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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3395/89

of 13 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 10 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 14 November 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 13 November 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 13 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 ⁽²⁾ ⁽³⁾
1005 90 00	23,05	120,67 ⁽²⁾ ⁽³⁾
1007 00 90	40,77	130,19 ⁽⁴⁾
1008 10 00	40,77	1,91
1008 20 00	40,77	68,80 ⁽⁵⁾
1008 30 00	40,77	0,00 ⁽⁶⁾
1008 90 10	(7)	(7)
1008 90 90	40,77	0,00
1101 00 00	46,85	174,41
1102 10 00	84,22	173,56
1103 11 10	56,78	270,15
1103 11 90	49,97	187,73

⁽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 3396/89

of 13 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 10 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 14 November 1989.

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

Done at Brussels, 13 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 13 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
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	3,87
1001 90 99	0	0	0	3,87
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
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	11,88
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	5,41

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0	0	6,89	6,89
1107 10 19	0	0	0	5,15	5,15
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 3397/89

of 13 November 1989

fixing the maximum buying-in price and the quantities of beef bought in for the
11th partial invitation to tender under Regulation (EEC) No 1627/89

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

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

Whereas, pursuant to Commission Regulation (EEC) No
859/89 of 29 March 1989 laying down detailed rules for
the application of intervention measures in the beef and
veal sector⁽³⁾, an invitation to tender was opened by
Commission Regulation (EEC) No 1627/89 of 9 June
1989 on the buying-in of beef by invitation to tender⁽⁴⁾,
as last amended by Regulation (EEC) No 3262/89⁽⁵⁾;

Whereas, in accordance with Article 11 (1) of Regulation
(EEC) No 859/89, a maximum buying-in price is to be
fixed for quality R3, where appropriate, for each partial
invitation to tender in the light of the tenders received;
whereas, in accordance with Article 12 of that Regulation,
only tenders lower than or equal to the maximum price
are to be accepted;

Whereas, after the tenders submitted for the 11th partial
invitation to tender have been examined and taking
account, pursuant to Article 6 (1) of Regulation (EEC) No
805/68, the requirements for reasonable support of the
market and the seasonal trend in slaughterings, the
maximum buying-in price and the quantities which may
be accepted into intervention should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 11th partial invitation to tender opened by
Regulation (EEC) No 1627/89:

(a) For category A:

- the maximum buying-in price is hereby fixed at
ECU 283 per 100 kilograms of carcasses or
half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses
accepted is hereby fixed at 175 tonnes;

(b) For category C:

- the maximum buying-in price is hereby fixed at
ECU 277 per 100 kilograms of carcasses or
half-carcasses of quality R3,
- the maximum quantity accepted is hereby fixed at
10 468 tonnes.

Article 2

This Regulation shall enter into force on 14 November
1989.

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

Done at Brussels, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁵⁾ OJ No L 317, 31. 10. 1989, p. 16.

COMMISSION REGULATION (EEC) No 3398/89**of 9 November 1989****on the supply of common wheat flour to the United Nations High Commissioner for Refugees (UNHCR) as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 10 February 1989 on the supply of food-aid to UNHCR, the Commission allocated to that organization 137 tonnes of cereals to be supplied free-at-port of landing;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No⁽¹⁾:** 700/89
2. **Programme:** 1986
3. **Recipient:** M. Pirlot, UNHCR, Case Postale 2500, CH-1211 Genève 2 Dépôt; tel. 7 39 81 11; telex 415740 UNHCR CH
4. **Representative of the recipient⁽²⁾ (?) :** Al señor representante del ACNUR para Honduras, c/o UNDP, PO box 976, Tegucigalpa, Honduras
5. **Place or country of destination:** Honduras
6. **Product to be mobilized:** common wheat flour
7. **Characteristics and quality of the goods⁽³⁾:** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIA.6)
8. **Total quantity:** 100 tonnes (137 tonnes of cereals)
9. **Number of lots:** one
10. **Packaging and marking⁽⁴⁾:** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIB.2.a):
Marking on the bags in letters at least 5 cm high:
'ACCIÓN N° 700/89 / HARINA DE TRIGO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA PARA DISTRIBUCIÓN GRATUITA POR LA OFICINA DEL ALTO COMISIONADO DE LAS NACIONES UNIDAS PARA LOS REFUGIADOS / PUERTO CORTÉS'
11. **Method of mobilization:** the Community market
12. **Stage of supply:** free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Puerto Cortes
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 15. 12. 1989 — 15. 1. 1990
18. **Deadline for the supply:** 15. 2. 1990
19. **Procedure for determining the costs of supply:** tendering
20. **Date of expiry of the period allowed for submission of tenders:** 12 noon on 28. 11. 1989
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12 noon on 12. 12. 1989
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 22. 12. 1989 — 15. 1. 1990
 - (c) deadline for the supply: 15. 2. 1990
22. **Amount of the tendering security:** ECU 5 per tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾:** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾:** refund applicable on 30. 10. 1989 fixed by Regulation (EEC) No 2936/89 (OJ No L 281, 30. 9. 1989, p. 37)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer:
see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (4) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
235 01 32,
236 10 97,
235 01 30,
236 20 05.
- (6) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (7) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.

COMMISSION REGULATION (EEC) No 3399/89

of 9 November 1989

on the supply of olive oil to non-governmental organizations (NGOs) as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 3 March 1989 on the supply of food aid to NGOs, the Commission allocated to those organizations 90 tonnes of olive oil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of olive oil to NGOs in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes hereto.

Article 2

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

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

Done at Brussels, 9 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation Nos** (1): 291/89, 292/89 and 701/89
2. **Programme**: 1989
3. **Recipient**: Euronaid
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: olive oil
7. **Characteristics and quality of the goods** (3) (4) (5):
See list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.4)
8. **Total quantity**: 90 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (6) (7): See OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of 10 litres or 10 kilograms
 - the cans must be packed in cartons, with two cans per carton (10)
 - the cans must carry the following wording: see Annex II
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9. 1. — 6. 2. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 28. 11. 89 not later than 12 noon.
Tenders shall be valid until 12 midnight on 29. 11. 1989
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12. 12. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 13. 12. 1989
 - (b) period for making the goods available at the port of shipment: 23. 1. to 20. 2. 1990
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 45 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders** (8):
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Bruxelles;
telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (9):
Refund applicable on 1. 11. 1989 fixed by Regulation (EEC) No 3259/89 (OJ No L 299, 31. 10. 1989, p. 7.)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
 - (²) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
 - (³) At the request of the beneficiary the successful tenderer shall deliver, for each action number / shipping number a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (⁴) The supplier should send a duplicate of the original invoice to :
MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
 - (⁵) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number / shipping number.
 - (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number / shipping number.
 - (⁷) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
 - (⁸) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
 - (⁹) The containers must be strong enough and well enough packed to withstand a long journey and testing conditions.
 - (¹⁰) To be delivered on non-returnable one-way pallets, in plastic shrink-wrapped cover.
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ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (i tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (i tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
1	90	30	WCC	Algérie	Action n° 291/89 / Huile d'olive / Algérie / WWC / 90701 / Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		30	Oxfam B	Algérie	Action n° 292/89 / Huile d'olive / Algérie / Oxfam B / 90809 / Tindouf via Alger / Don de la Communauté économique européenne / Pour distribution gratuite
		30	Caritas B	Algérie	Action n° 701/89 / Huile d'olive / Algérie / Caritas B / 90221 / Alger / Don de la Communauté économique européenne / Pour distribution gratuite

COMMISSION REGULATION (EEC) No 3400/89**of 13 November 1989****on the supply of white sugar to the World Food Programme (WFP) as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾, lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 3 March 1989 on the supply of food aid to the WFP, the Commission allocated to that organization 57 tonnes of sugar to be supplied free at port of shipment;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** ⁽¹⁾: 532/89
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome; telex 626675 WFP I
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾: white sugar of category 2 standard quality (Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1)) meeting the requirements set out in Article 3 (3) of Commission Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12)
8. **Total quantity**: 57 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁶⁾: new jute bags, with inner polythene bag at least 0,05 mm thick, minimum weight of jute and polythene 420 g, net capacity 50 kg
Marking on bags (at least 5 cm high):
'ACTION No 532/89 / MOZAMBIQUE 0356302 / SUGAR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / BEIRA IN TRANSIT TO MADIMBA / MOZAMBIQUE'
11. **Method of mobilization** ⁽⁷⁾: sugar produced in the Community as defined at (a) and (b) in the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4)
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 — 31. 12. 1989
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 28. 11. 1989 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12. 12. 1989 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1 — 15. 1. 1990
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** ⁽⁸⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁹⁾: periodic refund applicable to white sugar on 1. 11. 1989 fixed by Commission Regulation (EEC) No 3188/89 (OJ No L 309, 26. 10. 1989, p. 5)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the office referred to in point 24 of the Annex,
 - or by telecopier on one of the following numbers in Brussels :
- 235 01 32
236 10 97
235 01 30
236 20 05
- (⁵) The successful tenderer shall give the beneficiaries' representatives a health certificate at the time of delivery.
- (⁶) The successful tenderer shall give the beneficiaries' representatives a certificate of origin at the time of delivery.
- (⁷) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required and how they are to be distributed.
- (⁸) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
- (⁹) The rule provided at the second indent in point (a) of Article 18 (2) of Regulation (EEC) No 2103/77 is binding for determination of the sugar category.
- (¹⁰) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
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COMMISSION REGULATION (EEC) No 3401/89

of 13 November 1989

on the supply of refined rape seed oil to the World Food Programme (WFP) as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 3 March 1989 on the supply of food aid to WFP, the Commission allocated to that organization 1 021 tonnes of refined rape seed oil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of refined rape seed oil to WFP in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes hereto.

Article 2

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

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

Done at Brussels, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

1. **Operation No (¹):** 353/89
 2. **Programme:** 1989
 3. **Recipient:** World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex 626675 I WFP
 4. **Representative of the recipient (²):** see OJ No C 103, 16. 4. 1987
 5. **Place or country of destination:** Uganda
 6. **Product to be mobilized:** refined rape seed oil
 7. **Characteristics and quality of the goods (³):** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.1)
 8. **Total quantity:** 237 tonnes net
 9. **Number of lots:** one
 10. **Packaging and marking (⁴):** see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of five litres or five kilograms
 - the cans must be packed in cartons, with four cans per carton,
 - the cans must carry the following wording:
'ACTION No 353/89 / UGANDA 0400900 / VEGETABLE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / MOMBASA IN TRANSIT TO TORORO, UGANDA'
 11. **Method of mobilization:** Community market
 12. **Stage of supply:** free at port of shipment
 13. **Port of shipment:** —
 14. **Port of landing specified by the recipient:** —
 15. **Port of landing:** —
 16. **Address of the warehouse and, if appropriate, port of landing:** —
 17. **Period for making the goods available at the port of shipment:** 9. 1 — 9. 2. 1990
 18. **Deadline for the supply:** —
 19. **Procedure for determining the costs of supply:** tendering
 20. **Date of expiry of the period allowed for submission of tenders:** 28. 11. 1989 not later than 12 noon. Tenders shall be valid until 12 midnight on 29. 11. 1989
 21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 12. 12. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 13. 12. 1989
 - (b) period for making the goods available at the port of shipment: 23. 1 to 23. 2. 1990
 - (c) deadline for the supply: —
 22. **Amount of the tendering security:** ECU 15 per tonne
 23. **Amount of the delivery security:** 10 % of the amount of the tender in ecus
 24. **Address for submission of tenders (⁵):** Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
 25. **Refund payable on request by the successful tenderer:** —
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ANNEX II

1. **Operation No⁽¹⁾**: 405/89
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex 626675 I WFP
4. **Representative of the recipient⁽²⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Uganda
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods⁽³⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.1)
8. **Total quantity**: 360 tonnes net
9. **Number of lots**: one
10. **Packaging and marking⁽⁴⁾**: see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of five litres or five kilograms
 - the cans must be packed in cartons, with four cans per carton,
 - the cans must carry the following wording:
'ACTION No 405/89 / UGANDA 0407400 / VEGETABLE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / MOMBASA IN TRANSIT TO TORORO / UGANDA'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9. 1 — 9. 2. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 28. 11. 1989 not later than 12 noon. Tenders shall be valid until 12 midnight on 29. 11. 1989
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12. 12. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 13. 12. 1989
 - (b) period for making the goods available at the port of shipment: 23. 1 to 23. 2. 1990
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders⁽⁵⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer**: —

ANNEX III

1. **Operation No** (1): 103/89
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex 626675 I WFP
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Namibia
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (3): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under IIIA.1)
8. **Total quantity**: 323 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (4): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of five litres or five kilograms
 - the cans must be packed in cartons, with four cans per carton
 - the cans must carry the following wording:
ACTION No 103/89 / NAMIBIA 0401600 / VEGETABLE OIL / GIFT OF THE EUROPEAN
ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / WALVIS
BAY IN TRANSIT TO WINDHOEK / NAMIBIA
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9. 1 — 9. 2. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 28. 11. 1989 not later than 12 noon. Tenders shall be valid until 12 midnight on 29. 11. 1989
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12. 12. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 13. 12. 1989
 - (b) period for making the goods available at the port of shipment: 23. 1 — 23. 2. 1990.
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer**: —

ANNEX IV

1. Operation No (1): 443/89
 2. Programme: 1989
 3. Recipient: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex 626675 I WFP
 4. Representative of the recipient (?): see OJ No C 103, 16. 4. 1987
 5. Place or country of destination: Tanzania
 6. Product to be mobilized: refined rape seed oil
 7. Characteristics and quality of the goods (?): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.A.1)
 8. Total quantity: 101 tonnes net
 9. Number of lots: one
 10. Packaging and marking (?): see list published in OJ No C 216, 14. 8. 1987, p. 3 (under III.B):
 - metal cans of five litres or 5 kilograms
 - the cans must be parted in cartons with four cans per carton
 - the cans must carry the following wording:
'ACTION No 443/89 / TANZANIA 0382401 / VEGETABLE OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / DAR ES SALAAM' and
a red dot at least 30 cm in diameter on the carton
 11. Method of mobilization: Community market
 12. Stage of supply: free at port of shipment
 13. Port of shipment: —
 14. Port of landing specified by the recipient: —
 15. Port of landing: —
 16. Address of the warehouse and, if appropriate, port of landing: —
 17. Period for making the goods available at the port of shipment: 9. 1 — 9. 2. 1990
 18. Deadline for the supply: —
 19. Procedure for determining the costs of supply: tendering
 20. Date of expiry of the period allowed for submission of tenders: 28. 11. 1989 not later than 12 noon. Tenders shall be valid until 12 midnight on 29. 11. 1989
 21. In the case of a second invitation to tender:
 - (a) deadline for the submission of tenders: 12. 12. 1989 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 13. 12. 1989
 - (b) period for making the goods available at the port of shipment: 23. 1 — 23. 2. 1990
 - (c) deadline for the supply: —
 22. Amount of the tendering security: ECU 15 per tonne
 23. Amount of the delivery security: 10 % of the amount of the tender in ecus
 24. Address for submission of tenders (?): Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B
 25. Refund payable on request by the successful tenderer: —
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Notes :

- (¹) The operation number is to be quoted in all correspondence.
 - (²) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227 7. 9. 1985, p. 4.
 - (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - phytosanitary certificate,
 - certificate of origin.
 - (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of these Annexes, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the office referred to in point 24 of these Annexes,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
-

COMMISSION REGULATION (EEC) No 3402/89
of 13 November 1989
concerning the stopping of fishing for herring by vessels flying the flag of
Ireland

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 last 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 herring 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 herring in the waters of ICES
divisions VI a South, VII b and c by vessels flying the flag
of Ireland or registered in Ireland have reached the quota
allocated for 1989; whereas Ireland has prohibited fishing

for this stock as from 27 October 1989; whereas it is
therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of herring in the waters of ICES divisions VI a
South, VII b and c by vessels flying the flag of Ireland or
registered in Ireland are deemed to have exhausted the
quota allocated to Ireland for 1989.

Fishing for herring in the waters of ICES divisions VI a
South, VII b and c by vessels flying the flag of Ireland or
registered in Ireland 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 27 October 1989.

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

Done at Brussels, 13 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 3403/89

of 13 November 1989

amending Regulation (EEC) No 2159/89 laying down detailed rules for applying the specific measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) No 1035/72

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 14g thereof,

Whereas Commission Regulation (EEC) No 2159/89⁽³⁾ lays down the conditions for granting the aid for which nut and locust-bean producers' organizations may qualify under certain conditions;

Whereas, in order to facilitate the way in which those producers' organizations operate and in order to implement the quality and marketing improvement plans more expeditiously, provision should be made for the payment of advances;

Whereas the conditions for granting such advances and the amount thereof should be specified; whereas, however, the payment of the advance must be conditional on the lodging of a security such as to guarantee fulfilment of the beneficiaries' obligations; whereas the conditions for the lodging and release of the security must be determined;

Whereas the provisional conversion rate applicable to the maximum amount of the annual aid must be fixed where advances are paid on aid for implementing quality and marketing improvement plans;

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

Regulation (EEC) No 2159/89 is hereby amended as follows:

1. The following paragraph is added to Article 19:

'Except in cases of *force majeure*, an application submitted after the abovementioned period shall result

in a 5% reduction of the aid; no application can be accepted after a delay exceeding 30 days.'

2. The following Article 22a is inserted:

'Article 22a

1. Member States may grant to producers' organizations which apply therefor advances on the aid for the establishment of a revolving fund and on the aid for implementing quality and marketing improvement plans.

2. In the case of aid for the establishment of the revolving fund, and advance may be paid once only:

- in respect of an application submitted at the latest within the 18 months following specific recognition and in the form set out in Annex V,
- where the applicant producers' organization furnishes proof that the fund's capital has been constituted as provided for in Article 14c (3) of Regulation (EEC) No 1035/72.

The amount of the advance shall not exceed 60% of the total financial contribution from the Member State and the Community to the financing of the revolving fund set up on the basis of estimated sales data for the marketing year following specific recognition, in accordance with point 6 of Annex V.

Where the advance is paid, the application for the balance of the aid shall be submitted in the form set out in Annex VI.

3. In the case of aid for implementing the plan, applications for an advance may be submitted, in the form set out in Annex VII, after approval of the plan. Only one application shall be submitted for each year of implementation of the plan on the submission of proof that the annual phase of implementation has begun. The proof, accompanied by supporting documents, must relate to at least 20% of the estimate referred to in point 7 of Annex VII.

The amount of the advance shall not exceed 80% of the total financial contribution from the Member State and the Community to the annual cost of implementing the plan, as estimated by the producers' organization and referred to in point 7 of Annex VII.

Such advance must not, however, exceed 90% of the amount referred to in Article 2 of Regulation (EEC) No 790/89. To this end, the rate to be applied for the conversion of the abovementioned maximum amount into national currency shall be the agricultural conversion rate in force on 1 September preceding the application for the advance.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 207, 19. 7. 1989, p. 19.

The application for payment of the balance of the aid, in respect of an annual phase of implementation of the plan, shall be submitted in the form set out in Annex VIII.

4. The payment of the advances referred to in paragraphs 2 and 3 shall be conditional on the applicants' furnishing proof that a security equal to 110% of the advance has been lodged.

The security shall be lodged in accordance with Title VIII of Commission Regulation (EEC) No 2220/85 ⁽¹⁾.

5. The security shall be released forthwith :

- (a) in respect of the advance on the aid referred to in paragraph 2, once the balance of the aid has been paid ;
- (b) in respect of the advance on the aid referred to in paragraph 3, once the balance of the annual tranche of aid has been paid.

6. The security shall be forfeit in part if the advance exceeds the amount of the aid to be paid in the year ; the security shall remain forfeit to the extent of the amount paid in error.

7. The security shall be forfeit in full :

- in respect of the aid for the setting-up of the revolving fund, if the application for aid has not been lodged within four months of the end of the second marketing year following the date of specific recognition of the producers' organization,
- in respect of the aid for the plan, if the application for the balance of the aid for the year has not been submitted in accordance with the third subparagraph of Article 19.

Without prejudice to paragraph 6, if applications for the balance of the aid for the year are submitted after the abovementioned time limit but within a delay of not more than 15 days, 10% of the security shall be forfeit.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

3. The Annex to this Regulation is added.

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, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

ANNEX V

APPLICATION FOR AN ADVANCE ON THE AID REFERRED TO IN ARTICLE 18

Member State :

Year :

The following data relate to :

Marketing year :

1. Business name :

2. Legal form :

3. Address (street, number, locality, telephone number, telex number)

— of the administrative headquarters :

— of the sales headquarters :

4. Specific recognition under Article 14b of Regulation (EEC) No 1035/72

Date : Decision No :

Published in : on :

5. Date of submission of plan :

6. Estimated sales data for the marketing year following specific recognition :

Product	Produce harvested (tonnes)	Unsold stocks (tonnes)	Losses (tonnes)	Produce marketed (tonnes)	Average price obtained (national currency/tonne)	Value produce marketed
	(a)	(b)	(c)	(d) = (a) - (b) - (c)	(e)	(f) = (d) × (e)
Almonds						
Hazelnuts						
Walnuts						
Pistachios						
Locust beans						
Total						

7. Members' funding of the capital of the revolving fund :

(a) Membership fees : Other form of funding :

(b) Structure of the capital of the revolving fund constituted :
.....

(c) Amount of the revolving fund constituted :

..... (national currency)

(d) Advance applied for = $\left(\frac{C \times 33}{45}\right)$:

..... (national currency)

(e) Particulars of the security lodged (bank, amount, etc):
.....
.....

8.

To be completed by the Member State

(a) Provisional estimated limit on advance

total (f) of point 6 $\times$ 0,099 :

(b) Advance applied for :

(c) Advance granted (amount (a) or (b), whichever is the lower) :

(d) Amount to be borne by the EAGGF $\left(\frac{C \times 45}{55}\right)$:

ANNEX VI

APPLICATION FOR THE PAYMENT OF THE AID REFERRED TO IN ARTICLE 18 OR OF THE BALANCE THEREOF

Member State :

Year :

The following data relate to :

Marketing year :

1. Business name :

2. Legal form :

3. Address (street, number, locality, telephone number, telex number)

— of the administrative headquarters :

— of the sales headquarters :

4. Specific recognition under Article 14b of Regulation (EEC) No 1035/72

Date : Decision No :

Publication in : on :

5. Date of submission of plan :

6. Sales data for the reference marketing year ⁽¹⁾ :

Product	Produce harvested (tonnes)	Unsold stocks (tonnes)	Losses (tonnes)	Produce marketed (tonnes)	Average price obtained (national currency/tonne)	Value of produce marketed
	(a)	(b)	(c)	(d) = (a) - (b) - (c)	(e)	(f) = (d) × (e)
Almonds						
Hazelnuts						
Walnuts						
Pistachios						
Locust beans						
Total						

⁽¹⁾ I.e. either the marketing year following recognition or another subsequent marketing year.

7. Member's funding of the capital of the revolving fund :

(a) Membership fees : Other form of funding :

(b) Structure of the capital of the revolving fund constituted :
.....(c) Amount of the revolving fund constituted :
.....

(national currency)

8.

To be completed by the Member State**CALCULATION OF SPECIFIC AID**(a) Revolving fund constituted :
.....

(national currency)

(b) Specific national and Community aid $\left(\frac{(a) \times 55}{45}\right)$:
.....

(national currency)

(c) Maximum limit on basis of produce marketed =
total (f) of point 6 $\times 0,165$:
.....

(national currency)

(d) Specific aid granted (amount (b) or (c), whichever is the lower) :

(e) Advance already granted :

(f) Balance to be paid (d) - (e) :

(g) Amount to be borne by the EAGGF : $\left(\frac{(f) \times 45}{55}\right)$:

ANNEX VII

APPLICATION FOR AN ADVANCE ON THE AID REFERRED TO IN ARTICLE 19

1. Business name of producers' organization :

2. Administrative address (street, number, locality, telephone number, telex number :

3. Bank and account number into which the aid is to be paid :

4. Specific recognition under Article 14b of Regulation (EEC) No 1035/72 :

Date :

Decision No :

5. Total area of orchard (covered by the plan) :

6. Reference period from :

to :

7. Annual cost estimated by producers' organization for the implementation of the plan :

Type of measure	Amount in national currency
A. Grubbing-up of nut/or locust trees followed by planting of new trees	
B. Varietal conversion	
C. Improvement of growing techniques, management and pruning	
D. Genetic improvement and certification, stimulation of pollination	
E. Soil preparation, fertilization and improvement	
F. Pest control	
G. Provision of technical assistance in the form of training and guidance on crop management	
H. Acquisition and use of facilities for market preparation, storage, packaging, etc.	
I. Technical assistance with sales management	
Total expenditure on improvement plan over the reference period	

To be completed by the Member State

	Amount
A. ELIGIBLE EXPENDITURE :	
1. Total expenditure declared	
2. Total of sums not eligible	
3. Expenditure to be taken into consideration (1 - 2)	
4. Amount of advance if less than maximum permitted amount ($3 \times 0,44$)	
B. MAXIMUM PERMITTED AMOUNT OF ADVANCE :	
1. ECU $\times$ 0,90 ECU :	
2. Rate on 1/9/19 ... :	
3. Area covered by plan ha :	
4. Maximum amount of advance ($1 \times 2 \times 3$) if less than A.4	
C. ADVANCE GRANTED	
D. AMOUNT TO BE BORNE BY THE EAGGF $\left(\frac{C \times 45}{55}\right)$:	

ANNEX VIII

APPLICATION FOR THE PAYMENT OF THE AID REFERRED TO IN ARTICLE 19 OR OF THE BALANCE THEREOF

Business name of the producers' organization :

Administrative address :

(street, number, locality, telephone number, telex number) :

Bank and account number into which the aid should be paid :

Specific recognition under Article 14b of Regulation (EEC) No 1035/72 :

Date : Decision No :

Total area of the holding (covered by the plan) :

Reference period from :

to :

LIST OF MEASURES CARRIED OUT DURING THE PERIOD

Type of measure and supporting documents enclosed	Amount in national currency
A. Grubbing-up of nut trees and/or locust trees followed by planting of new trees : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of : B. Varietal conversion : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of : C. Improvement of growing, management and pruning techniques : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of : D. Genetic improvement and certification, stimulation of pollination : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of : E. Soil preparation, fertilization and improvement : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of :	
to be carried forward	

Type of measure and supporting documents enclosed	Amount in national currency
brought forward	
F. Pest control : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of :	
G. Provision of technical assistance in the form of training and guidance on crop management : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of :	
H. Acquisition and use of facilities for market preparation, storage, packaging, etc. : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of :	
I. Technical assistance with sales management : 1. Invoice No : of : 2. Invoice No : of : 3. Invoice No : of : 4. Invoice No : of :	
Total expenditure on improvement plan over the reference period :	

To be completed by the Member State :	
Application received on :	
A. ELIGIBLE EXPENDITURE :	Amount
1. Total expenditure declared	
2. Total sums not eligible	
3. Expenditure to be taken into consideration (1 - 2)	
4. Eligible expenditure (3 × 0,55)	
B. MAXIMUM PERMITTED AMOUNT :	
1. ECU :	
2. Rate on 1. 9. 19... :	
3. Total area covered by plan :	
4. Maximum eligible amount (1 × 2 × 3)	
C. AID :	
1. Total amount of aid (amount A.4 or B.4, whichever is the lower)	
2. Advance already granted	
3. Balance to be paid (1 - 2)	
D. AMOUNT TO BE BORNE BY THE EAGGF $\left(\frac{C3 \times 45}{55}\right)$	

COMMISSION REGULATION (EEC) No 3404/89

of 13 November 1989

opening a standing invitation to tender for the supply to Poland of 76 500 tonnes of barley held by the German intervention agency and amending Regulation (EEC) No 2557/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2247/89 of 24 July 1989 on an emergency measure for the free supply of certain agricultural products to Poland⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 2860/89⁽³⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 2557/89⁽⁴⁾ as amended by Regulation (EEC) No 2594/89⁽⁵⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2247/89 are to be allocated by invitation to tender;

Whereas Article 11 (2) of Regulation (EEC) No 2557/89 should be adopted;

Whereas a standing invitation to tender should be opened for the supply of barley held by the German intervention agency;

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

On the terms laid down in Regulation (EEC) No 2557/89, the German intervention agency shall open a standing invitation to tender for the supply to Poland of 76 500 tonnes of barley held by the said agency.

Article 2

1. The invitation to tender shall cover about 76 500 tonnes of barley to be supplied from North Sea and Baltic Sea ports.

2. The regions where the 76 500 tonnes of barley are stored are listed in Annex I hereto.

Article 3

1. Tenders may relate only to the entire lot or group of lots specified in the notice of invitation to tender

provided for in Article 14 of Regulation (EEC) No 2557/89.

2. Tenders may be lodged subject to the allocation of a given quantity.

Article 4

1. The time limit for submission of tenders under the first partial invitation to tender shall be 1 p.m., Brussels time, on 22 November 1989.

2. The time limit for submission of tenders in response to the last partial invitation to tender shall be 1 p.m. Brussels time, on 13 December 1989.

Article 5

Tenders must be submitted to the German intervention agency.

The German intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

Article 6

The taking-over certificate referred to in Article 10 (3) of Regulation (EEC) No 2557/89 shall take the form shown in Annex III hereto.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Polish authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the German intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 51 per tonne.

Article 9

Article 11 (2) of Regulation (EEC) No 2557/89 is hereby replaced by the following:

'2. Samples shall be taken at the expense of the successful tenderer and made available to the competent intervention agency.'

Article 10

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

However, Article 9 shall apply with effect from 26 August 1989.

⁽¹⁾ OJ No L 216, 27. 7. 1989, p. 5.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽⁴⁾ OJ No L 248, 24. 8. 1989, p. 10.

⁽⁵⁾ OJ No L 250, 26. 8. 1989, p. 19.

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

Done at Brussels, 13 November 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

(tonnes)	
Regions of storage	Quantity
Schleswig-Holstein / Hamburg	35 516
Niedersachsen / Bremen	38 797
Nordrhein-Westfalen	2 115

ANNEX II

Standing invitation to tender for the supply to Poland of about 76 500 tonnes of barley held by the German intervention agency

(Regulation (EEC) No 3404/89)

Tenderer number	Number of lot or group of lots	Quantity (tonnes)	Carriage by sea		Supply costs applied for (ECU/tonne)
			Place of removal from store	Port of destination	
1	2	3	4	5	6
1					
2					
3					
4					
etc.					

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(surname, first name, business name)

acting on behalf of the Polish Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

COMMISSION REGULATION (EEC) No 3405/89

of 13 November 1989

opening a standing invitation to tender for the supply to Poland of 100 000 tonnes of maize held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2247/89 of 24 July 1989 on an emergency measure for the free supply of certain agricultural products to Poland⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 2860/89⁽³⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 2557/89⁽⁴⁾ as last amended by Regulation (EEC) No 3404/89⁽⁵⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2247/89 are to be allocated by invitation to tender;

Whereas a standing invitation to tender should be opened for the supply of maize held by the French intervention agency;

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

On the terms laid down in Regulation (EEC) No 2557/89, the French intervention agency shall open a standing invitation to tender for the supply to Poland of 100 000 tonnes of maize held by the said agency.

Article 2

1. The invitation to tender shall cover about 100 000 tonnes of maize to be supplied from North Sea and Channel ports.

2. The regions where the 100 000 tonnes of maize are stored are listed in Annex I hereto.

⁽¹⁾ OJ No L 216, 27. 7. 1989, p. 5.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽⁴⁾ OJ No L 248, 24. 8. 1989, p. 10.

⁽⁵⁾ See page 33 of this Official Journal.

Article 3

1. Tenders may relate only to the entire lot or group of lots specified in the notice of invitation to tender provided for in Article 14 of Regulation (EEC) No 2557/89.

2. Tenders may be lodged subject to the allocation of a given quantity.

Article 4

1. The time limit for submission of tenders under the first partial invitation to tender shall be 1 p.m., Brussels time, on 22 November 1989.

2. The time limit for submission of tenders in response to the last partial invitation to tender shall be 1 p.m., Brussels time, on 13 December 1989.

Article 5

Tenders must be submitted to the French intervention agency.

The French intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

Article 6

The taking-over certificate referred to in Article 10 (3) of Regulation (EEC) No 2557/89 shall take the form shown in Annex III hereto.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Polish authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the French intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 36,2 per tonne.

Article 9

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

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

Done at Brussels, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Regions of storage	(tonnes)
	Quantity
Aube	7 500
Essonne	2 000
Eure-et-Loir	20 200
Hauts-de-Seine	22 300
Loiret	10 000
Oise	5 000
Seine-et-Marne	23 400
Somme	4 300
Val d'Oise	3 300
Yvelines	2 000

ANNEX II

Standing invitation to tender for the supply to Poland of about 100 000 tonnes of maize held by the French intervention agency

(Regulation (EEC) No 3405/89)

Tenderer number	Number of lot or group of lots	Quantity (tonnes)	Carriage by sea		Supply costs applied for (ECU/tonne)
			Place of removal from store	Port of destination	
1	2	3	4	5	6
1					
2					
3					
4					
etc.					

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned :
(name, first name, business name)

acting on behalf of the Polish Government, hereby certify that the goods mentioned below have been taken over :

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

COMMISSION REGULATION (EEC) No 3406/89

of 13 November 1989

opening a standing invitation to tender for the supply to Poland of 24 000 tonnes of barley held by the Danish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2247/89 of 24 July 1989 on an emergency measure for the free supply of certain agricultural products to Poland⁽¹⁾,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 2860/89⁽³⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 2557/89⁽⁴⁾ as last amended by Regulation (EEC) No 3404/89⁽⁵⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 2247/89 are to be allocated by invitation to tender;

Whereas a standing invitation to tender should be opened for the supply of barley held by the Danish intervention agency;

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

On the terms laid down in Regulation (EEC) No 2557/89, the Danish intervention agency shall open a standing invitation to tender for the supply to Poland of 24 000 tonnes of barley held by the said agency.

Article 2

1. The invitation to tender shall cover about 24 000 tonnes of barley to be supplied from East Coast ports.

2. The regions where 24 000 tonnes of barley are stored are listed in Annex I hereto.

⁽¹⁾ OJ No L 216, 27. 7. 1989, p. 5.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 274, 23. 9. 1989, p. 41.

⁽⁴⁾ OJ No L 248, 24. 8. 1989, p. 10.

⁽⁵⁾ See page 33 of this Official Journal.

Article 3

1. Tenders may relate only to the entire lot or group of lots specified in the notice of invitation to tender provided for in Article 14 of Regulation (EEC) No 2557/89.

2. Tenders may be lodged subject to the allocation of a given quantity.

Article 4

1. The time limit for submission of tenders under the first partial invitation to tender shall be 1 p.m., Brussels time, on 22 November 1989.

2. The time limit for submission of tenders in response to the last partial invitation to tender shall be 1 p.m., Brussels time, on 13 December 1989.

Article 5

Tenders must be submitted to the Danish intervention agency.

The Danish intervention agency shall forward tenders to the Commission in accordance with the model in Annex II hereto.

Article 6

The taking-over certificate referred to in Article 10.(3) of Regulation (EEC) No 2557/89 shall take the form shown in Annex III hereto.

Certificates shall be issued after unloading of the goods.

Article 7

The successful tenderer shall undertake to provide the Polish authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the Danish intervention agency.

Article 8

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 51 per tonne.

Article 9

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

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

Done at Brussels, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Regions of storage	Quantity
Jutland	14 230
Fyn	2 014
Sjælland	5 656
Lolland / Falster	1 800

ANNEX II

Standing invitation to tender for the supply to Poland of about 24 000 tonnes of barley held by the Danish intervention agency

(Regulation (EEC) No 3406/89)

Tenderer number	Number of lot or group of lots	Quantity (tonnes)	Carriage by sea		Supply costs applied for (ECU/tonne)
			Place of removal from store	Port of destination	
1	2	3	4	5	6
1					
2					
3					
4					
etc.					

*ANNEX III***SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

I, the undersigned:

(name, first name, business name)

acting on behalf of the Polish Government, hereby certify that the goods mentioned below have been taken over:

— Name of vessel:

— Place and date of taking-over:

— Product:

— Tonnage taken over:

Remarks or reservations:

.....

.....

COMMISSION REGULATION (EEC) No 3407/89

of 13 November 1989

abolishing the countervailing charge on fresh lemons originating in Argentina

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 3250/89⁽³⁾ introduced a countervailing charge on fresh lemons originating in Argentina;

Whereas for this product originating in Argentina there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh lemons originating in Argentina can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3250/89 is hereby repealed.

Article 2

This Regulation shall enter into force on 14 November 1989.

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

Done at Brussels, 13 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 314, 28. 10. 1989, p. 57.

COMMISSION REGULATION (EEC) No 3408/89**of 13 November 1989****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 3391/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 November 1989.

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

Done at Brussels, 13 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 326, 11. 11. 1989, p. 28.

ANNEX

to the Commission Regulation of 13 November 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	25,20 ⁽¹⁾
1701 11 90	25,20 ⁽¹⁾
1701 12 10	25,20 ⁽¹⁾
1701 12 90	25,20 ⁽¹⁾
1701 91 00	32,48
1701 99 10	32,48
1701 99 90	32,48 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.