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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3365/89

of 6 November 1989

amending Annex I to Regulation (EEC) No 288/82 and Annex III to Regulation (EEC) No 3420/83 in respect of the liberalization of certain products which are subject to national quantitative restrictions

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the rules establishing common organization of agricultural markets and to those concerning processed agricultural products adopted under Article 235 of the Treaty, in particular the provisions of those rules which allow for derogation from the general principle that all quantitative restrictions or measures having equivalent effect may be replaced solely by the measures provided for in those same rules,

Having regard to the proposal from the Commission,

Whereas the quantitative restrictions which exist in the various Member States are listed in Annex I to Regulation (EEC) No 288/82 ⁽¹⁾, as last amended by Regulation (EEC) No 2429/89 ⁽²⁾ the Annexes to which were last updated in *Official Journal of the European Communities* No C 37 of 16 February 1987, and in Annex III to Regulation (EEC) No 3420/83 ⁽³⁾, as last amended by Regulation (EEC) No 2273/87 ⁽⁴⁾;

Whereas the reduction or the elimination of quantitative restrictions is among the objectives set out in the

ministerial declaration of Punta del Este concerning the Uruguay Round;

Whereas, following the decision taken by the Council on 22 February 1988, on 8 March 1988 the Community put before the GATT Contracting Parties an offer concerning the dismantling of quantitative restrictions,

HAS ADOPTED THIS REGULATION:

Article 1

The products listed in Annex I to this Regulation are hereby deleted from the list in Annex I to Regulation (EEC) No 288/82. The products listed in Annex II to this Regulation are hereby deleted from the list in Annex III to Regulation (EEC) No 3420/83.

Article 2

Article 1 shall be applicable only to those States enjoying the rights of the GATT Contracting Parties.

Article 3

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

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

Done at Brussels, 6 November 1989.

For the Council

The President

R. DUMAS

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 230, 8. 8. 1989, p. 6.

⁽³⁾ OJ No L 346, 8. 12. 1983, p. 6.

⁽⁴⁾ OJ No L 217, 6. 8. 1987, p. 1.

ANNEX I

NIMEXE 1987	CN code	NIMEXE 1987	CN code
BENELUX		FRANCE (continued)	
12.08-01	0601 20 10 1212 99 10	62.03-11	6305 10 10
		62.03-13 to 17	6305 10 90
		73.02-47	ex 7202 49 90 7202 41 10
DENMARK		73.02-49	7202 41 90
82.09-11, 19	ex 8211 10 00 8211 91 90 8211 92 92	73.02-55	7202 50 00
		85.15-75	8529 90 10
82.14-10, 91, 99	8215 10 10 8215 10 90 8215 20 10 8215 20 90 ex 8215 91 00 8215 99 10 ex 8215 99 90	85.15-80	ex 8529 90 99
		85.15-99	ex 8529 10 10 8529 10 90 ex 8529 90 99
		85.25-21	8546 20 10
		85.25-25	8546 20 91
		85.25-27	8546 20 99
		85.25-35	8546 90 10
		85.25-50	8546 10 00
		85.25-90	8546 90 90
		89.01-70, 73	8903 91 10 8903 92 10
SPAIN		90.12-11 to 70	9011 10 00 9011 20 00 9011 80 00 9011 90 00
62.03-11	6305 10 10		
62.03-13 to 17	6305 10 90		
85.21-01	ex 8540 89 90		
85.23-01	8544 30 10		
85.25-21	8546 20 10		
85.25-25	8546 20 91		
85.25-27	8546 20 99		
85.25-35	8546 90 10		
85.25-50	8546 10 00		
ex 85.25-90	ex 8546 90 90	90.28-01 to 16	9014 20 11 9014 20 13 9014 20 15 ex 9014 20 19 ex 9032 89 10 ex 9014 10 10 ex 9014 20 19 ex 9025 19 10 ex 9025 80 10 ex 9026 10 10 ex 9026 20 10 ex 9026 80 10 ex 9029 10 10 ex 9029 20 10 ex 9030 10 10 9030 20 10 ex 9030 31 10 ex 9030 39 10 ex 9030 40 10 ex 9030 81 10 ex 9030 89 10 ex 9031 80 10 ex 9032 10 10 ex 9032 20 10 ex 9032 89 10 ex 9030 40 90 ex 9030 10 90
FRANCE			
27.05-00	2705 00 00		
27.12-90	2712 10 90		
27.13-81 to 90	2712 90 31 2712 90 33 2712 90 39 2712 90 90 2712 20 00		
32.05-10 to 50	3204 11 00 3204 12 00 3204 13 00 3204 14 00 3204 15 00 3204 16 00 3204 17 00 3204 19 00 3204 20 00 3204 90 00 ex 3203 00 19	90.28-31 to 47	ex 9014 80 00 ex 9014 20 90 9015 80 11 9024 10 10 9024 80 10
34.03-11	ex 3403 11 00		
34.03-15	3403 19 91		
34.03-19	3403 19 99 ex 3801 90 00		

(¹) Lemon juice only.

ANNEX II

NIMEXE 1987	CN code	NIMEXE 1987	CN code
BENELUX		FRANCE (continued)	
12.08-01	0601 20 10 1212 99 10	73.02-47	ex 7202 49 90 7202 41 10
18.06-19	ex 1806 31 00 ex 1806 32 10 ex 1806 32 90 ex 1806 90 50	73.02-49	7202 41 90
18.06-29	ex 1806 20 90 ex 1806 90 19 ex 1806 90 31	85.15-75	8529 90 10
18.06-75	ex 1806 20 90 ex 1806 90 19 ex 1806 90 39	85.15-80	ex 8529 90 99
51.01-65	5403 31 00 ex 5403 32 00	85.15-99	ex 8529 10 10 8529 10 90 ex 8529 90 99
51.01-74, 75	5403 33 10	89.01-70, 73	8903 91 10 8903 92 10
DENMARK		ex 97.03-11	ex 9503 10 10
73.32-50 to 99	7318 11 00 to 7318 19 00	ex 97.03-15	ex 9503 80 10 ex 9503 80 90
GERMANY		ex 97.03-30	ex 9503 80 10 ex 9503 80 90 ex 9503 90 31 ex 9503 90 35 ex 9503 90 55 ex 9503 90 99
44.11-41	4411 21 00 4411 31 00	97.03-55	9503 30 30
69.08-63	6908 90 51 ex 6908 10 00	GREECE	
73.02-49	7202 41 90	50.09-80	ex 5007 10 00 ex 5803 90 10 ex 5905 00 90
SPAIN		ex 85.03-11 to 30	ex 8506 11 10 ex 8506 11 90 ex 8506 13 00 ex 8506 12 00
62.03-13 to 17	6305 10 90	IRELAND	
85.23-01	8544 30 10	62.03-11	6305 10 10
FRANCE		ITALY	
27.05-00	2705 00 00	ex 20.07-08 (1)	ex 2009 30 19 (1)
27.12-90	2712 10 90	ex 20.07-13 (1)	ex 2009 30 11 (1)
27.13-81	2712 90 31	ex 20.07-46, 50 (1)	ex 2009 30 31 (1)
27.13-83	2712 90 33		ex 2009 30 39 (1)
27.13-89	2712 90 39	28.27-20	2824 20 00
27.13-90	2712 90 90 2712 20 00	ex 28.40-30 (2)	2835 31 00
34.03-11 to 19	ex 3403 11 00 3403 19 91 3403 19 99 ex 3801 90 00	29.35-72	2933 71 00
63.03-13 to 17	6305 10 90		

(1) Lemon juice only.

(2) Sodium tripolyphosphate only.

(¹) Acrylic only.

COMMISSION REGULATION (EEC) No 3366/89

of 9 November 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 8 November 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 10 November 1989.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

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

ANNEX

to the Commission Regulation of 9 November 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	120,67
0712 90 19	23,05	120,67
1001 10 10	27,26	165,24 ⁽¹⁾ ⁽²⁾
1001 10 90	27,26	165,24 ⁽¹⁾ ⁽²⁾
1001 90 91	23,07	115,50
1001 90 99	23,07	115,50
1002 00 00	49,93	114,27 ⁽³⁾
1003 00 10	40,77	113,12
1003 00 90	40,77	113,12
1004 00 10	32,17	110,33
1004 00 90	32,17	110,33
1005 10 90	23,05	120,67 ⁽³⁾ ⁽²⁾
1005 90 00	23,05	120,67 ⁽³⁾ ⁽²⁾
1007 00 90	40,77	130,19 ⁽⁴⁾
1008 10 00	40,77	2,78
1008 20 00	40,77	68,80 ⁽⁴⁾
1008 30 00	40,77	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	40,77	0,00
1101 00 00	46,85	175,23
1102 10 00	84,22	173,56
1103 11 10	56,78	271,38
1103 11 90	49,97	188,62

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3367/89

of 9 November 1989

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 8 November 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 10 November 1989.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 9 November 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
0709 90 60	0	0	0	0,32
0712 90 19	0	0	0	0,32
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	3,83
1001 90 99	0	0	0	3,83
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	0	0,32
1005 90 00	0	0	0	0,32
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	5,37

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0	0	6,82	6,82
1107 10 19	0	0	0	5,09	5,09
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 3368/89

of 9 November 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 6 and 7 November 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 10 November 1989.

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

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

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

COMMISSION REGULATION (EEC) No 3369/89

of 8 November 1989

concerning the stopping of fishing for cod by vessels flying the flag of Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 4194/88 of 21 December 1988 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1989 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2278/89 ⁽⁴⁾, provides for cod quotas for 1989;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for 1989; whereas Belgium has prohibited fishing for this

stock as from 4 November 1989; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1989.

Fishing for cod in the waters of ICES division VII a by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 4 November 1989.

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

Done at Brussels, 8 November 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 369, 31. 12. 1988, p. 3.

⁽⁴⁾ OJ No L 218, 28. 7. 1989, p. 5.

COMMISSION REGULATION (EEC) No 3370/89

of 9 November 1989

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of large-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 2396/89⁽³⁾ opened and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3327/89⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for the other currencies, a conversion rate based on the arithmetic mean of the spot market rates for the currency, as recorded over a given period, against the Community currencies referred to in the preceding indent, and the abovementioned factor;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for large-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 2396/89 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 11 November 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 227, 4. 8. 1989, p. 9.

⁽⁴⁾ OJ No L 231, 4. 11. 1989, p. 41.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3371/89

of 9 November 1989

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 2396/89⁽³⁾ opened and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

- (a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;
- or
- (b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3327/89⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for the other currencies, a conversion rate based on the arithmetic mean of the spot market rates for the currency, as recorded over a given period, against the Community currencies referred to in the preceding indent, and the abovementioned factor;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (standard) carnations originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN code ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 2396/89 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 11 November 1989.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 227, 4. 8. 1989, p. 9.

⁽⁴⁾ OJ No L 321, 4. 11. 1989, p. 41.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3372/89**of 9 November 1989****fixing for the 1989/90 marketing year the minimum price for selling blood oranges, withdrawn from the market, to processing industries**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1119/89⁽²⁾, and in particular Article 21 (4) thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2448/77 of 8 November 1977 laying down conditions for the disposal of oranges withdrawn from the market to the processing industry, and amending Regulation (EEC) No 1687/76⁽³⁾, as last amended by Regulation (EEC) No 713/87⁽⁴⁾, provides that the minimum selling price is to be fixed before the start of each marketing year, taking account of the industry's normal supply price for the product concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1989/90 marketing year, the minimum selling price referred to in Article 2 of Regulation (EEC) No 2448/77 shall be ECU 48,49 per tonne net, ex warehouse in which the goods are stored.

Article 2

This Regulation shall enter into force on 1 December 1989.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 285, 9. 11. 1977, p. 5.

⁽⁴⁾ OJ No L 70, 13. 3. 1987, p. 21.

COMMISSION REGULATION (EEC) No 3373/89**of 9 November 1989****amending Regulation (EEC) No 2396/84 laying down detailed rules for drawing up the forward estimate in the wine sector**

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 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1236/89 ⁽²⁾, and in particular Article 31 (4) thereof,

Whereas Commission Regulation (EEC) No 2396/84 ⁽³⁾, as last amended by Regulation (EEC) No 3643/87 ⁽⁴⁾, lays down the information which the Member States must forward to the Commission by category of products so that the latter is able to draw up the forward estimate for wine for a given wine year;

Whereas, in order to draw up the forward estimate and manage the market properly, evaluating certain items is very important; whereas knowledge of the forward estimate for the preceding wine year is therefore indispensable;

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

Article 1

The following is hereby added to Article 1 (2) of Regulation (EEC) No 2396/84:

'The Member States shall forward to the Statistical Office of the European Communities in respect of the preceding wine year and in accordance with the model in Annex IV:

- the forward estimate by 30 November at the latest,
- the final statement by 15 March at the latest.'

Article 2

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

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 224, 21. 8. 1984, p. 14.

⁽⁴⁾ OJ No L 342, 4. 12. 1987, p. 11.

ANNEX

ANNEX IV

ESTIMATED
FINAL WINE BALANCE SHEETCountry :
Wine year :

(1 000 hl)

CRONOS	Item	Wine total			Quality wine			Table wine			Other wine			Vermouth
		total	red/rosé	white	total	red/rosé	white	total	red/rosé	white	total	red/rosé	white	
1.	INITIAL STOCK :													
1.1.	— of which market													
2.	TOTAL PRODUCTION OF MUST AND WINE													
3.	MUST FOR PRODUCTION OF GRAPE JUICE													
4.	USABLE PRODUCTION OF WINE													(1)
5.	IMPORTS :													
5.1.	— of which from non-member countries													
6.(1+4+5) (7+8+9)	TOTAL AVAILABILITY													
7.	EXPORTS :													
7.1.	— of which to non-member countries													
8.	TOTAL DOMESTIC USES :													
8.1.	— human consumption													
8.2.	— industrial uses :													
8.2.1.	— distillation :													
8.2.1.1.	— grape spirit with registr. design. origin													
8.2.1.2.	— in conformity with Reg. 822/87													
8.2.1.3.	— other													
8.2.2.	— vinegar production													
8.3.	— processing													
8.4.	— losses :													
8.4.1.	— after harvest declaration													
8.4.2.	— on the market													
9.	FINAL STOCKS :													
9.1.	— which market													

(1) Wine weight / 0,75 = Usable production of Vermouth (Balance sheet Vermouth).

COMMISSION REGULATION (EEC) No 3374/89

of 9 November 1989

on the sale at a price fixed in advance of unprocessed dried figs from the 1988 harvest to distillation industries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 6 (2) of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 2328/88 ⁽⁶⁾, provides that products intended for specific uses shall be sold at prices fixed in advance or determined by an invitation to tender;

Whereas Commission Regulation (EEC) No 1707/85 of 21 June 1985 on the sale of unprocessed dried figs by storage agencies for the manufacture of alcohol ⁽⁷⁾ provides that unprocessed dried figs may be sold at a price fixed in advance to distillation industries;

Whereas the Greek storage agency is holding roughly 272 tonnes of unprocessed dried figs from the 1988 harvest; whereas these products cannot find outlets for direct human consumption; whereas the products should be offered to the distillation industries;

Whereas the selling price should be fixed in such a way that disturbance of the Community market in alcohol and spirituous beverages is avoided;

Whereas the amount of the processing security provided for in Article 2 (2) of Regulation (EEC) No 1707/85 should be fixed, taking into consideration the difference between the normal market price for dried figs and the selling price fixed by this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agency shall undertake the sale of unprocessed dried figs from the 1988 harvest to the distillation industries in accordance with the provisions of Regulations (EEC) No 626/85 and (EEC) No 1707/85 at a price fixed at ECU 5,4 per 100 kilograms net.

2. The processing security referred to in Article 2 (2) of Regulation (EEC) No 1707/85 is fixed at ECU 18,96 per 100 kilograms net.

Article 2

1. Purchase applications shall be submitted to the Greek storage agency Sykiki, at the head office of IDAGEP, Acharnon Street 241, Athens, Greece, for products held by that agency.

2. Information on the quantities and places where the products are stored may be obtained from the Greek storage agency Sykiki, Kritis Street 13, Kalamata, Greece.

Article 3

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 225, 3. 8. 1989, p. 1.

⁽⁵⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁶⁾ OJ No L 202, 27. 7. 1988, p. 45.

⁽⁷⁾ OJ No L 163, 22. 6. 1985, p. 38.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3375/89

of 9 November 1989

amending Regulation (EEC) No 920/89 laying down quality standards for carrots, citrus fruit and dessert apples and pears as regards the list of large fruit varieties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Annex III to Commission Regulation (EEC) No 920/89⁽³⁾ lays down quality standards for dessert apples and pears; whereas information gathered on the agronomic characteristics of the Empire variety enable it to be concluded that it is not a large fruit variety; whereas

the list in Table 3 in Annex III to that Regulation should accordingly be corrected;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Table 3 in Annex III to Regulation (EEC) No 920/89, 'Empire' is hereby deleted.

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, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 97, 11. 4. 1989, p. 19.

COMMISSION REGULATION (EEC) No 3376/89

of 9 November 1989

amending Regulation (EEC) No 2996/89 introducing a countervailing charge on cucumbers originating in Spain (except the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 2996/89⁽³⁾, as last amended by Regulation (EEC) No 3324/89⁽⁴⁾, introduced a countervailing charge on cucumbers originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of cucumbers originating in Spain (except the Canary Islands) must be altered;

Whereas Article 25 of Regulation (EEC) No 1035/72 on the introduction of countervailing charges applies to a given product only during the period in respect of which a reference price has been fixed for that product whereas Commission Regulation (EEC) No 291/89⁽⁵⁾ fixed the reference prices for cucumbers up to 10 November 1989;

whereas Regulation (EEC) No 2996/89 should therefore be repealed with effect from 11 November 1989;

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

Whereas Article 140 (1) provides for a 8 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the fourth year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2996/89, '53,78 ECU' is hereby replaced by '23,34 ECU'.

Article 2

Regulation (EEC) No 2996/89 is repealed with effect from 11 November 1989.

Article 3

This Regulation shall enter into force on 10 November 1989.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 287, 5. 10. 1989, p. 13.

⁽⁴⁾ OJ No L 321, 4. 11. 1989, p. 36.

⁽⁵⁾ OJ No L 33, 4. 2. 1989, p. 29.

COMMISSION REGULATION (EEC) No 3377/89
of 9 November 1989
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 10 November 1989.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 9 November 1989 fixing the export refunds on rice and broken rice

Product code	Destination (°)	Amount of refunds (ECU / tonne)
1006 20 11 000	—	—
1006 20 13 000	01	123,82
1006 20 15 000	01	123,82
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	123,82
1006 20 96 000	01	123,82
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	123,82
1006 30 25 000	01	123,82
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	123,82
1006 30 46 000	01	123,82
1006 30 48 000	—	—
1006 30 61 000	—	—
1006 30 63 100	01	154,77
	03	160,77
	05	160,77
	06	165,77
	07	165,77
	08	160,77
	09	160,77
	10	165,77
	11	165,77
	12	165,77
	13	154,77
	14	165,77
	01	154,77
	13	154,77
1006 30 65 100	01	154,77
	03	160,77
	05	160,77
	06	165,77
	07	165,77
	08	160,77
	09	160,77
	10	165,77
	11	165,77
	12	165,77
	13	154,77
	14	165,77
	01	154,77
	13	154,77
1006 30 65 900	01	154,77
1006 30 67 100	—	—
1006 30 67 900	—	—
1006 30 92 000	—	—

(ECU / tonne)

Product code	Destination (1)	Amount of refunds
1006 30 94 100	01	154,77
	03	160,77
	05	160,77
	06	165,77
	07	165,77
	08	160,77
	09	160,77
	10	165,77
	11	165,77
	12	165,77
	13	154,77
	14	165,77
1006 30 94 900	01	154,77
	13	154,77
1006 30 96 100	01	154,77
	03	160,77
	05	160,77
	06	165,77
	07	165,77
	08	160,77
	09	160,77
	10	165,77
	11	165,77
	12	165,77
	13	154,77
	14	165,77
1006 30 96 900	01	154,77
	13	154,77
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(1) The destinations are identified as follows :

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

NB : The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

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

COMMISSION REGULATION (EEC) No 3378/89

of 9 November 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 128, 27. 6. 1967, p. 2574/67.

⁽²⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 78.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 10 November 1989.

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 9 November 1989 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (°)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	06	95,00
	07	95,00
	02	0
1001 10 90 000	01	10,00
1001 90 91 000	08	35,00
	02	0
1001 90 99 000	04	40,00
	05	40,00
	02	10,00
1002 00 00 000	03	34,00
	05	34,00
	02	10,00
1003 00 10 000	09	57,00
	02	0
1003 00 90 000	04	55,00
	02	10,00
1004 00 10 000	08	57,00
	02	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	40,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	70,00
1101 00 00 120	01	70,00
1101 00 00 130	01	64,00
1101 00 00 150	01	61,00
1101 00 00 170	01	58,00
1101 00 00 180	01	55,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	70,00
1102 10 00 200	01	70,00
1102 10 00 300	01	70,00
1102 10 00 500	01	70,00
1102 10 00 900	—	—
1103 11 10 100	01	177,00
1103 11 10 200	01	167,00
1103 11 10 500	01	149,00
1103 11 10 900	01	141,00
1103 11 90 100	01	70,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II b),
- 06 Turkey,
- 07 Algeria,
- 08 Zone I,
- 09 Zone VI, Zone I.

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).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 27 October 1989

amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs

(89/583/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by Directive 89/23/EEC⁽²⁾, and in particular Article 7 thereof,

Annex II to Directive 70/524/EEC is hereby amended as set out in the Annex hereto.

Whereas Directive 70/524/EEC provides for regular amendment of the content of its Annexes to take account of advances in scientific and technical knowledge; whereas the Annexes were consolidated by Commission Directive 85/429/EEC⁽³⁾;

Article 2

This Directive is addressed to the Member States.

Whereas the investigation of various additives currently listed in Annex II and therefore authorizable at national level has not yet been completed; whereas, therefore, the period of authorization of these substances should be extended for a specific period;

Done at Brussels, 27 October 1989.

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 11, 14. 1. 1989, p. 34.

⁽³⁾ OJ No L 245, 12. 9. 1985, p. 1.

ANNEX

In Annex II:

1. under part A, 'Antibiotics', '30. 11. 1989' in the column 'Period of authorization' is replaced by '30. 11. 1990' against the following items:
 - No 21 'Virginiamycin' (species or category of animal 'Cattle for fattening'),
 - No 22 'Avoparcin' (species or category of animal 'Lambs from the beginning of rumination with the exception of pasture-grazed lambs'),
 - No 27 'Salinomycin sodium',
 - No 28 'Avilamycin';
 2. under part D, 'Coccidiostats and other medicinal substances',
 - (a) '30. 11. 1989' in the column 'Period of authorization' is replaced by '30. 11. 1990' against the following items:
 - No 16 'Meticlorpindol/Methylbenzoquate' (species or category of animal 'Rabbits'),
 - No 20 'Lasalocid sodium';
 - (b) the wording against item No 21 'Maduramicin ammonium' is amended by:
 - replacing '30. 11. 1989' in the column 'Period of authorization' by '30. 11. 1990',
 - adding 'Mixture of Maduramicin ammonium with Bentonite-Montmorillonite is allowed' in the column 'Other provisions';
 3. under part F, 'Colouring matters including pigments', '30. 11. 1989' in the column 'Period of authorization' is replaced by '30. 11. 1990' against item No 5 'Astaxanthin';
 4. under part G, 'Preservatives', '30. 11. 1989' in the column 'Period of authorization' is replaced by '30. 11. 1990' against item No 20 'Methylpropionic acid'.
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