) No 1432/88 of 26 May 1988 laying down detailed rules for applying the co-responsibility levy in the cereals sector<sup>(4)</sup>, as last amended by Regulation (EEC) No 2712/89<sup>(5)</sup>, the difference between the provisional additional co-responsibility levy and the definitive additional co-responsibility levy is to be reimbursed to the producers;

Whereas Commission Regulation (EEC) No 1487/89 of 30 May 1989 fixing the additional co-responsibility levy on cereals for the 1989/90 marketing year<sup>(6)</sup> fixes the additional co-responsibility levy provisionally; whereas that Regulation should be repealed;

Whereas, in accordance with Regulation (EEC) No 729/89, the overall aid for small producers is to be reduced by the amount of the co-responsibility levy

reimbursed; whereas that result may be attained by applying a coefficient to the amounts allocated to the Member States by Commission Regulation (EEC) No 743/89 of 21 March 1989 laying down detailed rules for the application of a direct aid scheme for small producers of cereals<sup>(7)</sup>;

Whereas, in the interest of the producers and taking the administrative requirements into account, the definitive additional co-responsibility levy should be applied from 1 November 1989;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 1989/90 marketing year:

- the additional co-responsibility levy provided for in Article 4b of Regulation (EEC) No 2727/75 is hereby fixed at ECU 0,54 per tonne,
- the difference referred to in Article 3 (1) of Regulation (EEC) No 1432/88 is hereby fixed at ECU 4,68 per tonne.

*Article 2*

The amounts referred to in Article 1 (2) and the second indent of Article 4 of Regulation (EEC) No 743/89 shall be multiplied by the coefficient 0,551724.

*Article 3*

Regulation (EEC) No 1487/89 is hereby repealed.

*Article 4*

This Regulation shall enter into force on 1 November 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 80, 23. 3. 1989, p. 5.<sup>(4)</sup> OJ No L 131, 27. 5. 1988, p. 37.<sup>(5)</sup> OJ No L 262, 8. 9. 1989, p. 22.<sup>(6)</sup> OJ No L 147, 31. 5. 1989, p. 23.<sup>(7)</sup> OJ No L 80, 23. 3. 1989, p. 38.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 3296/89

of 31 October 1989

amending Regulation (EEC) No 2033/85 adapting the guaranteed total quantities of milk and milk products referred to in Article 5c of Council Regulation (EEC) No 804/68 and in Article 6 of Council Regulation (EEC) No 857/84

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 763/89<sup>(2)</sup>, and in particular Article 5c (7) thereof,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector<sup>(3)</sup>, as last amended by Regulation (EEC) No 1117/89<sup>(4)</sup>, and in particular the second subparagraph of Article 6 (2) thereof,

Whereas, as provided for in Council Regulations (EEC) No 804/68 and (EEC) No 857/84, the guaranteed total quantities of milk and milk products fixed in respect of deliveries to purchasers and of direct sales to consumption may be adjusted under certain conditions;

Whereas, in the light of statistical data recorded and to take account of structural changes affecting both milk deliveries to purchasers and direct sales to consumption in Spain, the total quantity fixed for direct sales to consumption should be reduced and the guaranteed total quantity for that Member State should be increased accordingly; whereas, for the same reasons, a similar adjustment is also required for Greece;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 1 of Commission Regulation (EEC) No 2033/85<sup>(5)</sup> is hereby replaced by the following:

*Article 1*

1. From 1 April 1986, the guaranteed total quantities for Belgium, Germany, Greece, Spain and France in points (b) and (c) of the second and third subparagraphs of Article 5c (3) of Regulation (EEC) No 804/68 are hereby adjusted as follows:

*(in 1 000 tonnes)*

|         | Guaranteed total quantity | Period<br>1 April 1987<br>to 31 March 1988 | Period<br>1 April 1988<br>to 31 March 1989 | Period<br>1 April 1989<br>to 31 March 1990<br>and subsequent periods |
|---------|---------------------------|--------------------------------------------|--------------------------------------------|----------------------------------------------------------------------|
| Belgium | 3 211                     | 3 151,120                                  | 3 121,861                                  | 3 121,861                                                            |
| Germany | 23 423                    | 22 987,540                                 | 22 753,310                                 | 22 753,310                                                           |
| Greece  | 537                       | 526,260                                    | 520,890                                    | 560,890                                                              |
| Spain   | 4 650                     | 4 607,000                                  | 4 560,500                                  | 4 710,500                                                            |
| France  | 25 634                    | 25 221,320                                 | 24 964,980                                 | 24 964,980                                                           |

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

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

<sup>(3)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(4)</sup> OJ No L 118, 29. 4. 1989, p. 10.

<sup>(5)</sup> OJ No L 192, 24. 7. 1985, p. 9.

2. The total quantities laid down in the Annex to Regulation (EEC) No 857/84 for Belgium, Germany, Greece, Spain and France are hereby adjusted as follows :

(in 1 000 tonnes)

|         | Period<br>1 April 1986<br>to 31 March 1987 | Period<br>1 April 1987<br>to 31 March 1988 | Period<br>1 April 1988<br>to 31 March 1989 | Period<br>1 April 1989<br>to 31 March 1990<br>and subsequent<br>periods |
|---------|--------------------------------------------|--------------------------------------------|--------------------------------------------|-------------------------------------------------------------------------|
| Belgium | 400                                        | 387,660                                    | 380,809                                    | 380,809                                                                 |
| Germany | 130                                        | 94,400                                     | 93,100                                     | 93,100                                                                  |
| Greece  | 46                                         | 45,080                                     | 44,620                                     | 4,620                                                                   |
| Spain   | 750                                        | 685,000                                    | 677,500                                    | 527,500                                                                 |
| France  | 874                                        | 756,520                                    | 747,780                                    | 747,780                                                                 |

*Article 2*

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

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

**COMMISSION REGULATION (EEC) No 3297/89****of 31 October 1989****amending certain 'guide' quantities provided for in Regulation (EEC) No 3972/88  
under the supplementary mechanism applicable to trade in beef and veal**

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, and in particular Article 84 (4) thereof,

Whereas Commission Regulation (EEC) No 3972/88 of  
20 December 1988 fixing the indicative ceilings and the  
'guide' quantities for 1989 under the supplementary  
mechanism applicable to trade in beef and veal<sup>(1)</sup> fixes  
the 'guide' quantities for 1989 for imports into Spain of  
live animals and fresh or chilled meat from the  
Community as constituted at 31 December 1985 at  
17 078 head and 2 846 tonnes respectively; whereas 90 %  
of the said quantities were used during the first six  
months; whereas, in order to ensure supplies to the  
Spanish market, provision should be made for the  
quantities laid down of the products referred to above to  
be exceeded in line with the anticipated trend in Spanish  
demand;

Whereas the conditions for applying Article 6 of  
Regulation (EEC) No 3972/88 for the abovementioned  
products should accordingly be specified;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For meat of animals of the bovine species, fresh or  
chilled, the 'guide' quantity laid down in the Annex to  
Regulation (EEC) No 3972/88 may be exceeded by 1 500  
tonnes equivalent carcase weight.
2. For live animals of the bovine species, the 'guide'  
quantity laid down in the Annex to Regulation (EEC) No  
3972/88 may be exceeded by 11 500 head.
3. The figure '20 %' in Article 6 of Regulation (EEC)  
No 3972/88 shall be calculated on the basis of the 'guide'  
quantities originally laid down in the Annex to that  
Regulation.

*Article 2*

This Regulation shall enter into force on 1 November  
1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 351, 31. 12. 1988, p. 17.

## COMMISSION REGULATION (EEC) No 3298/89

of 31 October 1989

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EEC) No 763/89 <sup>(2)</sup>, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EEC) No 4055/87 <sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates <sup>(5)</sup>, as amended by the Act of Accession <sup>(6)</sup>;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 <sup>(7)</sup>, as last amended by Regulation (EEC) No 698/86 <sup>(8)</sup>, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs <sup>(9)</sup>, as last amended by Regulation (EEC) No 2951/88 <sup>(10)</sup>, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(11)</sup>, as last amended by Regulation (EEC) No 1471/88 <sup>(12)</sup>, has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

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

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

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 379, 31. 12. 1987, p. 1.

<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 6.

<sup>(6)</sup> OJ No L 73, 27. 3. 1972, p. 14.

<sup>(7)</sup> OJ No L 52, 23. 2. 1984, p. 12.

<sup>(8)</sup> OJ No L 64, 6. 3. 1986, p. 12.

<sup>(9)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(10)</sup> OJ No L 266, 27. 9. 1988, p. 28.

<sup>(11)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(12)</sup> OJ No L 134, 31. 5. 1988, p. 1.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

#### Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

#### ANNEX

to the Commission Regulation of 31 October 1989 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

| CN code       | Description                                                                                                                                                                                                                                                                                                                                                                                                      | (ECU/100 kg)<br>Rate of refund |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| ex 0402 10 19 | Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):<br>a) On exportation of goods of CN code 3501<br>b) On exportation of other goods                                                                                                                                                                      | —<br>50,00                     |
| ex 0402 21 19 | Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)                                                                                                                                                                                                                                                                         | 95,00                          |
| ex 0405 00 10 | Butter, with a fat content by weight of 82 % (PG 6):<br>a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81<br>b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat<br>c) On exportation of other goods | —<br>163,00<br>155,00          |

**COMMISSION REGULATION (EEC) No 3299/89****of 31 October 1989****fixing the rates of the refunds applicable to certain cereal and rice products  
exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(4)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds <sup>(5)</sup>, as last amended by Regulation (EEC) No 3209/88 <sup>(6)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question

on the Community market and the prices ruling on the world markets;

- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted under Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector <sup>(7)</sup>, as last amended by Commission Regulation (EEC) No 1990/89 <sup>(8)</sup>, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products <sup>(9)</sup>, as amended by Regulation (EEC) No 2026/83 <sup>(10)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products <sup>(11)</sup> lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC <sup>(12)</sup>, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

<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 166, 25. 6. 1976, p. 1.

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

<sup>(5)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(6)</sup> OJ No L 286, 20. 10. 1988, p. 6.

<sup>(7)</sup> OJ No L 94, 9. 4. 1986, p. 6.

<sup>(8)</sup> OJ No L 190, 5. 7. 1989, p. 13.

<sup>(9)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(10)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(11)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(12)</sup> OJ No L 275, 29. 9. 1987, p. 36.

HAS ADOPTED THIS REGULATION :

*Article 1*

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from

the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

## ANNEX

to the Commission Regulation of 31 October 1989 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

|            |                                                                                                      | (ECU/100 kg)   |
|------------|------------------------------------------------------------------------------------------------------|----------------|
| CN code    | Description                                                                                          | Rate of refund |
| 1001 10 90 | Durum wheat :                                                                                        |                |
|            | — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America | 13,162         |
|            | — In all other cases                                                                                 | 13,295         |
| 1001 90 99 | Common wheat, and meslin (mixed wheat and rye) :                                                     |                |
|            | — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America | 4,663          |
|            | — In all other cases                                                                                 | 4,710          |
| 1002 00 00 | Rye                                                                                                  | 6,259          |
| 1003 00 90 | Barley                                                                                               | 7,387          |
| 1004 00 90 | Oats                                                                                                 | 6,979          |
| 1005 90 00 | Maize, other than hybrid maize for sowing                                                            | 7,920          |
| 1006 20    | Round grain husked rice                                                                              | 35,735         |
|            | Medium grain husked rice                                                                             | 32,377         |
|            | Long grain husked rice                                                                               | 32,377         |
| ex 1006 30 | Round grain wholly milled rice                                                                       | 46,110         |
|            | Medium grain wholly milled rice                                                                      | 46,923         |
|            | Long grain wholly milled rice                                                                        | 46,923         |
| 1006 40 00 | Broken rice                                                                                          | 11,474         |
| 1007 00 90 | Sorghum                                                                                              | 5,788          |
| 1101 00 00 | Wheat or meslin flour :                                                                              |                |
|            | — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America | 5,286          |
|            | — In all other cases                                                                                 | 5,340          |
| 1102 10 00 | Rye flour                                                                                            | 15,626         |
| 1103 11 10 | Durum wheat groats and meal :                                                                        |                |
|            | — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America | 20,401         |
|            | — In all other cases                                                                                 | 20,607         |
| 1103 11 90 | Common wheat groats and meal :                                                                       |                |
|            | — On exports of goods falling within CN codes 1902 11 00 and 1902 19 to the United States of America | 5,286          |
|            | — In all other cases                                                                                 | 5,340          |

## COMMISSION REGULATION (EEC) No 3300/89

of 31 October 1989

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89<sup>(2)</sup> and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EEC) No 3209/88<sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4(3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry<sup>(5)</sup>, as last amended by Regulation (EEC) 2306/88<sup>(6)</sup>, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(7)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(8)</sup>, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products<sup>(9)</sup>, as last amended by Regulation (EEC) No 471/87<sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

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

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

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 286, 20. 10. 1988, p. 6.

<sup>(5)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ No L 201, 27. 7. 1988, p. 65.

<sup>(7)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(8)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(9)</sup> OJ No L 87, 1. 4. 1980, p. 42.

<sup>(10)</sup> OJ No L 48, 17. 2. 1987, p. 10.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

## ANNEX

to the Commission Regulation of 31 October 1989 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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Rate of refund in ECU/100 kg:

|                                                                                                                                                   |                                                                                |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----|
| White sugar:                                                                                                                                      | 26,98                                                                          |    |
| Raw sugar:                                                                                                                                        | 23,96                                                                          |    |
| Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose): | $26,98 \times \frac{S^{(1)}}{100}$                                             | or |
| If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:         | The rate fixed above for 100 kg of white or raw sugar used for the dissolution |    |
| Molasses:                                                                                                                                         | —                                                                              |    |
| Isoglucose <sup>(2)</sup> :                                                                                                                       | 26,98 <sup>(2)</sup>                                                           |    |

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(<sup>1</sup>) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(<sup>2</sup>) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(<sup>3</sup>) Amount of refund per 100 kilograms of dry matter.

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**COMMISSION REGULATION (EEC) No 3301/89**  
**of 31 October 1989**  
**fixing the aid for cotton**

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2796/89 <sup>(4)</sup>, as last amended by Regulation (EEC) No 3219/89 <sup>(5)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2796/89 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 43,425 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 377, 31. 12. 1987, p. 48.

<sup>(2)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 85, 30. 3. 1989, p. 7.

<sup>(4)</sup> OJ No L 269, 16. 9. 1989, p. 29.

<sup>(5)</sup> OJ No L 312, 27. 10. 1989, p. 26.

## COMMISSION REGULATION (EEC) No 3302/89

of 31 October 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 1225/89<sup>(2)</sup>, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria<sup>(3)</sup>, as last amended by Regulation (EEC) No 4014/88<sup>(4)</sup>, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco<sup>(5)</sup>, as last amended by Regulation (EEC) No 4015/88<sup>(6)</sup>, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia<sup>(7)</sup>, as last amended by Regulation (EEC) No 413/86<sup>(8)</sup>, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey<sup>(9)</sup>, as last amended by Regulation (EEC) No 4016/88<sup>(10)</sup>, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon<sup>(11)</sup>;Whereas by Regulation (EEC) No 3131/78<sup>(12)</sup>, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender<sup>(13)</sup> specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 30 and 31 October 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

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

*Article 3*

This Regulation shall enter into force on 3 November 1989.

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 15.<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.<sup>(4)</sup> OJ No L 358, 27. 12. 1988, p. 1.<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.<sup>(6)</sup> OJ No L 358, 27. 12. 1988, p. 2.<sup>(7)</sup> OJ No L 169, 28. 6. 1976, p. 9.<sup>(8)</sup> OJ No L 48, 26. 2. 1986, p. 1.<sup>(9)</sup> OJ No L 142, 9. 6. 1977, p. 10.<sup>(10)</sup> OJ No L 358, 27. 12. 1988, p. 3.<sup>(11)</sup> OJ No L 181, 21. 7. 1977, p. 4.<sup>(12)</sup> OJ No L 370, 30. 12. 1978, p. 60.<sup>(13)</sup> OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX I

## Minimum import levies on olive oil

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

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

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

<sup>(2)</sup> For imports of oil falling within this CN code :

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

<sup>(3)</sup> For imports of oil falling within this CN code :

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

## ANNEX II

## Import levies on other olive oil sector products

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

**COMMISSION REGULATION (EEC) No 3303/89**  
**of 31 October 1989**

**fixing the estimated soya bean production for the 1989/90 marketing year, the actual soya bean production for the 1988/89 marketing year and the adjustment to be made in the aid for soya beans for the 1989/90 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans <sup>(1)</sup>, as last amended by Regulation (EEC) No 2217/88 <sup>(2)</sup>, and in particular Article 3a (6) thereof,

Whereas Article 41 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measures for soya beans <sup>(3)</sup> specifies the items to be fixed pursuant to the maximum guaranteed quantities system; whereas the estimated production of soya beans for the 1989/90 marketing year, the actual production of such beans for the 1988/89 marketing year and the adjustment to be made to the aid for soya beans for the 1989/90 marketing year as given by the figures available should be fixed;

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

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

Done at Brussels, 31 October 1989.

*Article 1*

The estimated production of soya beans for the 1989/90 marketing year is hereby fixed at 1 765 000 tonnes.

*Article 2*

The actual production of soya beans for the 1988/89 marketing year is hereby fixed at 1 654 000 tonnes.

*Article 3*

The adjustment to be made to the aid for soya beans for the 1989/90 marketing year is hereby fixed at:

- — ECU 8,847 per 100 kg for Spain,
- — ECU 10,780 per 100 kg for the other Member States.

*Article 4*

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 1 September 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 151, 10. 6. 1985, p. 15.

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 11.

<sup>(3)</sup> OJ No L 245, 22. 8. 1989, p. 8.

## COMMISSION REGULATION (EEC) No 3304/89

of 31 October 1989

fixing the accession compensatory amounts for olive oil for 1989/90

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 473/86 of  
25 February 1986 laying down the general rules for the  
system of accession compensatory amounts for olive  
oil <sup>(1)</sup>, and in particular Article 7 (3) thereof,

Whereas Council Regulation (EEC) No 1227/89 <sup>(2)</sup>, fixed  
for 1989/90 the intervention prices for olive oil ;

Whereas the detailed rules for the application of accession  
compensatory amounts are laid down in Commission  
Regulation (EEC) No 583/86 <sup>(3)</sup> laying down the detailed  
rules for the application of accession compensatory

amounts for olive oil, as last amended by Regulation  
(EEC) No 3379/88 <sup>(4)</sup>,

HAS ADOPTED THIS REGULATION :

*Article 1*

The accession compensatory amounts applicable in  
1989/90 for olive oil shall be as shown in the Annex.

*Article 2*

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

It shall apply from 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 53, 1. 3. 1986, p. 43.

<sup>(2)</sup> OJ No L 128, 11. 5. 1989, p. 18.

<sup>(3)</sup> OJ No L 57, 1. 3. 1986, p. 31.

<sup>(4)</sup> OJ No L 296, 29. 10. 1988, p. 72.

## ANNEX I

## Olive oil

(ECU/100 kg)

| CN code    | Table | Additional code | Notes | Accession compensatory amount to be charged (–) or granted (+) in trade as follows |                                    |                                                |                                  |                                       |                                                   |                        |                        |
|------------|-------|-----------------|-------|------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------|----------------------------------|---------------------------------------|---------------------------------------------------|------------------------|------------------------|
|            |       |                 |       | from third countries to Spain                                                      | from the Community of Ten to Spain | from Spain to third countries or to EEC of Ten | from third countries to Portugal | from the Community of Ten to Portugal | from Portugal to third countries or to EEC of Ten | from Spain to Portugal | from Portugal to Spain |
| 1509 10 10 | 1     | 7298            |       | —                                                                                  | + 51,03                            | – 51,03                                        | —                                | + 10,37                               | – 10,37                                           | – 40,66                | + 40,66                |
|            | 1     | 7299            |       | —                                                                                  | + 51,03                            | – 51,03                                        | —                                | + 10,37                               | – 10,37                                           | – 40,66                | + 40,66                |
|            | 1     | 7314            |       | – 7,53                                                                             | —                                  | —                                              | – 48,19                          | —                                     | —                                                 | —                      | —                      |
| 1509 10 90 | 2     | 7709            |       | —                                                                                  | + 51,03                            | – 51,03                                        | —                                | + 10,37                               | – 10,37                                           | – 40,66                | + 40,66                |
|            | 2     | 7713            |       | —                                                                                  | – 7,53                             | + 7,53                                         | —                                | – 48,19                               | + 48,19                                           | – 40,66                | + 40,66                |
|            | 2     | 7714            |       | – 7,53                                                                             | —                                  | —                                              | – 48,19                          | —                                     | —                                                 | —                      | —                      |
| 1509 90 00 | 3     | 7717            |       | —                                                                                  | + 53,07                            | – 53,07                                        | —                                | + 10,78                               | – 10,78                                           | – 42,29                | + 42,29                |
|            | 3     | 7718            |       | —                                                                                  | – 5,49                             | + 5,49                                         | —                                | – 47,78                               | + 47,78                                           | – 42,29                | + 42,29                |
|            | 3     | 7719            |       | – 5,49                                                                             | —                                  | —                                              | – 47,78                          | —                                     | —                                                 | —                      | —                      |
| 1510 00 10 | 4     | 7724            |       | —                                                                                  | + 23,98                            | – 23,98                                        | —                                | + 4,87                                | – 4,87                                            | – 19,11                | + 19,11                |
|            | 4     | 7729            |       | —                                                                                  | + 23,98                            | – 23,98                                        | —                                | + 4,87                                | – 4,87                                            | – 19,11                | + 19,11                |
|            | 4     | 7733            |       | – 34,58                                                                            | —                                  | —                                              | – 53,69                          | —                                     | —                                                 | —                      | —                      |
| 1510 00 90 | 5     | 7734            |       | —                                                                                  | + 28,78                            | – 28,78                                        | —                                | + 5,84                                | – 5,84                                            | – 22,94                | + 22,94                |
|            | 5     | 7737            |       | —                                                                                  | – 29,78                            | + 29,78                                        | —                                | – 52,72                               | + 52,72                                           | – 22,94                | + 22,94                |
|            | 5     | 7738            |       | – 29,78                                                                            | —                                  | —                                              | – 52,72                          | —                                     | —                                                 | —                      | —                      |

## Appendix to Annex I

## ADDITIONAL CODES

TABLE 1

| CN code    | Description                                                                                  | Additional code |
|------------|----------------------------------------------------------------------------------------------|-----------------|
| 1509 10 10 | – Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:                 |                 |
|            | – – Presented in bulk or in immediate packings of a net capacity of more than 5 litres ..... | 7298            |
|            | – – Presented in immediate packings of a net capacity not exceeding 5 litres .....           | 7299            |
|            | – Other .....                                                                                | 7314            |

TABLE 2

| CN code    | Description                                                                                  | Additional code |
|------------|----------------------------------------------------------------------------------------------|-----------------|
| 1509 10 90 | – Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:                 |                 |
|            | – – Presented in bulk or in immediate packings of a net capacity of more than 5 litres ..... | 7709            |
|            | – – Presented in immediate packings of a net capacity not exceeding 5 litres .....           | 7713            |
|            | – Other .....                                                                                | 7714            |

TABLE 3

| CN code    | Description                                                                                  | Additional code |
|------------|----------------------------------------------------------------------------------------------|-----------------|
| 1509 90 00 | – Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:                 |                 |
|            | – – Presented in bulk or in immediate packings of a net capacity of more than 5 litres ..... | 7717            |
|            | – – Presented in immediate packings of a net capacity not exceeding 5 litres .....           | 7718            |
|            | – Other .....                                                                                | 7719            |

TABLE 4

| CN code    | Description                                                                                  | Additional code |
|------------|----------------------------------------------------------------------------------------------|-----------------|
| 1510 00 10 | – Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:                 |                 |
|            | – – Presented in bulk or in immediate packings of a net capacity of more than 5 litres ..... | 7724            |
|            | – – Presented in immediate packings of a net capacity not exceeding 5 litres .....           | 7729            |
|            | – Other .....                                                                                | 7733            |

TABLE 5

| CN code    | Description                                                                                  | Additional code |
|------------|----------------------------------------------------------------------------------------------|-----------------|
| 1510 00 90 | – Olive oil which satisfies the requirements of Article 9 (2) of the Treaty:                 |                 |
|            | – – Presented in bulk or in immediate packings of a net capacity of more than 5 litres ..... | 7734            |
|            | – – Presented in immediate packings of a net capacity not exceeding 5 litres .....           | 7737            |
|            | – Other .....                                                                                | 7738            |

## ANNEX II

## Products containing olive oil

(ECU/100 kg)

| CN code    | Accession compensatory amount deducted (–)<br>or granted (+) in the following exchanges |                                                             |                           |
|------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------|---------------------------|
|            | From third<br>countries or<br>from EEC of 10<br>to Spain                                | From third<br>countries or<br>from EEC of 10<br>to Portugal | From Spain<br>to Portugal |
| 0709 90 39 | (+) 11,23                                                                               | (+) 2,28                                                    | (–) 8,95                  |
| 0711 20 90 | (+) 11,23                                                                               | (+) 2,28                                                    | (–) 8,95                  |
| 1522 00 31 | (+) 25,52                                                                               | (+) 5,19                                                    | (–) 20,33                 |
| 1522 00 39 | (+) 40,82                                                                               | (+) 8,30                                                    | (–) 32,52                 |
| 2306 90 19 | (+) 1,92                                                                                | (+) 0,39                                                    | (–) 1,53                  |

Note: For trade in the opposite direction, the signs are reversed.

**COMMISSION REGULATION (EEC) No 3305/89**  
**of 31 October 1989**  
**fixing the aid for soya beans**

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans <sup>(1)</sup>, as last amended by Regulation (EEC) No 2217/88 <sup>(2)</sup>, and in particular Article 2 (7) thereof,

Having regard to Council Regulation (EEC) No 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal <sup>(3)</sup>,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1232/89 <sup>(4)</sup>; whereas, pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal, aid for soya beans harvested in these two Member States is to be introduced in accordance with the provisions of paragraphs 2 and 3 of the said Articles from the beginning of the 1986/87 marketing year;

Whereas, pursuant to Article of Regulation (EEC) No 2286/88, soya beans produced and processed in Portugal shall be eligible for special aid equal to the difference between the guide price for such beans in Portugal and the price of imported soya beans;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans <sup>(5)</sup>, as last amended by Regulation (EEC) No 1231/89 <sup>(6)</sup>, the world price for soya beans is to be determined on the basis of the most

favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the identification day; whereas such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 33 of Commission Regulation (EEC) No 2537/89 of 8 August 1989 laying down detailed rules for the application of the special measure for soya beans <sup>(7)</sup>;

Whereas, pursuant to Regulation (EEC) No 2537/89, the world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 40 of Regulation (EEC) No 2537/89;

Whereas the abatement of the subsidy for soya beans which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 3303/89 <sup>(8)</sup>;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(9)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(10)</sup>,

<sup>(1)</sup> OJ No L 151, 10. 6. 1985, p. 15.

<sup>(2)</sup> OJ No L 197, 26. 7. 1988, p. 11.

<sup>(3)</sup> OJ No L 201, 27. 7. 1988, p. 2.

<sup>(4)</sup> OJ No L 128, 11. 5. 1989, p. 26.

<sup>(5)</sup> OJ No L 204, 2. 8. 1985, p. 1.

<sup>(6)</sup> OJ No L 128, 11. 5. 1989, p. 24.

<sup>(7)</sup> OJ No L 245, 22. 8. 1989, p. 8.

<sup>(8)</sup> See page 60 of this Official Journal.

<sup>(9)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(10)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas the aid shall be fixed as often as the market situation so requires and so that it can be applied at least twice a month, one of which times shall be from the first day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amount of the aid provided for in Article 2 for in Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 31 October 1989 fixing the aid for soya beans

(ECU/100 kg)

|                                  | Seed harvested in |            |                      |
|----------------------------------|-------------------|------------|----------------------|
|                                  | Spain             | Portugal   | another Member State |
| Seed processed in current period |                   |            |                      |
| — Spain                          | 0,000             | 25,902     | 25,902               |
| — Portugal                       | 17,975            | 25,902 (*) | 25,902               |
| — another Member State           | 17,975            | 25,902     | 25,902               |
| Seed processed in first period   |                   |            |                      |
| — Spain                          | 0,000             | 25,942     | 25,942               |
| — Portugal                       | 18,015            | 25,942 (*) | 25,942               |
| — another Member State           | 18,015            | 25,942     | 25,942               |
| Seed processed in second period  |                   |            |                      |
| — Spain                          | 0,000             | 25,862     | 25,862               |
| — Portugal                       | 17,935            | 25,862 (*) | 25,862               |
| — another Member State           | 17,935            | 25,862     | 25,862               |
| Seed processed in third period   |                   |            |                      |
| — Spain                          | 0,000             | 25,643     | 25,643               |
| — Portugal                       | 17,716            | 25,643 (*) | 25,643               |
| — another Member State           | 17,716            | 25,643     | 25,643               |
| Seed processed in fourth period  |                   |            |                      |
| — Spain                          | 0,000             | 25,603     | 25,603               |
| — Portugal                       | 17,676            | 25,603 (*) | 25,603               |
| — another Member State           | 17,676            | 25,603     | 25,603               |
| Seed processed in fifth period   |                   |            |                      |
| — Spain                          | 0,000             | 25,944     | 25,944               |
| — Portugal                       | 18,017            | 25,944 (*) | 25,944               |
| — another Member State           | 18,017            | 25,944     | 25,944               |

(\*) Special aid.

## COMMISSION REGULATION (EEC) No 3306/89

of 31 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2860/89<sup>(2)</sup>, and in particular Article 14 (4) thereof,

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

Having regard to 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>(5)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(6)</sup>, 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 3251/89<sup>(7)</sup>;

Whereas Council Regulation (EEC) No 1906/87<sup>(8)</sup> amended Council Regulation (EEC) No 2744/75<sup>(9)</sup> as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

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

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

Whereas these exchange rates being those recorded on 30 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<sup>(10)</sup>, last amended by Regulation (EEC) No 1740/78<sup>(11)</sup>, 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 Regulation (EEC) No 3251/89 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 November 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 166, 25. 6. 1976, p. 1.

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

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

<sup>(7)</sup> OJ No L 314, 28. 10. 1989, p. 59.

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

<sup>(9)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(10)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(11)</sup> 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, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 31 October 1989 altering the import levies on products processed from cereals and rice

| CN code           | Import levies<br>(ECU/tonne) |            |                                            |
|-------------------|------------------------------|------------|--------------------------------------------|
|                   | Portugal                     | ACP or OCT | Third countries<br>(other than ACP or OCT) |
| 1102 30 00        | 3,02                         | 134,43     | 137,45                                     |
| 1102 90 30        | 61,82                        | 197,68     | 203,72                                     |
| 1103 12 00        | 61,82                        | 197,68     | 203,72                                     |
| 1103 14 00        | 3,02                         | 134,43     | 137,45                                     |
| 1103 21 00        | 44,99                        | 212,74     | 218,78                                     |
| 1103 29 30        | 61,82                        | 197,68     | 203,72                                     |
| 1103 29 50        | 3,02                         | 134,43     | 137,45                                     |
| 1104 12 10        | 34,63                        | 112,02     | 115,04                                     |
| 1104 12 90        | 68,02                        | 219,64     | 225,68                                     |
| 1104 19 10        | 44,99                        | 212,74     | 218,78                                     |
| 1104 19 91        | 6,04                         | 228,28     | 234,32                                     |
| 1104 22 10 10 (*) | 34,63                        | 112,02     | 115,04                                     |
| 1104 22 10 90 (*) | 58,80                        | 197,68     | 200,70                                     |
| 1104 22 30        | 58,80                        | 197,68     | 200,70                                     |
| 1104 22 50        | 52,60                        | 175,71     | 178,73                                     |
| 1104 22 90        | 34,63                        | 112,02     | 115,04                                     |
| 1104 29 10*10 (*) | 31,80                        | 157,19     | 160,21                                     |
| 1104 29 30*10 (*) | 37,64                        | 189,10     | 192,12                                     |
| 1104 29 91        | 25,09                        | 120,55     | 123,57                                     |
| 1104 30 10        | 22,27                        | 88,64      | 94,68                                      |
| 1107 10 11        | 49,40                        | 210,38     | 221,26                                     |
| 1107 10 19        | 39,66                        | 157,19     | 168,07                                     |
| 1108 11 00        | 68,16                        | 260,02     | 280,57                                     |
| 1108 19 10        | 30,83                        | 192,77     | 223,60                                     |
| 1109 00 00        | 267,90                       | 472,76     | 654,10                                     |

(\*) 6 % *ad valorem*, subject to certain conditions.

(\*) TARIC code : wheat.

(\*) TARIC code : clipped oats.

**COMMISSION REGULATION (EEC) No 3307/89**  
**of 31 October 1989**  
**altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 1069/89 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 3188/89 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3188/89 to the information known to the Commission that the export refunds

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 3188/89 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

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

<sup>(3)</sup> OJ No L 309, 26. 10. 1989, p. 5.

## ANNEX

to the Commission Regulation of 31 October 1989 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

| Product code   | Amount of refund     |                                                                                       |
|----------------|----------------------|---------------------------------------------------------------------------------------|
|                | per 100 kg           | per percentage point of sucrose content and per 100 kg net of the product in question |
| 1701 11 90 100 | 24,82 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 910 | 23,96 <sup>(1)</sup> |                                                                                       |
| 1701 11 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 12 90 100 | 24,82 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 910 | 23,96 <sup>(1)</sup> |                                                                                       |
| 1701 12 90 950 | <sup>(2)</sup>       |                                                                                       |
| 1701 91 00 000 |                      | 0,2698                                                                                |
| 1701 99 10 100 | 26,98                |                                                                                       |
| 1701 99 10 910 | 26,98                |                                                                                       |
| 1701 99 10 950 | 26,98                |                                                                                       |
| 1701 99 90 100 |                      | 0,2698                                                                                |

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

<sup>(2)</sup> Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

**COMMISSION REGULATION (EEC) No 3308/89**  
**of 31 October 1989**  
**fixing the amount of the subsidy on oil seeds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EEC) No 2902/89 <sup>(2)</sup>, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture <sup>(3)</sup>, as last amended by Regulation (EEC) No 3072/89 <sup>(4)</sup>,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed <sup>(5)</sup>, as last amended by Regulation (EEC) No 2216/88 <sup>(6)</sup>, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3010/89 <sup>(7)</sup>, as last amended by Regulation (EEC) No 3224/89 <sup>(8)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3010/89 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83 <sup>(9)</sup> are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 <sup>(10)</sup> is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 <sup>(11)</sup> for sunflower seed harvested and processed in Portugal is as set out in Annex III.

*Article 2*

This Regulation shall enter into force on 1 November 1989.

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

Done at Brussels, 31 October 1989.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

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

<sup>(4)</sup> OJ No L 294, 13. 10. 1989, p. 5.

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

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

<sup>(7)</sup> OJ No L 288, 6. 10. 1989, p. 17.

<sup>(8)</sup> OJ No L 312, 27. 10. 1989, p. 53.

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

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

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

## ANNEX I

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

(amounts per 100 kg)

|                                               | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 |
|-----------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |               |                  |                 |                 |                 |                 |
| — Spain                                       | 1,170         | 1,170            | 1,170           | 1,170           | 1,170           | 1,170           |
| — Portugal                                    | 0,000         | 0,000            | 0,000           | 0,000           | 0,000           | 0,000           |
| — Other Member States                         | 21,712        | 21,283           | 21,129          | 21,702          | 21,980          | 22,258          |
| 2. Final aids:                                |               |                  |                 |                 |                 |                 |
| (a) Seed harvested and processed in:          |               |                  |                 |                 |                 |                 |
| — Federal Republic of Germany (DM)            | 51,59         | 50,59            | 50,24           | 51,61           | 52,27           | 53,12           |
| — Netherlands (Fl)                            | 57,27         | 56,14            | 55,76           | 57,38           | 58,12           | 59,18           |
| — BLEU (Bfrs/Lfrs)                            | 1 048,41      | 1 027,69         | 1 020,25        | 1 047,92        | 1 061,35        | 1 074,77        |
| — France (FF)                                 | 164,60        | 161,19           | 159,95          | 164,41          | 166,55          | 168,70          |
| — Denmark (Dkr)                               | 193,89        | 190,06           | 188,68          | 193,80          | 196,28          | 198,77          |
| — Ireland (£ Irl)                             | 18,320        | 17,941           | 17,802          | 18,299          | 18,537          | 18,776          |
| — United Kingdom (£)                          | 13,835        | 13,478           | 13,310          | 13,702          | 13,900          | 13,986          |
| — Italy (Lit)                                 | 35 866        | 35 130           | 34 861          | 35 814          | 36 280          | 36 602          |
| — Greece (Dr)                                 | 3 434,72      | 3 313,73         | 3 233,82        | 3 308,32        | 3 359,42        | 3 330,32        |
| (b) Seed harvested in Spain and processed:    |               |                  |                 |                 |                 |                 |
| — in Spain (Pta)                              | 178,89        | 178,89           | 178,89          | 178,89          | 178,89          | 178,89          |
| — in another Member State (Pta)               | 3 073,43      | 3 011,26         | 2 985,31        | 3 063,90        | 3 106,25        | 3 125,28        |
| (c) Seed harvested in Portugal and processed: |               |                  |                 |                 |                 |                 |
| — in Portugal (Esc)                           | 0,00          | 0,00             | 0,00            | 0,00            | 0,00            | 0,00            |
| — in another Member State (Esc)               | 4 281,89      | 4 187,80         | 4 142,45        | 4 227,64        | 4 273,77        | 4 263,89        |

## ANNEX II

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

(amounts per 100 kg)

|                                               | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 |
|-----------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |               |                  |                 |                 |                 |                 |
| — Spain                                       | 3,670         | 3,670            | 3,670           | 3,670           | 3,670           | 3,670           |
| — Portugal                                    | 2,500         | 2,500            | 2,500           | 2,500           | 2,500           | 2,500           |
| — Other Member States                         | 24,212        | 23,783           | 23,629          | 24,202          | 24,480          | 24,758          |
| 2. Final aids:                                |               |                  |                 |                 |                 |                 |
| (a) Seed harvested and processed in:          |               |                  |                 |                 |                 |                 |
| — Federal Republic of Germany (DM)            | 57,50         | 56,50            | 56,14           | 57,51           | 58,17           | 59,03           |
| — Netherlands (Fl)                            | 63,87         | 62,74            | 62,35           | 63,98           | 64,71           | 65,77           |
| — BLEU (Bfrs/Lfrs)                            | 1 169,12      | 1 148,41         | 1 140,97        | 1 168,64        | 1 182,06        | 1 195,49        |
| — France (FF)                                 | 183,84        | 180,44           | 179,19          | 183,65          | 185,80          | 187,94          |
| — Denmark (Dkr)                               | 216,21        | 212,38           | 211,01          | 216,13          | 218,61          | 221,09          |
| — Ireland (£ Irl)                             | 20,462        | 20,083           | 19,944          | 20,440          | 20,679          | 20,918          |
| — United Kingdom (£)                          | 15,589        | 15,231           | 15,063          | 15,455          | 15,654          | 15,739          |
| — Italy (Lit)                                 | 40 048        | 39 312           | 39 043          | 39 996          | 40 462          | 40 785          |
| — Greece (Dr)                                 | 3 883,18      | 3 762,19         | 3 682,28        | 3 756,79        | 3 807,88        | 3 778,78        |
| (b) Seed harvested in Spain and processed:    |               |                  |                 |                 |                 |                 |
| — in Spain (Pta)                              | 561,13        | 561,13           | 561,13          | 561,13          | 561,13          | 561,13          |
| — in another Member State (Pta)               | 3 455,67      | 3 393,50         | 3 367,55        | 3 446,14        | 3 488,49        | 3 507,52        |
| (c) Seed harvested in Portugal and processed: |               |                  |                 |                 |                 |                 |
| — in Portugal (Esc)                           | 480,01        | 480,01           | 480,01          | 480,01          | 480,01          | 480,01          |
| — in another Member State (Esc)               | 4 761,90      | 4 667,81         | 4 622,45        | 4 707,65        | 4 753,77        | 4 743,89        |

## ANNEX III

## Aids to sunflower seed

(amounts per 100 kg)

|                                               | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 |
|-----------------------------------------------|---------------|------------------|-----------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |               |                  |                 |                 |                 |
| — Spain                                       | 6,890         | 6,890            | 6,890           | 6,890           | 6,890           |
| — Portugal                                    | 0,000         | 0,000            | 0,000           | 0,000           | 0,000           |
| — Other Member States                         | 29,837        | 29,409           | 29,666          | 30,492          | 30,823          |
| 2. Final aids:                                |               |                  |                 |                 |                 |
| (a) Seed harvested and processed in (1):      |               |                  |                 |                 |                 |
| — Federal Republic of Germany (DM)            | 70,81         | 69,81            | 70,42           | 72,39           | 73,17           |
| — Netherlands (Fl)                            | 78,71         | 77,58            | 78,28           | 80,58           | 81,45           |
| — BLEU (Bfrs/Lfrs)                            | 1 440,74      | 1 420,07         | 1 432,48        | 1 472,36        | 1 488,35        |
| — France (FF)                                 | 226,90        | 223,49           | 225,47          | 231,91          | 234,46          |
| — Denmark (Dkr)                               | 266,45        | 262,62           | 264,92          | 272,30          | 275,25          |
| — Ireland (£ Irl)                             | 25,253        | 24,874           | 25,094          | 25,811          | 26,095          |
| — United Kingdom (£)                          | 19,399        | 19,038           | 19,187          | 19,772          | 20,008          |
| — Italy (Lit)                                 | 49 414        | 48 678           | 49 108          | 50 489          | 51 044          |
| — Greece (Dr)                                 | 4 847,44      | 4 722,94         | 4 724,51        | 4 848,53        | 4 909,37        |
| (b) Seed harvested in Spain and processed:    |               |                  |                 |                 |                 |
| — in Spain (Pta)                              | 1 053,45      | 1 053,45         | 1 053,45        | 1 053,45        | 1 053,45        |
| — in another Member State (Pta)               | 3 626,67      | 3 564,88         | 3 599,45        | 3 715,01        | 3 765,42        |
| (c) Seed harvested in Portugal and processed: |               |                  |                 |                 |                 |
| — in Portugal (Esc)                           | 0,00          | 0,00             | 0,00            | 0,00            | 0,00            |
| — in Spain (Esc)                              | 6 408,71      | 6 310,49         | 6 345,34        | 6 481,47        | 6 537,72        |
| — in another Member State (Esc)               | 6 245,84      | 6 150,12         | 6 184,08        | 6 316,76        | 6 371,57        |
| 3. Compensatory aids:                         |               |                  |                 |                 |                 |
| — in Spain (Pta)                              | 3 577,93      | 3 515,66         | 3 551,19        | 3 666,74        | 3 717,16        |
| 4. Special aid:                               |               |                  |                 |                 |                 |
| — in Portugal (Esc)                           | 6 245,84      | 6 150,12         | 6 184,08        | 6 316,76        | 6 371,57        |

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0260760.

## ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

|           | Current<br>11 | 1st period<br>12 | 2nd period<br>1 | 3rd period<br>2 | 4th period<br>3 | 5th period<br>4 |
|-----------|---------------|------------------|-----------------|-----------------|-----------------|-----------------|
| DM        | 2,054280      | 2,050080         | 2,046020        | 2,042670        | 2,042670        | 2,032510        |
| Fl        | 2,318270      | 2,311670         | 2,305500        | 2,299620        | 2,299620        | 2,282870        |
| Bfrs/Lfrs | 43,156500     | 43,132000        | 43,108800       | 43,077400       | 43,077400       | 43,002700       |
| FF        | 6,974780      | 6,972870         | 6,971830        | 6,970230        | 6,970230        | 6,967500        |
| Dkr       | 7,998750      | 8,004000         | 8,007810        | 8,008480        | 8,008480        | 8,010110        |
| £Irl      | 0,771921      | 0,772107         | 0,772594        | 0,772890        | 0,772890        | 0,775129        |
| £         | 0,696128      | 0,698614         | 0,701108        | 0,703320        | 0,703320        | 0,709834        |
| Lit       | 1 509,80      | 1 513,14         | 1 515,65        | 1 518,13        | 1 518,13        | 1 525,70        |
| Dr        | 183,67500     | 186,10400        | 188,47600       | 190,78300       | 190,78300       | 195,57300       |
| Esc       | 175,57400     | 176,07100        | 176,75600       | 177,79900       | 177,79900       | 180,80800       |
| Pta       | 130,95400     | 131,39400        | 131,82100       | 132,18400       | 132,18400       | 133,33000       |

## COMMISSION REGULATION (EEC) No 3309/89

of 31 October 1989

altering the export refunds on malt

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

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

Having regard to Regulation (EEC) No 2727/75 of the  
Council of 29 October 1975 on the common organization  
of the market in cereals <sup>(1)</sup>, as last amended by Regulation  
(EEC) No 2860/89 <sup>(2)</sup>, and in particular the fifth subpara-  
graph of Article 16 (2) thereof,

Whereas the export refunds on malt were fixed by  
Commission Regulation (EEC) No 3225/89 <sup>(3)</sup>;

Whereas Regulation (EEC) No 2744/75 of the Council of  
29 October 1975 on the import and export system for  
products processed from cereals and from rice <sup>(4)</sup>, as last  
amended by Regulation (EEC) No 1906/87 <sup>(5)</sup>, defines the  
specific criteria to be taken into account when the refund  
on these products is being calculated;

Whereas it follows from applying the rules, criteria and  
other provisions contained in Regulation (EEC) No

3225/89 to the information at present available to the  
Commission that the export refunds at present in force  
should be altered to the amounts set out in the Annex  
hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on malt listed in Article 1 (d) of Regu-  
lation (EEC) No 2727/75 and subject to Regulation (EEC)  
No 2744/75, as fixed in the Annex to Regulation (EEC)  
No 3225/89 are hereby altered to the amounts set out in  
the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 November  
1989.

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

Done at Brussels, 31 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 312, 27. 10. 1989, p. 57.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 182, 3. 7. 1987, p. 49.

*ANNEX*

to the Commission Regulation of 31 October 1988 altering the export refunds on malt

| <i>(ECU / tonne)</i> |        |
|----------------------|--------|
| Product code         | Refund |
| 1107 10 19 000       | 49,00  |
| 1107 10 99 000       | 0      |
| 1107 20 00 000       | 0      |

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

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