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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 3820/89 of 20 December 1989 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 3821/89 of 20 December 1989 fixing the premiums to be added to the import levies on cereals, flour and malt	3
* Commission Regulation (EEC) No 3822/89 of 19 December 1989 establishing unit values for the determination of the customs value of certain perishable goods	5
Commission Regulation (EEC) No 3823/89 of 20 December 1989 fixing the export refunds on white sugar and raw sugar exported in its unaltered state	8
Commission Regulation (EEC) No 3824/89 of 20 December 1989 opening an invitation to tender for the sale for export of baled tobacco held by the French intervention agency	10
Commission Regulation (EEC) No 3825/89 of 20 December 1989 opening an invitation to tender for the sale for export of baled tobacco held by the German intervention agency	12
Commission Regulation (EEC) No 3826/89 of 20 December 1989 opening an invitation to tender for the sale for export of baled tobacco held by the Greek intervention agency	14
Commission Regulation (EEC) No 3827/89 of 20 December 1989 fixing the import levy on molasses	17
* Commission Regulation (EEC) No 3828/89 of 20 December 1989 modifying Regulation (EEC) No 4208/88 fixing year, the annual import quotas for the products subject to the rules for the application by Spain and Portugal of quantitative restrictions on fishery products	18
* Commission Regulation (EEC) No 3829/89 of 20 December 1989 repealing Regulation (EEC) No 3601/82 on the communication by Member States to the Commission of data relating to imports and exports of certain agricultural products	19

★ Commission Regulation (EEC) No 3830/89 of 20 December 1989 amending Regulation (EEC) No 1767/82 as regards imports of special milk for infants from Switzerland	20
★ Commission Regulation (EEC) No 3831/89 of 20 December 1989 amending for the second time Regulations (EEC) No 2209/87 and (EEC) No 2319/88 fixing certain coefficients applicable to cereals exported in the form of certain spirituous beverages for the periods 1987 to 1988 and 1988 to 1989 and fixing certain coefficients for the period 1989 to 1990	21
★ Commission Regulation (EEC) No 3832/89 of 20 December 1989 amending Regulation (EEC) No 1523/89 fixing the consequences to the basic and buying-in prices for the 1989/90 marketing year of an overrun in the intervention threshold for lemons in Spain for the 1988/89 marketing year	23
★ Commission Regulation (EEC) No 3833/89 of 20 December 1989 amending Regulation (EEC) No 1951/89 fixing for the 1989/90 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup and/or in natural fruit juice	24
★ Commission Regulation (EEC) No 3834/89 of 20 December 1989 derogating from Regulation (EEC) No 2377/80 in respect of issue of import licences under certain special arrangements in the beef and veal sector	26
★ Commission Regulation (EEC) No 3835/89 of 20 December 1989 amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68	27
Commission Regulation (EEC) No 3836/89 of 20 December 1989 fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89	28
Commission Regulation (EEC) No 3837/89 of 20 December 1989 fixing the export refunds on olive oil	30
Commission Regulation (EEC) No 3838/89 of 20 December 1989 fixing the maximum export refund for white sugar for the 34th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89	32
Commission Regulation (EEC) No 3839/89 of 20 December 1989 fixing the import levies on white sugar and raw sugar	33
Commission Regulation (EEC) No 3840/89 of 20 December 1989 fixing the aid for cotton	35
Commission Regulation (EEC) No 3841/89 of 20 December 1989 altering the import levies on products processed from cereals and rice	36

II Acts whose publication is not obligatory

Commission

89/644/EEC :

★ Commission Decision of 17 December 1989 renewing and amending Decision 85/594/EEC authorizing the Hellenic Republic to take certain protective measures under Article 108 (3) of the EEC Treaty	39
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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 3820/89
of 20 December 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 3707/89 ⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas these exchange rates being those recorded on 19 December 1989;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1915/89 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 December 1989.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 363, 13. 12. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 December 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	27,61	125,36 ^(?) ^(?)
0712 90 19	27,61	125,36 ^(?) ^(?)
1001 10 10	32,83	172,58 ⁽¹⁾ ^(?)
1001 10 90	32,83	172,58 ⁽¹⁾ ^(?)
1001 90 91	27,99	120,42
1001 90 99	27,99	120,42
1002 00 00	54,03	122,56 ⁽⁶⁾
1003 00 10	45,03	115,87
1003 00 90	45,03	115,87
1004 00 10	36,43	118,43
1004 00 90	36,43	118,43
1005 10 90	27,61	125,36 ^(?) ^(?)
1005 90 00	27,61	125,36 ^(?) ^(?)
1007 00 90	45,03	133,53 ⁽⁴⁾
1008 10 00	45,03	16,61
1008 20 00	45,03	64,84 ⁽⁴⁾
1008 30 00	45,03	0,00 ^(?)
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	45,03	0,00
1101 00 00	52,92	181,78
1102 10 00	89,37	184,35
1103 11 10	65,47	282,39
1103 11 90	56,37	195,54

⁽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 products imported directly into the French overseas departments, 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 3821/89

of 20 December 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 3707/89⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

Whereas these exchange rates being those recorded on 19 December 1989;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 December 1989.

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

Done at Brussels, 20 December 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 363, 13. 12. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 20 December 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 12	1st period 1	2nd period 2	3rd period 3
0709 90 60	0	0	0	0,53
0712 90 19	0	0	0	0,53
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,53
1005 90 00	0	0	0	0,53
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	18,63
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3822/89**of 19 December 1989****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3773/87 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 December 1989.

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

Done at Brussels, 19 December 1989.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ IrI	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	29,24	1 267	235,33	60,55	205,58	5 236	22,65	43 949	68,29	19,77
1.20	0702 00 10 0702 00 90	Tomatoes	92,68	3 957	731,33	188,12	643,33	17 365	71,31	140 730	212,37	67,67
1.30	0703 10 19	Onions (other than sets)	17,20	734	135,79	34,93	119,45	3 224	13,24	26 131	39,43	12,56
1.40	0703 20 00	Garlic	230,03	9 822	1 815,18	466,93	1 596,76	43 102	177,00	349 296	527,11	167,95
1.50	ex 0703 90 00	Leeks	38,98	1 664	307,61	79,12	270,60	7 304	29,99	59 194	89,32	28,46
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	118,87	5 076	938,04	241,30	825,17	22 274	91,47	180 508	272,40	86,79
1.70	0704 20 00	Brussels sprouts	44,76	1 931	355,63	92,23	312,60	7 362	34,82	68 116	103,74	31,19
1.80	0704 90 10	White cabbages and red cabbages	38,06	1 659	308,56	79,12	269,72	6 651	29,67	58 324	89,33	24,62
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	110,13	4 702	869,03	223,54	764,46	20 635	84,74	167 228	252,36	80,41
1.100	ex 0704 90 90	Chinese cabbage	64,67	2 761	510,32	131,27	448,91	12 117	49,76	98 201	148,19	47,22
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	54,09	2 309	426,84	109,79	375,48	10 135	41,62	82 137	123,95	39,49
1.120	ex 0705 29 00	Endives	35,98	1 568	291,05	74,89	252,83	6 361	28,07	54 951	84,47	23,52
1.130	ex 0706 10 00	Carrots	20,01	867	161,28	41,45	140,74	3 564	15,53	30 082	46,67	13,52
1.140	ex 0706 90 90	Radishes	99,64	4 254	786,28	202,26	691,67	18 670	76,67	151 304	228,32	72,75
1.150	0707 00 11 0707 00 19	Cucumbers	69,00	2 946	544,49	140,06	478,97	12 929	53,09	104 777	158,11	50,38
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	315,65	13 478	2 490,74	640,71	2 191,03	59 144	242,88	479 294	723,29	230,46
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	124,24	5 305	980,42	252,20	862,45	23 280	95,60	188 663	284,70	90,71
1.180	ex 0708 90 00	Broad beans	31,11	1 355	251,99	64,78	218,65	5 512	24,26	47 309	73,04	20,38
1.190	0709 10 00	Globe artichokes	99,11	4 232	782,10	201,18	687,99	18 571	76,26	150 499	227,11	72,36
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	638,79	27 277	5 040,61	1 296,62	4 434,08	119 692	491,53	969 964	1 463,74	466,41
1.200.2	ex 0709 20 00	— other	596,68	25 479	4 708,33	1 211,15	4 141,78	111 802	459,12	906 024	1 367,25	435,66
1.210	0709 30 00	Aubergines (egg-plants)	67,88	2 898	535,62	137,78	471,17	12 718	52,23	103 070	155,54	49,56
1.220	ex 0709 40 00	Celery stalks and leaves	48,95	2 090	386,29	99,36	339,80	9 172	37,66	74 333	112,17	35,74
1.230	0709 51 30	Chantarelles	556,01	23 931	4 428,22	1 139,98	3 869,16	102 135	429,67	837 139	1 287,01	394,04
1.240	0709 60 10	Sweet peppers	97,93	4 181	772,79	198,79	679,80	18 350	75,35	148 709	224,41	71,50
1.250	0709 90 50	Fennel	33,96	1 450	268,02	68,94	235,77	6 364	26,13	51 575	77,83	24,80
1.260	0709 90 70	Courgettes	80,92	3 455	638,52	164,25	561,69	15 162	62,26	122 871	185,42	59,08
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	83,09	3 573	661,63	170,19	578,78	15 258	64,18	125 219	192,08	58,69
2.10	ex 0802 40 00	Chestnuts (<i>Castanea spp.</i>), fresh	61,91	2 644	488,59	125,68	429,79	11 601	47,64	94 019	141,88	45,20
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	39,30	1 678	310,16	79,78	272,84	7 365	30,24	59 685	90,06	28,69
2.30	ex 0804 30 00	Pineapples, fresh	63,54	2 713	501,44	128,98	441,10	11 907	48,89	96 493	145,61	46,39
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	116,98	4 995	923,10	237,45	812,02	21 919	90,01	177 632	268,06	85,41
2.50	ex 0804 50 00	Guavas and mangoes, fresh	198,43	8 473	1 565,78	402,77	1 377,37	37 180	152,68	301 304	454,69	144,88
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	30,08	1 308	242,96	62,49	211,62	5 403	23,43	44 959	70,48	20,09

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	40,01	1 708	315,78	81,23	277,78	7 498	30,79	60 766	91,70	29,21
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	32,68	1 397	258,26	66,54	227,22	6 097	25,22	49 017	75,06	23,84
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	— Clementines	77,91	3 327	614,83	158,15	540,85	14 599	59,95	118 313	178,54	56,89
2.70.2	ex 0805 20 30	— Monreales and Satsumas	56,63	2 418	446,88	114,95	393,11	10 611	43,57	85 994	129,77	41,35
2.70.3	ex 0805 20 50	— Mandarins and Wilkings	26,95	1 168	216,78	55,60	188,60	4 894	20,86	40 697	62,79	18,36
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	164,51	7 024	1 298,11	333,92	1 141,91	30 824	126,58	249 795	376,96	120,11
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	48,29	2 062	381,08	98,02	335,23	9 049	37,16	73 332	110,66	35,26
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	168,79	7 207	1 331,93	342,62	1 171,66	31 627	129,88	256 303	386,78	123,24
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	39,30	1 678	310,11	79,77	272,80	7 363	30,24	59 676	90,05	28,69
2.90.2	ex 0805 40 00	— pink	56,91	2 430	449,14	115,53	395,09	10 665	43,79	86 428	130,42	41,55
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	146,45	6 253	1 155,61	297,26	1 016,56	27 440	112,68	222 375	335,58	106,92
2.110	0807 10 10	Water-melons	35,04	1 508	279,14	71,86	243,90	6 438	27,08	52 770	81,12	24,83
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	82,13	3 507	648,13	166,72	570,14	15 390	63,20	124 719	188,21	59,97
2.120.2	ex 0807 10 90	— Other	129,72	5 539	1 023,64	263,31	900,47	24 307	99,82	196 980	297,25	94,71
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	50,50	2 156	398,49	102,50	350,54	9 462	38,85	76 682	115,71	36,87
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	77,19	3 296	609,15	156,69	535,85	14 464	59,40	117 220	176,89	56,36
2.150	0809 10 00	Apricots	373,00	15 927	2 943,32	757,13	2 589,16	69 891	287,01	566 384	854,71	272,34
2.160	0809 20 10 0809 20 90	Cherries	329,87	14 086	2 602,98	669,58	2 289,77	61 809	253,82	500 892	755,88	240,85
2.170	ex 0809 30 00	Peaches	228,06	9 738	1 799,60	462,92	1 583,05	42 732	175,48	346 297	522,58	166,51
2.180	ex 0809 30 00	Nectarines	373,02	15 928	2 943,43	757,15	2 589,25	69 893	287,02	566 404	854,74	272,35
2.190	0809 40 11 0809 40 19	Plums	363,60	15 526	2 869,15	738,04	2 523,90	68 129	279,78	552 110	833,17	265,48
2.200	0810 10 10 0810 10 90	Strawberries	398,61	17 021	3 145,35	809,09	2 766,87	74 688	306,71	605 260	913,38	291,04
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	179,42	7 780	1 443,17	370,20	1 255,56	32 582	138,91	270 928	418,03	122,25
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	132,60	5 662	1 046,38	269,16	920,47	24 847	102,03	201 356	303,86	96,82
2.230	ex 0810 90 90	Pomegranates	87,34	3 729	689,18	177,28	606,25	16 365	67,20	132 619	200,13	63,77
2.240	ex 0810 90 90	Khakis	79,38	3 389	626,43	161,14	551,05	14 874	61,08	120 544	181,90	57,96
2.250	ex 0810 90 90	Lychees	310,38	13 253	2 449,15	630,01	2 154,45	58 156	238,82	471 291	711,21	226,62

COMMISSION REGULATION (EEC) No 3823/89

of 20 December 1989

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter

must apply to their sucrose content and; accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 December 1989.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ 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, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 December 1989 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	26,14 ⁽¹⁾	
1701 11 90 910	25,33 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	26,14 ⁽¹⁾	
1701 12 90 910	25,33 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2842
1701 99 10 100	28,42	
1701 99 10 910	29,25	
1701 99 10 950	29,25	
1701 99 90 100		0,2842

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

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

COMMISSION REGULATION (EEC) No 3824/89

of 20 December 1989

opening an invitation to tender for the sale for export of baled tobacco 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 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1251/89 ⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73 ⁽³⁾, as last amended by Regulation (EEC) No 3263/85 ⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export, without refund;

Whereas payment for all these lots is made before the tobacco is removed; whereas it should be provided that, at the request of the successful tenderer, the security should be released progressively as the quantities of tobacco are exported;

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

HAS ADOPTED THIS REGULATION:

Article 1

Ten lots of baled raw tobacco from the 1987 and 1988 harvests, held by the French intervention agency, with a total weight of 402 420 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be 3 p.m., local time, on 21 March 1990.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be:

- (a) at the end of the fourth month following the date of publication of the result of the tendering procedure in the *Official Journal of the European Communities*, in respect of at least one-third of the lots;
- (b) at the end of the sixth month following the said date for the remaining tobacco.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Office national interprofessionnel des fruits des légumes et de l'horticulture (ONIFLHOR), 164, rue de Javel, F-75739 Paris, Cedex 15.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful.

Save as otherwise provided in the second subparagraph of Article 7 of Regulation (EEC) No 3389/73, the securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. On application by the person concerned, the security shall be released, by instalments in proportion to the quantities of tobacco in respect of which the proof referred to in Article 7 (c) of the said Regulation has been furnished.

Article 6

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 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 16.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 22.

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

Done at Brussels, 20 December 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Bad. Burley	1987	257 980
	Paraguay	1988	144 440
Total			402 420

COMMISSION REGULATION (EEC) No 3825/89

of 20 December 1989

opening an invitation to tender for the sale for export of baled tobacco held by
the German 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 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1251/89 ⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73 ⁽³⁾, as last amended by Regulation (EEC) No 3263/85 ⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export, without refund;

Whereas payment for all these lots is made before the tobacco is removed; whereas it should be provided that, at the request of the successful tenderer, the security should be released progressively as the quantities of tobacco are exported;

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

HAS ADOPTED THIS REGULATION:

Article 1

Two lots of baled raw tobacco from the 1987 harvest, held by the German intervention agency, with a total weight of 1 002 269 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 16.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 22.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be 3 p.m., local time, on 22 March 1990.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be:

- (a) at the end of the fourth month following the date of publication of the result of the tendering procedure in the *Official Journal of the European Communities*, in respect of at least one-third of the lots;
- (b) at the end of the sixth month following the said date for the remaining tobacco.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Bundesanstalt für landwirtschaftliche Marktordeung (BALM), Adickesallee 40, D-6000 Frankfurt/M.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful.

Save as otherwise provided in the second subparagraph of Article 7 of Regulation (EEC) No 3389/73, the securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. On application by the person concerned, the security shall be released by instalments in proportion to the quantities of tobacco in respect of which the proof referred to in Article 7 (c) of the said Regulation has been furnished.

Article 6

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, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Tsebelia	1987	613 254
2	Tsebelia	1987	389 015
Total			1 002 269

COMMISSION REGULATION (EEC) No 3826/89

of 20 December 1989

opening an invitation to tender for the sale for export of baled tobacco held by the Greek 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 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1251/89 ⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73 ⁽³⁾, as last amended by Regulation (EEC) No 3263/85 ⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export, without refund;

Whereas payment for all these lots is made before the tobacco is removed; whereas it should be provided that, at the request of the successful tenderer, the security should be released progressively as the quantities of tobacco are exported;

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

HAS ADOPTED THIS REGULATION:

Article 1

Eight lots of baled raw tobacco from the 1986 and 1987 harvests, held by the Greek intervention agency, with a total weight of 10 249 948 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 16.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 22.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be at 3 p.m. local time, on 23 March 1990.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be:

- (a) at the end of the fourth month following the date of publication of the result of the tendering procedure in the *Official Journal of the European Communities*, in respect of at least one-third of the lots;
- (b) at the end of the sixth month following the said date for the remaining tobacco.

Article 5

1. The security referred to in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and made payable to the Ypiresia Diachirisis Agoron Georgikon Proionton (YDAGEP), Acharnon 241, GR-Athens 10 446.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful.

Save as otherwise provided in the second subparagraph of Article 7 of Regulation (EEC) No 3389/73, the securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. On application by the person concerned, the security shall be released in instalments in proportion to the quantities of tobacco in respect of which the proof referred to in Article 7 (c) of the said Regulation has been furnished.

Article 6

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, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Mavra	1986	306 491
	Kaba Koulak classic and Ellassona	1986	623 250
	Kaba Koulak non-classic	1986	155 308
	Katerini	1986	229 960
	Burley EL	1986	252 050
	Basmas	1986	238 844
			<u>1 805 903</u>
2	Mavra	1986	306 491
	Kaba Koulak classic and Ellassona	1986	567 712
	Kaba Koulak non-classic	1986	163 129
	Katerini	1986	229 988
	Burley EL	1986	252 516
			<u>1 519 836</u>
3	Mavra	1986	306 491
	Kaba Koulak classic and Ellassona	1986	567 740
	Kaba Koulak non-classic	1986	163 155
	Katerini	1986	229 988
	Burley EL	1986	252 617
			<u>1 519 991</u>
4	Myrodata Agrinon	1986	699 479
	Zichnomyrodata	1986	137 200
	Mavra	1987	338 132
	Katerini	1986	289 768
			<u>1 464 579</u>
5	Kaba Koulak classic	1987	496 384
	Ellassona	1987	341 954
	Katerini	1986	400 154
			<u>1 238 492</u>
6	Mavra	1987	333 872
	Basmas	1987	91 826
			<u>425 698</u>
7	Mavra	1987	447 165
	Basmas	1987	197 561
			<u>644 726</u>
8	Burley EL	1986	754 261
	Burley EL	1987	97 697
	Katerini	1987	581 203
	Basmas	1987	197 562
			<u>1 630 723</u>
Total			10 249 948

COMMISSION REGULATION (EEC) No 3827/89
of 20 December 1989
fixing the import levy on molasses

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 market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1898/89⁽³⁾, as last amended by Regulation (EEC) No 3751/89⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1898/89 to the information at present available to the Commission

that the levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,35 per 100 kilograms.

Article 2

This Regulation shall enter into force on 21 December 1989.

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

Done at Brussels, 20 December 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 184, 30. 6. 1989, p. 10.

⁽⁴⁾ OJ No L 364, 14. 12. 1989, p. 62.

COMMISSION REGULATION (EEC) No 3828/89
of 20 December 1989
modifying Regulation (EEC) No 4208/88 fixing year, the annual import quotas
for the products subject to the rules for the application by Spain and Portugal of
quantitative restrictions on fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 360/86 of 17 February 1986 laying down rules for the application by Spain and Portugal of quantitative restrictions on fishery products ⁽¹⁾, as amended by Regulation (EEC) No 4064/86 ⁽²⁾, and in particular Article 2 thereof,

Whereas Article 2 (3) of Regulation (EEC) No 360/86 provides for the possibility of revising during the course of the year the quantity of the quotas, as well as their quarterly instalments, as laid down in Commission Regulation (EEC) No 4208/88 ⁽³⁾, as amended by Regulation (EEC) No 3108/89 ⁽⁴⁾;

Whereas Spain has made a request for an increase of 1 000 tonnes in the quota level for fresh or chilled hake of the genus *Merluccius spp.*, for the 1989 fishing year; whereas it is therefore necessary to modify the quota level in question as well as its quarterly instalments;

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

HAS ADOPTED THIS REGULATION :

Article 1

In the table in part A of the Annex to Regulation (EEC) No 4208/89 the figures for fresh or chilled hake of the genus *Merluccius spp.*, falling within CN codes ex 0302 69 65 and ex 0304 10 99 are hereby replaced by the following :

'Annual quota of import	Quarterly instalments			
	1	2	3	4
7 000	400	1 240	1 480	3 880'

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, 20 December 1989.

For the Commission
Manuel MARÍN
Vice-President

⁽¹⁾ OJ No L 43, 20. 2. 1986, p. 8.
⁽²⁾ OJ No L 371, 31. 12. 1986, p. 9.
⁽³⁾ OJ No L 370, 31. 12. 1988, p. 25.
⁽⁴⁾ OJ No L 298, 17. 10. 1989, p. 16.

COMMISSION REGULATION (EEC) No 3829/89

of 20 December 1989

repealing Regulation (EEC) No 3601/82 on the communication by Member States to the Commission of data relating to imports and exports of certain agricultural 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 (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 3707/89 ⁽²⁾, and in particular Article 24 thereof, and the corresponding provisions of the other Regulations on the common organization of the markets in agricultural products,

Whereas Commission Regulation (EEC) No 3601/82 ⁽³⁾, as last amended by Regulation (EEC) No 4152/87 ⁽⁴⁾, provides for the rapid communication by the Member States of provisional data relating to imports and exports of certain agricultural products;

Whereas the time limits within which the data referred to in Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States ⁽⁵⁾, as last

amended by Regulation (EEC) No 1629/88 ⁽⁶⁾, have been shortened considerably and whereas other systems have been introduced in order to obtain the information required; whereas, with a view to administrative simplification, the communications provided for in Regulation (EEC) No 3601/82 may accordingly be waived and the Regulation should accordingly be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3601/82 is hereby repealed.

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, 20 December 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 363, 13. 12. 1989, p. 1.

⁽³⁾ OJ No L 376, 31. 12. 1982, p. 11.

⁽⁴⁾ OJ No L 81, 26. 3. 1988, p. 44.

⁽⁵⁾ OJ No L 183, 14. 7. 1975, p. 3.

⁽⁶⁾ OJ No L 147, 14. 6. 1988, p. 1.

COMMISSION REGULATION (EEC) No 3830/89

of 20 December 1989

amending Regulation (EEC) No 1767/82 as regards imports of special milk for infants from Switzerland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 763/89⁽²⁾, and in particular Article 14 (7) thereof,Whereas Annex I to Commission Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products⁽³⁾, as last amended by Regulation (EEC) No 1156/89⁽⁴⁾, fixes the levies applicable to milk products imported from a third country;

Whereas the introduction from 1 January 1988 of the new combined nomenclature has meant that products described as special milk for infants may be classified under CN codes 0404 90 53 and 0404 90 93 in addition to CN code 0402 29 11; whereas the references to those codes should accordingly be entered in the Annexes to Regulation (EEC) No 1767/82;

Whereas, in order to solve certain difficulties encountered during customs clearance operations and at the request of the parties concerned, this amendment should be made applicable from the entry into force of the new combined nomenclature;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1767/82 is hereby amended as follows:

1. In Annex I, point (a) giving details of CN code 0402 29 11 in the first column is replaced by the following:
'(a) 0402 29 11
ex 0404 90 53
ex 0404 90 93'.
2. In point A of Annex III, 'subheading 0402 29 11' is replaced by the following:
'subheadings 0402 29 11, ex 0404 90 53 and ex 0404 90 93'.
3. In Annex IV, the CN code '0402 29 11' opposite Switzerland is replaced by the following:
'0402 29 11
ex 0404 90 53
ex 0404 90 93'.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1988 at the request of the parties concerned.

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

Done at Brussels, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.⁽³⁾ OJ No L 196, 5. 7. 1982, p. 1.⁽⁴⁾ OJ No L 119, 29. 4. 1989, p. 96.

COMMISSION REGULATION (EEC) No 3831/89

of 20 December 1989

amending for the second time Regulations (EEC) No 2209/87 and (EEC) No 2319/88 fixing certain coefficients applicable to cereals exported in the form of certain spirituous beverages for the periods 1987 to 1988 and 1988 to 1989 and fixing certain coefficients for the period 1989 to 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3707/89 ⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1188/81 of 28 April 1981 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds and amending Regulation (EEC) No 3035/80 concerning certain products not covered by Annex II to the Treaty ⁽³⁾, and in particular Article 12 thereof,

Whereas, by Regulations (EEC) No 2209/87 ⁽⁴⁾, and (EEC) No 2319/88 ⁽⁵⁾, as amended by Regulation (EEC) No 1096/89 ⁽⁶⁾, the Commission fixed the coefficients applicable to cereals exported in the form of Irish whiskey for the periods 1 July 1987 to 30 June 1988 and 1 July 1988 to 30 June 1989 respectively;

Whereas the coefficients for the quantities of Irish whiskey marketed and exported during the reference periods have proved inaccurate, as a result of an error;

Whereas, contrary to practice when the coefficients were fixed previously, account should be taken of the total quantities exported in the corrective amounts, which express the export trend;

Whereas these coefficients should be determined anew on the basis of corrected data; whereas Regulations (EEC) No 2209/87 and (EEC) No 2319/88 should accordingly be amended once more;

Whereas, as a result of information provided by Ireland concerning the period 1 January to 31 December 1988, the coefficient for the period 1 July 1989 to 30 June 1990 should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Regulations (EEC) No 2209/87 and (EEC) No 2319/88 are hereby replaced by Annexes I and II hereto.

Article 2

For the period 1 July 1989 to 30 June 1990, the coefficients referred to in Article 3 of Regulation (EEC) No 1188/81 and applicable to cereals used in Ireland for the manufacture of Irish whiskey shall be as set out in Annex III hereto.

Article 3

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, 20 December 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 363, 13. 12. 1989, p. 1.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 36.

⁽⁵⁾ OJ No L 201, 27. 7. 1988, p. 99 (corrected in OJ No L 210, 3. 8. 1988, p. 27).

⁽⁶⁾ OJ No L 116, 28. 4. 1989, p. 18.

ANNEX I

Regulation (EEC) No 2209/87

*ANNEX***Coefficients applicable in Ireland**

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B ⁽¹⁾	to cereals used for the manufacture of Irish whiskey, category A
	(1)	(2)
1 July 1987 to 30 June 1988	0,155	0,323

⁽¹⁾ Including barley processed into malt.

ANNEX II

Regulation (EEC) No 2319/88

*ANNEX***Coefficients applicable in Ireland**

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B ⁽¹⁾	to cereals used for the manufacture of Irish whiskey, category A
	(1)	(2)
1 July 1988 to 30 June 1989	0,379	0,563

⁽¹⁾ Including barley processed into malt.

*ANNEX III**ANNEX***Coefficients applicable in Ireland**

Period of application	Coefficient applicable	
	to barley used for the manufacture of Irish whiskey, category B ⁽¹⁾	to cereals used for the manufacture of Irish whiskey, category A
	(1)	(2)
1 July 1989 to 30 June 1990	0,171	0,282

⁽¹⁾ Including barley processed into malt.

COMMISSION REGULATION (EEC) No 3832/89

of 20 December 1989

amending Regulation (EEC) No 1523/89 fixing the consequences to the basic and buying-in prices for the 1989/90 marketing year of an overrun in the intervention threshold for lemons in Spain for the 1988/89 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 16b (4) thereof,

Whereas Council Regulation (EEC) No 2285/88⁽³⁾, as last amended by Regulation (EEC) No 1521/89⁽⁴⁾, fixes an intervention threshold for the 1988/89 marketing year for lemons in Spain, and the consequences of an overrun;

Whereas the Commission has noted an overrun in the intervention threshold for lemons in Spain for the 1988/89 marketing year and whereas Commission Regulation (EEC) No 1523/89⁽⁵⁾ lays down the consequences of such an overrun on the institutional prices applicable in Spain for lemons for the period 1 June to 31 December 1989;

Whereas Council Regulation (EEC) No 3514/89⁽⁶⁾ fixes the basic and buying-in prices for lemons applicable in Spain from 1 January 1990 to the end of the 1989/90 marketing year; whereas those prices should be reduced by 6 % as a result of the abovementioned overrun in the intervention threshold and Regulation (EEC) No 1523/89 should be amended accordingly;

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

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

Done at Brussels, 20 December 1989.

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1523/89 is hereby amended as follows:

1. The existing paragraph becomes paragraph 1.
2. The following paragraph 2 is added:

'2. The basic and buying-in prices for lemons applicable in Spain from 1 January 1990 to the end of the 1989/90 marketing year, as fixed in Council Regulation (EEC) No 3514/89^(*), shall be reduced by 6 % and shall be as follows:

(ECU/100 kg net)

Period	Basic price	Buying-in price
January	20,22	11,86
February	19,51	11,50
March	20,30	11,86
April	21,23	12,43
May	21,73	12,72

These prices refer to lemons in quality class I, 53 to 62 mm in size, presented packaged. They do not include the impact of the cost of the packaging in which the product is presented.

(*) OJ No L 344, 25. 11. 1989, p. 1.'

Article 2

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

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 201, 27. 7. 1988, p. 1.

⁽⁴⁾ OJ No L 149, 1. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 149, 1. 6. 1989, p. 6.

⁽⁶⁾ OJ No L 344, 25. 11. 1989, p. 1.

COMMISSION REGULATION (EEC) No 3833/89

of 20 December 1989

amending Regulation (EEC) No 1951/89 fixing for the 1989/90 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup and/or in natural fruit juice

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 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 Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 ⁽³⁾, as amended by Regulation No 2367/89 ⁽⁴⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas Article 3 (7) of Regulation (EEC) No 1277/84 provides that production aid for peaches and syrup and/or in natural fruit juice cannot exceed the difference between the minimum price paid to the Community producer and the price of the raw materials in the main producing and exporting third countries; whereas the same provisions determine the way the latter price is to be calculated; whereas application of those provisions results in an adjustment of the production aid for peaches in syrup and/or in natural fruit juice, as fixed in Commission Regulation (EEC) No 1951/89 ⁽⁵⁾;

Whereas, where the trend in the various currencies of the Member States may result in distortion between producers in those Member States owing to the lack of specific monetary compensation mechanisms in that sector, Article 3 (8) of Regulation (EEC) No 1277/84 provides for the introduction of a system of monetary adjustment to correct the production aid by the impact, on the minimum price less the aid, of the differences which exist between the agricultural conversion rate and the average rate used for the calculation of the monetary compensatory amounts in a period to be determined; whereas the present trend in the various currencies of the Member

States may, in view of the situation on the market for processed peaches, actually result in distortion between the producers in certain of the Member States; whereas such a system of adjustment should accordingly be implemented by applying to the aid a coefficient which aligns the cost price of the products in question in the various Member States; whereas the detailed rules for calculating that coefficient must be laid down;

Whereas the adjustment should be made to the production aid and the system of monetary adjustment should be implemented with effect on 3 August 1989, the date of entry into force of Regulation (EEC) No 2367/89;

Whereas the Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1951/89 is hereby amended as follows:

1. The following Article 1a is inserted:

Article 1a

1. The production aid shall be multiplied by a coefficient equal to the impact on the cost price of the difference between the average market exchange rate and the agricultural conversion rate applicable at the beginning of the marketing year.

2. Within the meaning of paragraph 1:

— "cost price" means the minimum price to the producer less the aid,

— "average market exchange rate" means the average of the rates used to calculate the monetary compensatory amounts during the first quarter of the year in which the marketing year in question commences.

3. The coefficients calculated in accordance with paragraph 1 shall be as set out in Annex II hereto.

4. The request for aid indicates support by the quantities processed before and from 3 August 1989.

⁽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 187, 1. 7. 1989, p. 98.

2. The Annex becomes Annex 1 and the table of production aid is replaced by the following:

'Production Aid

Product	ECU/100 kg net for products obtained from raw materials harvested in	
	Spain (¹)	Other Member States (²)
Peaches in syrup and/or natural fruit juice	10,546	12,643

(¹) The amount shown in this column is applicable only where the products are processed in Spain. Where the products are processed outside Spain, no production aid is applicable.

(²) The amount shown in this column is applicable only where the products are processed in a Member State other than Spain. Where the products are processed in Spain, no production aid is applicable.'

3. The following Annex II is added:

'ANNEX II

Coefficients referred to in Article 1a (3) for the 1989/90 marketing year

Bfrs	1
Dkr	1
DM	1,013
Dr	0,898
Pta	1,077
FF	0,975
£IRL	0,975
Lit	0,987
Fe	1
Esc	1,003
£	0,975'

Article 2

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

It shall apply with effect from 3 August 1989.

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

Done at Brussels, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3834/89

of 20 December 1989

derogating from Regulation (EEC) No 2377/80 in respect of issue of import
licences under certain special arrangements in the beef and veal sector

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 15 (2) thereof,

Whereas certain special import arrangements for products
in the beef and veal sector, referred to in Articles 9 to 11
of Commission Regulation (EEC) No 2377/80 ⁽³⁾, as last
amended by Regulation (EEC) No 3182/88 ⁽⁴⁾ have not
yet been established for 1990 ; whereas, consequently, it is
necessary to derogate from Regulation (EEC) No 2377/80
with regard to the periods for lodging applications and for
the granting of licences within the framework of these
special systems ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Article 15 of Regulation (EEC) No 2377/80 notwith-
standing.

- no application for a licence may be lodged in respect
of the arrangements referred to in Articles 9 to 11 of
Regulation (EEC) No 2377/80,
- the information provided for in Article 15 (4) (a) and
(b) of the said Regulation shall not be communicated,

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, 20 December 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 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

COMMISSION REGULATION (EEC) No 3835/89

of 20 December 1989

amending Regulation (EEC) No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68

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

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

Whereas Article 3a of Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector⁽³⁾, as last amended by Regulation (EEC) No 1117/89⁽⁴⁾, lays down the conditions under which special reference quantities are to be granted to producers who, pursuant to an undertaking given under Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽⁵⁾, as last amended by Regulation (EEC) No 1300/84⁽⁶⁾, have not been able to obtain quantities under the general additional levy arrangements; whereas Commission Regulation (EEC) No 1546/88⁽⁷⁾, as last amended by Regulation (EEC) No 1033/89⁽⁸⁾, lays down the detailed rules for the application of those arrangements;

Whereas Council Regulation (EEC) No 766/89⁽⁹⁾ establishing, for the period running from 1 April 1989 to 31 March 1990, the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 fixes that reserve at 1 043 000 tonnes, of which 443 000 tonnes has already been allocated to the same Member States as during the previous periods of application; whereas the second part

of the Community reserve covering 600 000 tonnes, which is intended for producers whose entitlement to the allocation of a special reference quantity has been recognized pursuant to Article 3a of Regulation (EEC) No 857/84, should be allocated within the limit of such entitlement, in proportion to applications lodged;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to point (b) of the third paragraph of Article 1 of Regulation (EEC) No 1546/88:

'The quantities resulting from the application of the preceding subparagraph shall be distributed as follows:

Belgium	5 510,548 tonnes
Denmark	8 064,452 tonnes
Germany	135 000 tonnes
France	53 672 tonnes
Ireland	98 880,9 tonnes
Luxembourg	674,094 tonnes
Netherlands	40 141,172 tonnes
United Kingdom	160 289,521 tonnes'

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, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 10.

⁽⁵⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽⁶⁾ OJ No L 125, 12. 5. 1984, p. 3.

⁽⁷⁾ OJ No L 139, 4. 6. 1988, p. 12.

⁽⁸⁾ OJ No L 110, 21. 4. 1989, p. 27.

⁽⁹⁾ OJ No L 84, 29. 3. 1989, p. 6.

COMMISSION REGULATION (EEC) No 3836/89

of 20 December 1989

fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) 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 2902/89⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3246/89⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3246/89 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 December 1989.

Article 2

This Regulation shall enter into force on 21 December 1989.

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

Done at Brussels, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 20 December 1989 fixing the maximum export refunds on olive oil for the third partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

(ECU/100 kg)	
Product code	Amount of refund
1509 10 90 100	63,85
1509 10 90 900	104,50
1509 90 00 100	74,02
1509 90 00 900	110,09
1510 00 90 100	17,68
1510 00 90 900	53,50

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

COMMISSION REGULATION (EEC) No 3837/89
of 20 December 1989
fixing the export refunds on olive oil

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 2902/89⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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;

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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 Oils and Fats,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 20 December 1989 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	62,35
1509 10 90 900	99,50
1509 90 00 100	72,50
1509 90 00 900	105,00
1510 00 90 100	16,18
1510 00 90 900	48,50

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

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

COMMISSION REGULATION (EEC) No 3838/89

of 20 December 1989

fixing the maximum export refund for white sugar for the 34th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 34th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 34th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 32,074 per 100 kilograms.

Article 2

This Regulation shall enter into force on 21 December 1989.

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

Done at Brussels, 20 December 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 107, 19. 4. 1989, p. 6.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

COMMISSION REGULATION (EEC) No 3839/89
of 20 December 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 3819/89 ⁽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 21 December 1989.

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

Done at Brussels, 20 December 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 371, 20. 12. 1989, p. 36.

ANNEX

to the Commission Regulation of 20 December 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,17 ⁽¹⁾
1701 11 90	31,17 ⁽¹⁾
1701 12 10	31,17 ⁽¹⁾
1701 12 90	31,17 ⁽¹⁾
1701 91 00	36,62
1701 99 10	36,62
1701 99 90	36,62 ⁽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.

COMMISSION REGULATION (EEC) No 3840/89
of 20 December 1989
fixing the aid for cotton

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

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2796/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 3675/89 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 49,440 per 100 kilograms.

Article 2

This Regulation shall enter into force on 21 December 1989.

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

Done at Brussels, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 269, 16. 9. 1989, p. 29.

⁽⁵⁾ OJ No L 358, 8. 12. 1989, p. 32.

COMMISSION REGULATION (EEC) No 3841/89

of 20 December 1989

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3707/89⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 3548/89⁽⁷⁾, as last amended by Regulation (EEC) No 3774/89⁽⁸⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 363, 13. 12. 1989, p. 1.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁷⁾ OJ No L 348, 29. 11. 1989, p. 8.⁽⁸⁾ OJ No L 365, 15. 12. 1989, p. 49.⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 19 December 1989;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 3548/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 21 December 1989.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

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

Done at Brussels, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 20 December 1989 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 ⁽¹⁾	51,14	113,40	118,23
0714 10 91	48,12	113,40	115,21
0714 10 99	51,14	113,40	118,23
0714 90 11	48,12	113,40 ⁽²⁾	115,21
0714 90 19	51,14	113,40 ⁽²⁾	118,23
1102 90 10	92,66	207,38	213,42
1102 90 30	77,18	212,58	218,62
1102 90 90	52,10	135,59	138,61
1103 12 00	77,18	212,58	218,62
1103 19 10	109,14	219,40	225,44
1103 19 30	92,66	207,38	213,42
1103 19 90	52,10	135,59	138,61
1103 29 10	109,14	219,40	225,44
1103 29 20	92,66	207,38	213,42
1103 29 30	77,18	212,58	218,62
1103 29 90	52,10	135,59	138,61
1104 11 10	52,10	117,51	120,53
1104 11 90	102,28	230,42	236,46
1104 12 10	43,33	120,46	123,48
1104 12 90	85,08	236,20	242,24
1104 19 30	109,14	219,40	225,44
1104 19 99	92,66	239,27	245,31
1104 21 10	80,01	184,34	187,36
1104 21 30	80,01	184,34	187,36
1104 21 50	126,34	288,03	294,07
1104 21 90	52,10	117,51	120,53
1104 22 10 10 ⁽²⁾	43,33	120,46	123,48
1104 22 10 90 ⁽¹⁰⁾	74,16	212,58	215,60
1104 22 30	74,16	212,58	215,60
1104 22 50	66,25	188,96	191,98
1104 22 90	43,33	120,46	123,48
1104 29 10*20 ⁽²⁾	79,20	162,11	165,13
1104 29 10*30 ⁽²⁾	80,01	212,69	215,71
1104 29 10*40 ⁽⁷⁾	80,01	212,69	215,71
1104 29 10*90 ⁽²⁾	80,01	212,69	215,71
1104 29 30*20 ⁽²⁾	94,67	195,02	198,04
1104 29 30*30 ⁽²⁾	80,01	212,69	215,71
1104 29 30*40 ⁽⁷⁾	80,01	212,69	215,71

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1104 29 30 ⁽⁸⁾ 90	80,01	212,69	215,71
1104 29 95	61,45	124,33	127,35
1104 29 99	52,10	135,59	138,61
1106 20 10	51,14	111,58 ⁽⁹⁾	118,23
1107 10 91	96,53	205,07	215,95 ⁽⁹⁾
1107 10 99	74,88	153,23	164,11
1107 20 00	85,47	178,58	189,46 ⁽⁹⁾

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrow-root falling within CN codes 0714 90 11 and 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

⁽⁴⁾ TARIC code: rye.

⁽⁵⁾ TARIC code: millet.

⁽⁶⁾ TARIC code: sorghum.

⁽⁸⁾ TARIC code: others.

⁽⁹⁾ TARIC code: clipped oats.

⁽¹⁰⁾ TARIC code: CN code 1104 22 10, other than 'clipped oats'.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 December 1989

renewing and amending Decision 85/594/EEC authorizing the Hellenic Republic to take certain protective measures under Article 108 (3) of the EEC Treaty

(Only the Greek text is authentic)

(89/644/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108 (3) thereof,

Whereas, by Decision 85/594/EEC⁽¹⁾, the Commission on a temporary basis authorized the Hellenic Republic to take certain protective measures in support of a programme of economic stabilization implemented by the Greek Government from the end of 1985 in order to deal with serious balance of payments difficulties and to restore an acceptable situation;

Whereas since then, and in line with the improvement in the external equilibrium of Greece, several of these protective measures have been revoked or amended in accordance with the provisions of Decision 85/594/EEC; whereas this Decision was amended by Decisions 86/614/EEC⁽²⁾, 87/152/EEC⁽³⁾, 88/438/EEC⁽⁴⁾ and lastly renewed and amended by Decision 88/600/EEC⁽⁵⁾;

Whereas the Hellenic Republic has claimed balance of payments difficulties persist and whereas it has requested an extension of certain protective measures in respect of the movement of capital and transfers relating to tourist expenditure of Greek residents abroad, in accordance with

the provisions of Article 9 (5) of Decision 85/594/EEC; whereas, nevertheless, the Greek authorities have relaxed the restrictions originally authorized in this area; whereas they intend to continue to do so and remove these restrictions as soon as possible;

Whereas it emerges from the examination of the overall economic situation of Greece undertaken by the Commission that the external position of Greece deteriorated in 1989; whereas if this situation is to be redressed, in particular by the restoration of a sound public finance situation, the retention of certain protective measures in this area on a provisional basis is justified;

Whereas there are grounds for renewing and amending the authorization to apply these protective measures; whereas, however, the evolution of the economic situation in Greece should be monitored attentively so that the measures authorized may possibly be amended or repealed if the conditions justifying them were no longer to obtain;

Whereas, for the sake of transparency it is appropriate to present in a single text the complete enacting terms of Decision 85/594/EEC as last amended by this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The enacting terms of Decision 85/594/EEC are hereby replaced by the following:

⁽¹⁾ OJ No L 373, 31. 12. 1985, p. 9.

⁽²⁾ OJ No L 357, 18. 12. 1986, p. 28.

⁽³⁾ OJ No L 63, 6. 3. 1987, p. 38.

⁽⁴⁾ OJ No L 218, 9. 8. 1988, p. 19.

⁽⁵⁾ OJ No L 325, 29. 11. 1988, p. 58.

Article 1

1. Greece is hereby authorized, temporarily and within the limits and conditions laid down in the Annex to this Decision, to prohibit or to make subject to prior authorization the conclusion or execution of transactions and transfers relating to capital movements liberalized in accordance with the provisions of the Council Directive in force for the implementation of Article 67 of the Treaty (*).

2. Greece is hereby temporarily authorized to limit transfers relating to the tourist expenditure of Greek residents to ECU 1 000 per person and per journey. In addition to this basic allowance, residents shall, however, be allowed to use payment or credit cards abroad for the purposes of holiday expenses to the amount of ECU 300 per person per year.

3. Without prejudice to the provisions of Article 2, the authorizations contained in this Article shall be valid until 30 June 1990.

Article 2

1. The Commission shall attentively monitor the evolution of the economic situation in Greece. The

Commission reserves the right to amend or repeal all or part of this Decision, after consulting the Member State concerned, particularly if it finds that the circumstances which led to its adoption have changed or that its effects are more restrictive than they need be in order to achieve their objectives.

2. If, before the date of expiry of the derogations permitted up to 30 June 1990 under Article 1, Greece claims that balance of payments difficulties persist, or that there is a serious likelihood of their recurring, the Commission shall examine the overall economic situation in order to determine whether an extension of all or part of the protection measures in force is appropriate.

Article 3

This Decision is addressed to the Hellenic Republic.

(*) OJ No 43, 12. 7. 1960, p. 921/60, as last amended by Directive 86/566/EEC (OJ No L 332, 26. 11. 1986, p. 22).

ANNEX

Operation	Type of restriction authorized by way of derogation from Community obligations
Investment in real estate	Investments in real estate abroad made by residents may be subject to prior authorization. This shall be granted to residents emigrating under the heading of the free movement of employed and self-employed persons in respect of investments related to their installation or establishment.
Operations in securities	The acquisition by residents of foreign securities, or of domestic securities issued on a foreign market, may be prohibited or made subject to prior authorization. However : — residents shall be authorized to acquire securities issued by the European Community and by the European Investment Bank up to the limit of a global annual amount of ECU 50 million — resident collective investment undertakings shall be authorized to invest in foreign securities up to 20 % of their net assets, in the case of unit trust funds and 20 % of their paid-up capital in the case of investment companies'

Article 2

This Decisions is addressed to the Hellenic Republic.

Done at Brussels, 17 December 1989.

For the Commission

Henning CHRISTOPHERSEN

Vice-President