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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3879/89

of 11 December 1989

amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Member States that avail themselves of Article 9 (4) of Regulation (EEC) No 857/84 ⁽⁴⁾, as last amended by Regulation (EEC) No 1117/89 ⁽⁵⁾, may not use the compensation possibilities of Article 4a of that Regulation; whereas the provisions relating to the temporary grant of reference quantities thus prove to be of use; whereas it is therefore appropriate to relax in this case the requirements relating to the date of execution of such grants during the 12-month period concerned; whereas temporary grants constitute an exception within the framework of the arrangements; whereas the authorization laid down in this Regulation should be limited to the eighth 12-month period;

Whereas Article 5c (3) of Regulation (EEC) No 804/68 ⁽⁶⁾, as last amended by Regulation (EEC) No 763/89 ⁽⁷⁾, fixes for each Member State the total quantity of milk and milk equivalent delivered to undertakings treating or processing milk or other milk products in respect of the eight consecutive periods of the additional levy arrangements;

Whereas an examination of the way the additional levy system operates has shown that the situation of certain categories of producers continues to cause concern and the trend in their production for forthcoming years requires further quantities to be found by means of an increase in the Community reserve; whereas in order to achieve the objective of production control, it is consequently necessary to reduce the guaranteed total quantities of each Member State as from the sixth period of application of the arrangements,

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (c) of Regulation (EEC) No 804/68 is hereby amended as follows:

- the following subparagraph is added to paragraph 1a:

'By way of derogation from the first subparagraph, the Member States that apply Article 9 (4) of Regulation (EEC) No 857/84 may, for the eighth period of 12 months, authorize and record temporary grants up to 31 December 1991 at the latest';

- the introductory sentence in paragraph 3 (c) is replaced by the following:

'(c) For the period 1 April 1988 to 31 March 1989, the guaranteed total quantity is hereby fixed as follows, in thousands of tonnes:';

- the following point is added to paragraph 3:

'(d) For each of the three 12-month periods from 1 April 1989 to 31 March 1992, the guaranteed total quantity is hereby fixed as follows, in thousands of tonnes:

Belgium	3 089,751
Denmark	4 686,720
Germany	22 519,080
Greece	515,520

⁽¹⁾ OJ No C 242, 22. 9. 1989, p. 14.

⁽²⁾ Opinion delivered on 24 November 1989 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 18 October 1989 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 10.

⁽⁶⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁷⁾ OJ No L 84, 29. 3. 1989, p. 1.

Spain	4 514,000
France	24 708,640
Ireland	5 068,800
Italy	8 446,080
Luxembourg	254,400
Netherlands	11 499,840
United Kingdom	14 716,391.'

Article 2

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

It shall apply from the sixth period of application of the additional levy arrangements.

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

Done at Brussels, 11 December 1989.

For the Council

The President

H. NALLET

COUNCIL REGULATION (EEC) No 3880/89

of 11 December 1989

amending Regulation (EEC) No 857/84 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

THE COUNCIL 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 3879/89 ⁽²⁾, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 857/84 ⁽³⁾, as last amended by Regulation (EEC) No 1117/89 ⁽⁴⁾, fixes the additional levy and specifies the rules for determining the reference quantities for purchasers and producers;

Whereas an analysis of the way the additional levy arrangements operate has shown an increasing tendency to produce more than the allocated reference quantities; whereas this tendency is due to the weakening of the binding effect of the arrangements; whereas the additional levy should be raised so as to strengthen the dissuasive effect;

Whereas the special situation of certain producers may be taken into account by the Member State for the allocation of additional or special reference quantities; whereas an analysis of the way the additional levy arrangements operate has also shown that the abovementioned provisions must be supplemented either for certain producers whose situation continues to cause concern, such producers being determined in each Member State on the basis of the objective criteria, or for all the producers in the Member States where, owing in particular to a linear reduction in the reference quantities, the implementation of Articles 3 and 4 of Regulation (EEC) No 857/84 has been effected by using the national reserve; whereas to that end the Community reserve has been increased as a result of a reduction of 1 % in the guaranteed total quantities; whereas, in addition, where special or additional reference quantities have been allocated to producers with priority by the Member State concerned in excess of its guaranteed total quantity, the quantities which the Member State may have at its disposal in the Community

reserve should not be allocated to the abovementioned producers but the overrun recorded should be reduced;

Whereas, under the terms of Article 4 (1) (a) of Regulation (EEC) No 857/84, Member States may introduce national programmes for the purchase of reference quantities; whereas the Community provisions for the conditions of access of producers to these programmes set certain requirements with regard to the quantities to be discontinued; whereas it appears necessary after six years of application of the additional levy arrangements to relax these requirements, since otherwise the effectiveness of the said programmes would be impaired,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 857/84 is hereby amended as follows:

1. in Article 1 (1) first and second indents, '100 %' is replaced by '115 %';
2. the following Article is inserted:

'Article 3b

1. For the purposes of determining the reference quantities referred to in Article 2, the Member State may grant additional or special reference quantities within a limit of 1 % of the guaranteed total quantity fixed in the second subparagraph of Article 5c (3) of Regulation (EEC) No 804/68:

- to producers as referred to in Articles 3 and 4 (1) (b),
- to producers determined in particular on the basis of one or more of the following criteria:
 - producers who are new entrants,
 - producers whose individual reference quantities are less than or equal to 60 000 kilograms,
 - the siting of milk production in one of the zones as defined in Article 3 (3), (4) and (5) of Directive 75/268/EEC (*), as last amended by Regulation (EEC) No 797/85 (**),

(¹) OJ No L 148, 28. 6. 1968, p. 13.

(²) See page 1 of this Official Journal.

(³) OJ No L 90, 1. 4. 1984, p. 13.

(⁴) OJ No L 118, 29. 4. 1984, p. 10.

- or to all the producers of the Member State if, on its territory, the implementation of Articles 3 and 4 has been carried out on quantities coming from the national reserve.

Member States shall forward to the Commission, for prior approval, their draft national measures for the implementation of the first subparagraph. The Commission shall decide on these measures taking into account the criteria mentioned in the first subparagraph. These criteria may be adapted and/or supplemented, if justified by the diversity in national situations.

2. However, the Member States which have allocated special or additional reference quantities pursuant to Articles 3 and 4 of this Regulation in excess of the guaranteed total quantity referred to in Article 5c (3) (d) of Regulation (EEC) No 804/68 may apply paragraph 1 only if and to the extent that the recorded overrun is less than the quantities available for the Member States concerned in the Community reserve.

(*) OJ No L 128, 19. 5. 1975, p. 1.

(**) OJ No L 93, 30. 3. 1985, p. 1.;

3. in Article 4 (1), point (a) is replaced by the following:

'(a) grant to producers who undertake to discontinue all or part of their milk production definitively compensation paid in one or more annual payments;'

Article 2

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

It shall apply:

- from the beginning of the sixth period of application of the additional levy arrangements with regard to Article 1 (2),
- from the beginning of the seventh period of application of the additional levy arrangements with regard to Article 1 (1).

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

Done at Brussels, 11 December 1989.

For the Council
The President
H. NALLET

COUNCIL REGULATION (EEC) No 3881/89

of 11 December 1989

establishing, for the period 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 in the milk and milk products sector

THE COUNCIL 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 3879/89 ⁽²⁾, and in particular Article 5c ⁽⁶⁾ thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas Article 5c (4) of Regulation (EEC) No 804/68 provides for the constitution of a Community reserve with a view to supplementing, at the beginning of each 12-month period, the guaranteed total quantities of the Member States where the levy arrangements pose special difficulties; whereas the Community reserve should be fixed for the sixth 12-month period at 2 082 885,740 tonnes, including 1 039 885,740 tonnes to alleviate difficulties encountered by the Member States in allocating additional or special reference quantities to certain categories of producers as

defined in Article 3b 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 ⁽⁶⁾, as last amended by Regulation (EEC) No 1117/89 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 April 1989 to 31 March 1990, the Community reserve provided for in Article 5c (4) of Regulation (EEC) No 804/68 shall be 2 082 885,740 tonnes, of which 600 000 tonnes are intended to alleviate the difficulties encountered by the Member States in allocating the special reference quantities pursuant to Article 3a of Regulation (EEC) No 857/84 and 1 039 885,740 tonnes are intended for the producers referred to in Article 3b of that Regulation.

Article 2

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

It shall apply from the beginning of the sixth 12-month period of the additional levy arrangements.

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

Done at Brussels, 11 December 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 265, 12. 10. 1988, p. 5.

⁽⁴⁾ Opinion delivered on 24 November 1989 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 18 October 1989 (not yet published in the Official Journal).

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 10.

COUNCIL REGULATION (EEC) No 3882/89

of 11 December 1989

amending Regulation (EEC) No 775/87 temporarily withdrawing a proportion of the reference quantities mentioned in Article 5c (1) of Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL 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 3879/89 ⁽²⁾, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 775/87 ⁽³⁾, as last amended by Regulation (EEC) No 1116/89 ⁽⁴⁾, fixes the rate of temporary withdrawal of the reference quantities at 5,5 % until the end of the eighth period of the arrangements;

Whereas, since the situation of certain categories of producers continues to cause concern, the trend in their production for forthcoming years requires that further quantities available should be found by increasing the Community reserve; whereas, however, in order to meet the objective of controlling production, the guaranteed total quantities of the Member States fixed by Regulation (EEC) No 804/68 have been reduced; whereas the rate of temporary withdrawal should therefore be reduced from 5,5 to 4,5 % in order to keep the non-withdrawn reference quantities unaltered;

Whereas, in order to continue to pay producers the amount resulting from the rate of temporary withdrawal of 5,5 %, the compensation per 100 kilograms should be increased proportionately to the reduction in the rate of temporary withdrawal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 775/87 is hereby amended as follows:

1. the second subparagraph of Article 1 (1) is replaced by the following:

'This proportion shall be set so as to give a total withdrawn quantity of 4 % for the fourth period, 5,5 %

for the fifth period and 4,5 % for each of the following three periods, of the guaranteed total quantity for each Member State laid down in Article 5c (3) of Regulation (EEC) No 804/68 for the third 12-month period.';

2. the first subparagraph of Article 2 (1) shall be replaced by the following:

'1. Compensation shall be granted to the producers concerned for quantities withdrawn. The compensation shall be:

- for the fourth, fifth and sixth 12-month periods, ECU 10 per 100 kilograms,
- for the seventh 12-month period, ECU 8,5 per 100 kilograms,
- for the eighth 12-month period, ECU 7 per 100 kilograms.';

3. Article 3 (2) is replaced by the following:

'2. A uniform proportion of each reference quantity as mentioned in Article 5c (1) of Regulation (EEC) No 804/68, set to give a total withdrawn quantity of 0,83 % for the sixth period, and 2,67 % for each of the following two periods, of the guaranteed total quantity determined in Article 5c (3) of that Regulation for the third 12-month period, is hereby withdrawn in Italy.

Compensation shall be paid to the producers concerned for the quantities withdrawn. Such compensation shall be:

- for the sixth 12-month period, ECU 10 per 100 kilograms,
- for the seventh 12-month period, ECU 8,5 per 100 kilograms,
- for the eighth 12-month period, ECU 7 per 100 kilograms.

For each 12-month period, the compensation shall be paid to those entitled during the last quarter of the relevant 12-month period or during the first quarter of the following 12-month period.'

Article 2

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

It shall apply from the beginning of the sixth 12-month period of the additional levy arrangements.

⁽¹⁾ OJ No L 148, 28. 6. 1989, p. 13.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 5.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 8.

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

Done at Brussels, 11 December 1989.

For the Council
The President
H. NALLET

COUNCIL REGULATION (EEC) No 3883/89

of 11 December 1989

fixing the intervention price for butter and skimmed-milk powder as from 1 March 1990

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

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 3879/89 ⁽²⁾, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas Regulation (EEC) No 1112/89 ⁽⁶⁾ fixed the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for the 1989/90 milk year;

Whereas Council Regulation (EEC) No 3881/89 of 11 December 1989 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 in the milk and milk products sector ⁽⁷⁾,

increases the reserve provided for by Regulation (EEC) No 766/89 ⁽⁸⁾ for redistribution for the benefit of the producers during the abovementioned period; whereas, for the purposes of avoiding any worsening of the market situation and a rapid reconstitution of stocks, it appears appropriate to decide, at this stage already, on a lowering of the intervention price for butter and skimmed-milk powder, to apply from 1 March 1990,

HAS ADOPTED THIS REGULATION:

Article 1

As from 1 March 1990, the intervention prices for butter and skimmed-milk powder shall be fixed as follows:

(ECU per 100 kg)

	Community of Ten	Spain
Intervention price:		
Butter	293,28	314,74
Skimmed-milk powder	172,73	218,81

Article 2

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

It shall apply from 1 March 1990.

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

Done at Brussels, 11 December 1989.

For the Council -
The President
H. NALLET

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No C 265, 12. 10. 1988, p. 6.

⁽⁴⁾ Opinion delivered on 24 November 1989 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 18 October 1989 (not yet published in the Official Journal).

⁽⁶⁾ OJ No L 118, 29. 4. 1989, p. 3.

⁽⁷⁾ See page 5 of this Official Journal.

⁽⁸⁾ OJ No L 84, 29. 3. 1989, p. 6.

COUNCIL REGULATION (EEC) No 3884/89

of 11 December 1989

amending Regulation (EEC) No 2915/79 determining the groups of products and the special provisions for calculating levies on milk and milk products

THE COUNCIL 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 3879/89 ⁽²⁾, and in particular Article 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Article 8 of Regulation (EEC) No 2915/79 ⁽³⁾, as last amended by Regulation (EEC) No 3609/88 ⁽⁴⁾, fixes the amounts which must be deducted from the threshold price for the calculation of levies applicable to imports of Tilsit, Kashkaval and Tulum Peyniri cheeses and to cheeses manufactured from sheep's milk or buffalo milk provided the prices on import are not less than those amounts;

Whereas the specific import levies applicable to the abovementioned cheeses have been maintained unaltered for the 1989/90 milk year; whereas, in view of the fact that the threshold price for cheeses in Group 11 referred to in Article 1 (1) of Regulation (EEC) No 1114/89 ⁽⁵⁾ has been increased for that milk year, the amounts in Article 8 of Regulation (EEC) No 2915/79 should be increased in line with the increase in the threshold price;

Whereas, in the framework of the special relations existing between the European Economic Community and the Republic of Cyprus, the import levy for Halloumi cheese, traditionally produced in Cyprus, falling within CN codes ex 0406 90 50 and ex 0406 90 89 should be reduced and the components on which basis that levy is fixed and in particular the minimum import price should be adjusted; whereas

Article 8 of Regulation (EEC) No 2915/79 should be supplemented to that end,

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EEC) No 2915/79 is hereby replaced by the following:

'Without prejudice to the provisions of Article 12, the levy on 100 kilograms of a product in Group 11 shall be equal to the threshold price minus:

- (a) ECU 249,73 per 100 kilograms, if it is a product falling within CN code 0406 90 25 or 0406 90 27, with a fat content by weight of dry matter of not more than 48 %;
- (b) ECU 249,73 per 100 kilograms plus a component equal to ECU 24,18, if it is a product falling within CN code 0406 90 25 or 0406 90 27, with a fat content by weight of dry matter of more than 48 %;
- (c) ECU 261,82 per 100 kilograms, if it is a product falling within CN code 0406 90 29, 0406 90 31 or 0406 90 50 or Tulum Peyniri cheese falling within CN code ex 0406 90 89, excluding the products in (d);
- (d) ECU 294,63 per 100 kilograms, if it is Halloumi cheese falling within CN code ex 0406 90 50 or ex 0406 90 89,

on condition that the price on importation is not lower than the amount which is deducted from the threshold price. However, the price on importation of the products referred to in (c) and (d) may not be lower than ECU 243,69 per 100 kilograms.'

Article 2

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 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 315, 22. 11. 1988, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 6.

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

Done at Brussels, 11 December 1989.

For the Council
The President
H. NALLET

COUNCIL REGULATION (EEC) No 3885/89

of 11 December 1989

repealing Regulation (EEC) No 353/79 laying down the conditions for coupage and wine-making in the free zones on Community territory for wine products originating in third countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1236/89 ⁽²⁾, and in particular Article 70 (3) thereof,

Whereas Regulation (EEC) No 353/79 ⁽³⁾, which laid down conditions for coupage and wine-making in the free zones for wine products originating in third countries, is no longer of practical value; whereas it should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 353/79 is hereby repealed.

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, 11 December 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 94.

COUNCIL REGULATION (EEC) No 3886/89

of 11 December 1989

amending Regulation (EEC) No 2392/89 laying down general rules for the description and presentation of wines and grape musts

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1236/89 ⁽²⁾, and in particular Article 72 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, bearing in mind the judgment of the Court of Justice of the European Communities in Case 311/87 concerning the use of the term 'Erzeugerabfüllung' ⁽³⁾, it is appropriate for some clarification to be given, in Regulation (EEC) No 2392/89 ⁽⁴⁾, of the rules governing the indication, on the labelling of a table wine or of a quality wine produced in a specified region, that the wine was bottled at the production stage; whereas, with regard to groups of vineyards, such a statement presupposes that the various stages of production have been carried out, at least as from the grape-pressing stage, under the control of the producer; whereas, therefore, the statement in question should be allocated to a group of vineyards only if it has itself carried out the winemaking process of the wine covered by that statement or if it has bottled a wine made from the wine of one of its members;

Whereas, in order to avoid all ambiguity in the application of Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption ⁽⁵⁾, in particular as regards the provisions relating to recycling and refilling, it should be specified in Article 38 of Regulation (EEC) No 2392/89 that the descriptions, signs and marks which appear on the containers in compliance with the provisions of that Directive do not form part of the labelling of wines and grape musts,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2392/89 is hereby amended as follows:

1. Article 2 (3) (f) is replaced by the following:

'(f) a statement that the wines were bottled:

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No C 300, 25. 11. 1988, p. 8.

⁽⁴⁾ OJ No L 232, 9. 8. 1989, p. 13.

⁽⁵⁾ OJ No L 176, 6. 7. 1985, p. 18.

- either at the vineyard where the grapes used were harvested and made into wine, or
- in a group of vineyards, provided that the wine in question was produced by the vineyards belonging to that group or by the group itself, from grapes or must produced in those vineyards, or
- in an undertaking situated in the wine-growing area indicated, with which the vineyards where the grapes used were harvested are connected as members of a group of vineyards and which made wine from the said grapes;

2. Article 11 (2) (q) is replaced by the following:

'(q) a statement that the wines were bottled:

- either at the vineyard where the grapes used were harvested and made into wine, or
- in a group of vineyards, provided that the wine in question was produced by the vineyards belonging to that group or by the group itself, from grapes or must produced in those vineyards, or
- in an undertaking situated in the specified region indicated or in the immediate vicinity of that region, with which the vineyards where the grapes used were harvested are connected as members of a group of vineyards, and which made wine from the said grapes;

3. the following indent is added to the second subparagraph of Article 38 (1):

'are laid down by the provisions of the Member States in the framework of the application of Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption (*).

(*) OJ No L 176, 6. 7. 1985, p. 18.'

Article 2

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

However, Article 1, points 1 and 2, shall apply from 1 March 1990.

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

Done at Brussels, 11 December 1989.

For the Council
The President
H. NALLET

COUNCIL REGULATION (EEC) No 3887/89

of 11 December 1989

amending Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1236/89⁽²⁾, and in particular Article 70 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 1 (2) and 2 of Regulation (EEC) No 2390/89⁽³⁾ set out the import facilities for wine products originating in third countries which offer specific guarantees through the provision of a certificate of origin and conformity as well as an analysis report; whereas Article 3 (2) of the said Regulation limits the said facilities to a trial period expiring on 31 December 1989; whereas, taking into account the time necessary to examine the implementation of future arrangements, it would be appropriate to extend by seven months the abovementioned period;

Whereas Regulation (EEC) No 2390/89 lays down provisions on certificates of origin and conformity and on the analysis report for imports of wine products; whereas, pursuant to Article 4 (3) of that Regulation, those provisions do not apply to wines referred to as 'Tokaji Aszu' and 'Tokaji Szamorodni';

Whereas Regulation (EEC) No 3677/89⁽⁴⁾ provides for a derogation for wines qualifying for the appellation 'Tokaji'

as regards the total alcoholic strength by volume where they are imported with a view to direct human consumption; whereas all wines imported under the appellation 'Tokaji' should be made subject to Regulation (EEC) No 2390/89,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2390/89 is hereby amended as follows:

1. in Article 3 (2) '31 December 1989' is replaced by '31 July 1990';
2. Article 4 (3) is replaced by the following:
 3. This Regulation shall not apply to the following liqueur wines:
 - Port, Madeira and Setúbal muscatel falling within CN codes ex 2204 21 41, ex 2204 21 51, ex 2204 29 41 and ex 2204 29 51,
 - Boberg liqueur wine accompanied by a certificate of designation of origin.'

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, 11 December 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 232, 9. 8. 1989, p. 7.

⁽⁴⁾ OJ No L 360, 9. 12. 1989, p. 1.

COUNCIL REGULATION (EEC) No 3888/89

of 11 December 1989

amending for the third time Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 337/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1236/89 ⁽²⁾, and in particular Article 73 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 70 (1) of Regulation (EEC) No 822/87 provides that imported products covered by that Article must be accompanied by a certificate attesting that they satisfy the provisions on production, marketing and, where appropriate, disposal for direct human consumption in the third country in which they originate;

Whereas Article 73 (1) of the said Regulation stipulates that if the imported products in question have undergone oenological practices not allowed by Community rules or not consonant with the provisions of that Regulation or of those adopted pursuant thereto they may not, except by way of derogation, be offered or disposed of for direct human consumption; whereas the Council derogated from this principle by Regulation (EEC) No 1873/84 ⁽³⁾, as last amended by Regulation (EEC) No 2245/89 ⁽⁴⁾; whereas this

derogation expires on 31 December 1989; whereas so that consultations can continue between the Community and the country concerned with a view to an agreement on this matter the said derogation should be extended for seven months,

HAS ADOPTED THIS REGULATION:

Article 1

In the title of Regulation (EEC) No 1873/84, the reference to Regulation (EEC) No 337/79 shall be replaced by a reference to Regulation (EEC) No 822/87.

Article 2

In the second subparagraph of Article 1 (1) of Regulation (EEC) No 1873/84 '31 December 1989' is hereby replaced by '31 July 1990'.

Article 3

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, 11 December 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽³⁾ OJ No L 176, 3. 7. 1984, p. 6.

⁽⁴⁾ OJ No L 216, 27. 7. 1987, p. 2.

COUNCIL REGULATION (EEC) No 3889/89

of 11 December 1989

opening and providing for the administration of a Community tariff quota for meat of bovine animals, frozen, falling within CN code 0202 and products falling within CN code 0206 29 91 (1990)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

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

Having regard to the proposal from the Commission,

Whereas, for meat of bovine animals, frozen, falling within CN code 0202 and products falling within CN code 0206 29 91, the Community has undertaken, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 20 %, the quantity of which, expressed in weight of boned or boneless meat, has been fixed at 53 000 tonnes; whereas that quota should accordingly be opened for 1990;

Whereas there should be a guarantee of, in particular, access by all interested traders within the Community to the quota and of uninterrupted application of the rate laid down for that quota to all imports of the products in question until the quota is exhausted;

Whereas there should be a harmonious transition between the nationally-managed system applied in previous years and the Community-managed system applicable from 1990 onwards; whereas, to that end, a system for allocation by the Commission of the quantities available to the traditional operators on the one hand and to operators involved in trade in beef and veal on the other hand would give the latter progressive access to the benefits of the system in question; whereas, in order to ensure their activities are genuine, only quantities large enough to be representative of Community trade should be considered;

Whereas, in defining traditional operators, account should be taken of the special situation in Portugal, where the quota in question has been applicable only since 1988;

Whereas, in order to ensure the quota is fully utilized, it is necessary to set a time limit for lodging import licence applications and to allow the transfer of any quantities that have not been applied for at that date during the last quarter of 1990, and their allocation to operators on the basis of the quantities remaining rather than the original allocation criteria;

Whereas the detailed rules for the application for this Regulation should be drawn up in accordance with the procedure laid down in Article 27 of 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⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. A Community tariff quota for meat of bovine animals, frozen, falling within CN code 0202 and products falling within CN code 0206 29 91, totalling 53 000 tonnes, expressed in weight of boned or boneless meat, is hereby opened for 1990.

For the purposes of allocating the said quota, 100 kilograms of bone-in meat shall be equivalent to 77 kilograms of boned or boneless meat.

2. For the purposes of this Regulation, meat which is presented frozen at the time of acceptance of the import declaration shall be deemed frozen meat.

3. The Common Customs Tariff duty applicable to the quota shall be 20 %.

Article 2

The quota of 53 000 tonnes shall be divided into two parts as follows:

- (a) the first, equal to 90 % or 47 700 tonnes, shall be apportioned for importers who can prove they have imported frozen meat falling within CN code 0202 or products falling within CN code 0206 29 91 to which these import arrangements apply during the last three years, with this period being reduced to the last two years for operators having imported such meat or products into Portugal;
- (b) the second, equal to 10 % or 5 300 tonnes, shall be apportioned for operators who can prove that they engage in trade, involving a minimum quantity and for a period to be determined, with third countries in beef and veal other than that to which these import arrangements apply and excluding meat which is the subject of inward or outward processing traffic.

Article 3

1. Quantities which have not been covered by an import licence application at 31 August 1990 shall be the subject of a

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

further allocation during the fourth quarter of that year, without account necessarily being taken of the apportionment referred to in Article 2.

2. Member States shall notify the Commission, before 16 September 1990, of quantities not applied for at 31 August of that year.

Article 4

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular rules on:

- (a) the apportionment and allocation of quantities available between the operators referred to in Article 2; and
- (b) the conditions governing the issue and the term of validity of import licences.

Article 5

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

It shall apply from 1 January 1990.

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

Done at Brussels, 11 December 1989.

For the Council

The President

H. NALLET

COUNCIL REGULATION (EEC) No 3890/89

of 11 December 1989

opening a Community tariff quota for frozen thin skirt of bovine animals falling within
CN code 0206 29 91 (1990)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas the Community has undertaken, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 4 % for 1 500 tonnes of frozen thin skirt of bovine animals falling within CN code 0206 29 91; whereas that quota should accordingly be opened for 1990;

Whereas there should be a guarantee of, in particular, equal and continuing access by all interested traders within the Community to the said quota and of uninterrupted application of the rate laid down for that quota, to all imports of the product in question until the quota is exhausted;

Whereas the detailed rules for the application of this Regulation should be drawn up in accordance with the procedure laid down in Article 27 of 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⁾,

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

Done at Brussels, 11 December 1989.

Article 1

1. A Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91, amounting to a total of 1 500 tonnes, is hereby opened for 1990.
2. The Common Customs Tariff duty applicable to the quota shall be 4 %.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular:

- (a) provisions to guarantee the nature of the product, where it comes from and its origin;
- (b) provisions concerning recognition of the document enabling the guarantee referred to in (a) to be verified.

Article 3

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

It shall apply from 1 January 1990.

For the Council
The President
H. NALLET

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

COUNCIL REGULATION No 3891/89

of 11 December 1989

opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1990)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas the Commission has undertaken, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 20 %, for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and products falling within CN codes 0206 10 95 and 0206 29 91, the quantity of which, expressed in weight of product, has been fixed at 34 300 tonnes; whereas that quota should accordingly be opened for 1990;

Whereas there should be a guarantee of, in particular, equal and continuing access by all interested traders within the Community to the said quota and of uninterrupted application of the rate laid down for that quota to all imports of the products in question until the quota is exhausted; whereas, to that end, a system for using the Community tariff quota based on the presentation of a certificate of authenticity guaranteeing the nature of the products, their provenance and their place of origin should be set up;

Whereas the detailed rules for the application of this Regulation should be drawn up in accordance with the procedure laid down in Article 27 of 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⁾,

Article 1

1. A Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91, amounting to a total, expressed in weight of product, of 34 300 tonnes is hereby opened for 1990.

2. The Common Customs Tariff duty applicable to the quota shall be 20 %.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular:

- (a) provisions to guarantee the nature of the products, where they come from and their origin;
- (b) provisions concerning recognition of the document enabling the guarantee referred to in (a) to be verified.

Article 3

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

It shall apply from 1 January 1990.

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

Done at Brussels, 11 December 1989.

For the Council
The President
H. NALLET

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

COUNCIL REGULATION (EEC) No 3892/89

of 11 December 1989

opening a Community tariff quota for frozen buffalo meat falling within CN code 0202 30 90 (1990)

THE COUNCIL OF THE EUROPEAN COMMUNITIES;

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas the Commission has undertaken, within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 20 %, for frozen buffalo meat falling within CN code 0202 30 90, the quantity of which has been fixed at 2 250 tonnes; whereas that quota should accordingly be opened for 1990;

Whereas there should be a guarantee of, in particular, equal and continuing access by all interested traders within the Community to the said quota and of uninterrupted application of the rate laid down for that quota to all imports of the products in question until the quota is exhausted; whereas, to that end, a system for using the Community tariff quota based on the presentation of a certificate of authenticity guaranteeing the nature of the products, their provenance and their place of origin should be set up;

Whereas the detailed rules for the application of this Regulation should be drawn up in accordance with the procedure laid down in Article 27 of 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⁾,

Article 1

1. A Community tariff quota for frozen buffalo meat falling within CN code 0202 30 90, amounting to a total of 2 250 tonnes, is hereby opened for 1990.

2. The Common Customs Tariff duty applicable to the quota shall be 20 %.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular:

- (a) provisions to guarantee the nature of the products, where they come from and their origin;
- (b) provisions concerning recognition of the document enabling the guarantee referred to in (a) to be verified.

Article 3

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

It shall apply from 1 January 1990.

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

Done at Brussels, 11 December 1989.

For the Council
The President
H. NALLET

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

COUNCIL REGULATION (EEC) No 3893/89

of 11 December 1989

amending Regulations (EEC) No 1787/89 and (EEC) No 1788/89 opening and providing for the administration of Community tariff quotas for animals of certain mountain breeds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 1787/89 ⁽¹⁾ and (EEC) No 1788/89 ⁽²⁾, the Council opened for the period 1 July 1989 to 30 June 1990 the contractual Community tariff quotas for animals of certain mountain breeds, in respect of which the management system had been totally revised to make it conform more closely to the Community character of these quotas; whereas difficulties arose in applying these Regulations in the first months, requiring amendment of the system and, as a result, of the Regulations in question,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1787/89 is hereby replaced by the following:

'Article 2

1. Each of the instalments referred to in Article 1 (4) shall be further divided into two parts.

The first, 90% of the total, i.e. 19 170 head, shall be reserved for established importers who are able to furnish proof of having imported animals of the breeds specified in the tariff quota in question during the previous three years, or, in the case of Spain, during the last two years.

The second, of 10%, i.e. 2 130 head, shall be reserved for other importers who undertake, when making an application, to keep the imported cattle in premises of which they have the use or who have been conducting business in live bovine animals for a period of at least one year and are listed in a public register of the Member State or who can provide proof, recognized by the competent authority, of such conduct.

2. The 19 170 head shall be assigned to the various importers *pro rata*, in proportion to the scale of their previous imports over the three years under

consideration, while the 2 130 head shall be assigned to applicants *pro rata*, in proportion to the entitlement applied for by the importers. In the latter case:

- (a) applications for quantities greater than 50 head shall be automatically reduced to that number;
- (b) applications which would give rise to a certificate of participation covering a quantity of less than five head shall not be taken into account;
- (c) quantities which have not been assigned during the first period, owing to the minimum five head limitation provided for in (b) and in force during the first period, shall be added to the quantities to be assigned in the second period;
- (d) if such assigning results in a quantity of less than five head per application, lots shall be drawn (with a figure of five head).

3. Any quantities of one of the parts referred to in paragraph 1 not applied for and assigned within a given period shall be automatically transferred to the other part.'

Article 2

Article 2 of Regulation (EEC) No 1788/89 is hereby replaced by the following:

'Article 2

1. Each of the instalments referred to in Article 1 (4) shall be further divided into two parts.

The first, 90% of the total, i.e. 2 250 head, shall be reserved for established importers who are able to furnish proof of having imported animals of the breeds specified in the tariff quota in question during the previous three years, or, in the case of Spain, during the last two years.

The second, of 10%, i.e. 250 head, shall be reserved for other importers who undertake, when making an application, to keep the imported cattle in premises of which they have the use or who have been conducting business in live bovine animals for a period of at least one year and are listed in a public register of the Member State or who can provide proof, recognized by the competent authority, of such conduct.

2. The 2 250 head shall be assigned to the various importers *pro rata*, in proportion to the scale of their previous imports over the three years under consideration, while the 250 head shall be assigned to

⁽¹⁾ OJ No L 176, 23. 6. 1989, p. 5.

⁽²⁾ OJ No L 176, 23. 6. 1989, p. 8.

applicants *pro rata*, in proportion to the entitlement applied for by the importers. In the latter case:

- (a) applications for quantities greater than 50 head shall be automatically reduced to that number;
- (b) applications which would give rise to a certificate of participation covering a quantity of less than five head shall not be taken into account;
- (c) quantities which have not been assigned during the first period, owing to the minimum five head limitation provided for in (b) and in force during the first period, shall be added to the quantities to be assigned in the second period;
- (d) if such assigning results in a quantity of less than five head per application, lots shall be drawn (with a figure of five head).

3. Any quantities of one of the parts referred to in paragraph 1 not applied for and assigned within a given period shall be automatically transferred to the other part.

Article 3

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, 11 December 1989.

For the Council
The President
H. NALLET

COUNCIL REGULATION (EEC) No 3894/89

of 11 December 1989

amending Regulation (EEC) No 2967/89 relating to the continued import of New Zealand butter into the United Kingdom on special terms

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to the 1972 Act of Accession, and in particular Article 5 (2) of Protocol 18 thereto,

The special levy of ECU 45,83 per 100 kilograms provided for in Article 3 (1) of Regulation (EEC) No 2967/89 is hereby replaced by a special levy of ECU 44,02 per 100 kilograms.

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2967/89 ⁽¹⁾ temporarily authorizes the United Kingdom to import a certain quantity of New Zealand butter on special terms until 31 December 1992;

Article 2

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

Whereas the rate of the special levy should be adjusted in accordance with Article 3 (2) of Regulation (EEC) No 2967/89,

It shall apply from 1 January 1990.

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

Done at Brussels, 11 December 1989.

For the Council

The President

H. NALLET

⁽¹⁾ OJ No 281, 30. 9. 1989, p. 114.

COUNCIL REGULATION (EEC) No 3895/89

of 12 December 1989

amending Regulation (EEC) No 987/68 laying down general rules for granting aid for skimmed milk processed into casein or caseinates

THE COUNCIL 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 3879/89 ⁽²⁾, and in particular Article 11 ⁽²⁾ thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 ⁽⁴⁾ of Regulation (EEC) No 987/68 ⁽³⁾, as last amended by Regulation (EEC) No 3554/88 ⁽⁴⁾, provides that the granting of aid may be restricted to casein and caseinates for specific uses where the market situation so dictates; whereas that measure is applicable until 31 December 1989 and a decision to extend it or not must be taken on the basis of a report from the Commission;

Whereas that measure has in fact been applied only since 1 March 1989 and whereas a longer period of observation is required before final conclusions can be drawn on its effects and consequences; whereas the application of the restrictions in force should accordingly be extended temporarily,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 2 ⁽⁴⁾ of Regulation (EEC) No 987/68, '31 December 1989' and '30 November 1989' are hereby replaced by '31 March 1990' and '28 February 1990' respectively.*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, 12 December 1989.

For the Council
The President
H. NALLET⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ See page 1 of this Official Journal.⁽³⁾ OJ No L 169, 18. 7. 1968, p. 6.⁽⁴⁾ OJ No L 311, 17. 11. 1988, p. 6.