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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3972/89**of 18 December 1989**

fixing, for 1990, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 351 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 351 of the Act of Accession, it is for the Council to fix the fishing possibilities and the corresponding number of Community vessels which may fish in the waters referred to that Article;

Whereas these possibilities are determined, with respect to pelagic species not subject to the system of total allowable catches (TACs) and quotas, other than highly migratory species, on the basis of the situation of the fishing activities of the Member States apart from Spain, in Portuguese waters for the period prior to accession; whereas there is a need to ensure stock conservation, taking account moreover of the limits placed on fishing by Portuguese vessels for similar species in waters of the Member States, apart from Spain;

Whereas, for 1989, no fishing possibilities for species not subject to TACs quotas are granted to Portugal in the waters of the Member States apart from Spain;

Whereas the specific conditions governing the fishing activities of vessels exploiting stocks of highly migratory species, for which catch possibilities are granted, should be laid down, whereas the limits concerning the zones and the periods of fishing of these vessels are laid down by Article 351 (2), (3) and (4) of the Act of Accession;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by 2241/87⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, as well as to the specific detailed rules drawn up in accordance with the second subparagraph of Article 351 (5) of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

The number of vessels flying the flag of a Member State, other than Spain and Portugal, authorized to fish in waters falling under the sovereignty or within the jurisdiction of Portugal, as provided for in Article 351 of the Act of Accession and the procedures for access, shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1990.
It shall be applicable until 31 December 1990.

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

Done at Brussels, 18 December 1989.

For the Council

The President

J. MELLICK

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

ANNEX

EEC — PORTUGAL

Species	Quantity (tonnes)	Zones ⁽¹⁾	Authorized fishing gear	Total number of vessels ⁽²⁾	Period of fishing authorization
Albacore tuna (<i>Thunnus alalunga</i>)	Unlimited	X and CECAF	Troll line	110 (France) ⁽²⁾	Between 2 June and 28 July
Tropical tuna	Unlimited	X (to the south of 36°30' N) CECAF (to the south of 31° N and to the north of 31° N to the west of 17°30' W)	All except gill-nets	Unlimited	Year-round
Other tunas	Unlimited	IX	All except gill-nets	Unlimited	Year-round

⁽¹⁾ Waters falling under the sovereignty and within the jurisdiction of Portugal.

⁽²⁾ Not exceeding 26 m in length between perpendiculars.

⁽³⁾ Authorized to carry out fishing activities simultaneously.

COUNCIL REGULATION (EEC) No 3973/89**of 18 December 1989**

fixing, for 1990, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Portugal in waters falling under the sovereignty or within the jurisdiction of a Member State apart from Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 349 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 349 of the Act of Accession, it is for the Council to fix the fishing possibilities and the corresponding number of Portuguese vessels authorized to fish in the waters referred to in paragraph 1 of that Article;

Whereas, pursuant to Article 349 (2), fishing possibilities for catches of blue whiting and horse mackerel the granted to Portuguese vessels; whereas the number of these vessels and the procedures for their access and control should be fixed annually;

Whereas fishing possibilities for species not subject to the system of total allowable catches and the corresponding number of vessels should be determined on the basis of the situation of Portuguese fishing activities in the waters of the Member States apart from Spain for the period prior to accession; whereas there is a need to ensure the conservation of stocks taking into account the limits imposed on fishing for similar species in Portuguese waters by vessels of a Member State other than Spain;

Whereas the specific conditions governing the fishing activities referred to in Article 349 of the Act of Accession should be laid down;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Regulation (EEC) No 2241/87 ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, as well as to the specific detailed rules drawn up in accordance with the second subparagraph of Article 349 (5) of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

The number of vessels flying the flag of Portugal authorized to fish in waters falling under the sovereignty or within the jurisdiction of another Member State, other than Spain, as provided for in Article 349 of the Act of Accession, the procedures for access and the catch possibilities for certain species shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1990.

It shall apply until 31 December 1990.

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

Done at Brussels, 18 December 1989.

For the Council

The President

J. MELLICK

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

ANNEX

PORTUGAL — EEC

Species	Quantity (tonnes)	ICES zone	Authorized fishing gear	Total number of vessels	Period of fishing authorization
Blue whiting (<i>Micromesistius poutassou</i>)	3 000	V b, VI, VII, VIII a, b, d ⁽¹⁾ ⁽²⁾	Pelagic trawl	5 ⁽³⁾ 2 ⁽⁴⁾	Year-round
Horse mackerel (<i>Trachurus trachurus</i>)	3 000	V b, VI, VII, VIII a, b, d ⁽¹⁾ ⁽²⁾	Pelagic trawl	6 ⁽³⁾ 4 ⁽⁴⁾	Year-round
Thunnidae	Unlimited	V b, VI, VII, VIII a, b, d ⁽¹⁾ ⁽²⁾	All except gill-nets	Unlimited	Year-round

⁽¹⁾ Except for the zone to the south of latitude 56° 30' North, to the east of longitude 12° West and to the north of latitude 50° 30' North.

⁽²⁾ Waters falling under the sovereignty and within the jurisdiction of Member States of the Community other than Spain and Portugal.

⁽³⁾ Total number (basic list) of standard Portuguese vessels; standard vessel means a vessel having a brake horsepower equal to 700 horsepower (bhp). The conversion rates for vessels having a different engine power are the same as those defined in Article 158 (2) of the Act of Accession.

⁽⁴⁾ Total number of Portuguese vessels authorized to carry out fishing activities simultaneously (periodic list).

COUNCIL REGULATION (EEC) No 3974/89**of 19 December 1989**

fixing, for 1990 certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Spain

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Article 164 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 164 of the Act of Accession, it is for the Council to fix the fishing possibilities and the corresponding number of Community vessels which may fish in Atlantic waters falling under the sovereignty or within the jurisdiction of Spain and covered by the International Council for the Exploration of the Sea (ICES);

Whereas these possibilities are determined, with respect to species subject to the system of total allowable catches (TACS) and quotas, on the basis of the fishing possibilities allocated and, with respect to species not subject to the TAC and quota system, according to the relative stability of stocks and the need to ensure their conservation;

Whereas specialized fishing activities shall be carried out with the same quantitative limits as those specified for Spanish vessels authorized to carry out their fishing activities in the waters of Member States apart from Portugal;

Whereas the specific conditions governing the fishing activities of such vessels should be laid down;

Whereas the fishing activities covered by the Regulation are subject to the control measures provided for by Regulation (EEC) No 2241/87⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, as well as to the specific procedures drawn up in accordance with Article 164 (4) of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

The number of vessels flying the flag of a Member State, other than Spain and Portugal, authorized to fish in waters falling under the sovereignty or within the jurisdiction of Spain as provided for in Article 164 of the Act of Accession and the procedures governing access, shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 January 1990.

It shall be applicable until 31 December 1990.

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

Done at Brussels, 19 December 1989.

For the Council

The President

J. MELLICK

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

ANNEX
EEC — SPAIN
I. General fishing

Species	ICES zone (¹)	Authorized fishing Year	Total number of vessels		Period of fishing authorization
			Basic list	Periodic list	
Hake (<i>Merluccius merluccius</i>)	VIII, IX	Long-lines, trawls (vessels over 100 grt)	10 (France)	5 (²) (France)	Year round
Monkfish (<i>Lophius piscatorius</i>) (<i>Lophius boudegassa</i>)	VIII, IX	Trawl			Year round
Megrim (<i>Lepidorhombus whiffiagonis</i>) (<i>Lepidorhombus boscii</i>)	VIII, IX	Trawl			Year round
Norway lobster (<i>Nephrops norvegicus</i>)	VIII, IX	Trawl			Year round
Pollack (<i>Pollachius pollachius</i>)	VIII, IX	Trawl			Year round

(¹) Waters falling under the sovereignty and within the jurisdiction of the Kingdom of Spain.

(²) Total number of standard vessels per Member State; standard vessel means a vessel having a brake horsepower equal to 700 horsepower (BHP). The conversion rates for vessels having a different engine power are the same as those defined in Article 158 (2) of the Act of Accession.

II. Specialized fishing

Species	ICES zone (¹)	Authorized fishing Year	Total number of vessels		Period of fishing authorization
			Basic list	Periodic list	
All	VIII, IX	Long-lines (vessels under 100 grt)	25	10	Year round
		Rods (vessels under 50 grt)	—	64	Year round
Anchovy (<i>Engraulis encrasicolus</i>) as main catch	VIII	Seine		40 (France)	Between 1 March and 30 June
Anchovy (<i>Engraulis encrasicolus</i>) as live bait	VIII	Seine		20 (France)	Between 1 July and 31 October
Sardine (<i>Sardina pilchardus</i>)	VIII	Seine (vessels under 100 grt)	71 (France)	40 (France)	Between 1 January and 28 February between 1 July and 31 December

(¹) Waters falling under the sovereignty and within the jurisdiction of the Kingdom of Spain.

Species	Quantity (tonnes)	ICES zone (¹)	Authorized fishing vessels	Total number of vessels	Period of fishing authorization
Thunnidae	unlimited	VIII, IX	All except gill-nets	Unlimited	Year round

(¹) Waters falling under the sovereignty and within the jurisdiction of the Kingdom of Spain.

COMMISSION REGULATION (EEC) No 3975/89

of 28 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 27 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 29 December 1989.

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

Done at Brussels, 28 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. 1.

ANNEX

to the Commission Regulation of 28 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	29,73	128,53 ⁽²⁾ ⁽³⁾
0712 90 19	29,73	128,53 ⁽²⁾ ⁽³⁾
1001 10 10	35,83	171,49 ⁽¹⁾ ⁽³⁾
1001 10 90	35,83	171,49 ⁽¹⁾ ⁽³⁾
1001 90 91	30,33	125,68
1001 90 99	30,33	125,68
1002 00 00	55,87	124,30 ⁽⁴⁾
1003 00 10	46,96	118,44
1003 00 90	46,96	118,44
1004 00 10	38,36	118,84
1004 00 90	38,36	118,84
1005 10 90	29,73	128,53 ⁽²⁾ ⁽³⁾
1005 90 00	29,73	128,53 ⁽²⁾ ⁽³⁾
1007 00 90	46,96	135,68 ⁽⁴⁾
1008 10 00	46,96	20,44
1008 20 00	46,96	67,93 ⁽⁴⁾
1008 30 00	46,96	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	46,96	0,00
1101 00 00	56,20	189,69
1102 10 00	91,95	187,75
1103 11 10	70,12	280,39
1103 11 90	59,91	204,08

⁽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 3976/89

of 28 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 27 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 29 December 1989.

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

Done at Brussels, 28 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 28 December 1989 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	12	1	2	3
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0,74
1001 10 90	0	0	0	0,74
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
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	14,64
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	12	1	2	3	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 3977/89

of 28 December 1989

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 26 December 1989 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 29 December 1989.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 28 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

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

COMMISSION DECISION No 3978/89/ECSC

of 20 December 1989

fixing the rate of the levies for the 1990 financial year and amending Decision No 3-52 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 49 and 50 thereof,

Article 1

Whereas, in view of the variations in average values recorded during the reference period, Decision No 3-52 of 23 December 1952 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty⁽¹⁾ should be amended;

The rate of the levies on output from 1 January 1990 shall be 0,31 % of the figures used as the basis of assessment for such levies.

Whereas the requirements of the European Coal and Steel Community are estimated in the operating budget for the 1990 financial year at ECU 435 million; whereas that budget, which was adopted by the Commission of the European Communities on 20 December 1989 in the form shown in the Annex to this Decision, indicates the amount of income to be provided from levies in the course of the financial year 1990, namely ECU 172 million;

Article 2

Article 2 of Decision No 3-52, as last amended by Article 2 of Decision No 4031/88/ECSC⁽²⁾, is hereby amended to read as follows:

Article 2

Whereas the estimated yield of the levies at a rate of 0,01 % is ECU 5 550 000,

The average value in ecus of the products on which the levies are assessed shall, from 1 January 1990, be as follows:

(ECU)	
Product	Average value...
Brown coal briquettes and semi-coke derived from brown coal	58,54
Hard coal of all categories	79,72
Pig iron other than that used for making ingots	174,38
Steel in ingots	262,10
Finished products and end products of iron and steel as described in Annex I to the Treaty	436,84 ²

Article 3

Article 4 of Decision No 3-52, as last amended by Article 3 of Decision No 4031/88/ECSC, is hereby amended to read as follows:

Article 4

The scale provided for in Article 2(4) of Decision No 2-52 shall accordingly be as follows, the figures being given in ecus:

⁽¹⁾ OJ of the ECSC No 1, 30. 12. 1952, p. 4.

⁽²⁾ OJ No L 355, 23. 12. 1988, p. 33.

Product	Assessment January 1990 and subsequent months, and collection March 1990 and subsequent months
Brown coal briquettes and semi-coke derived from brown coal ⁽¹⁾	0,18147
Hard coal of all categories ⁽²⁾	0,24713
Pig iron other than that used for making ingots	0,38488
Steel in ingots	0,70995
Finished products and end products of iron and steel as described in Annex I to the Treaty	0,32882

⁽¹⁾ For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of brown coal and semi-coke derived from brown coal, less 3 %.

⁽²⁾ For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of hard coal as defined in Article 1 of Decision No 2-52, less 14 %.

The amount of the levies per tonne to be paid in the currencies of the Member States of the Community shall be determined in accordance with Article 3 of Decision No 3289/75/ECSC, as amended by Decision No 3334/80/ECSC.

Article 4

This Decision shall enter into force on 1 January 1990.

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

Done at Brussels, 20 December 1989.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

ANNEX

ECSC OPERATING BUDGET FOR 1990

(ECU million)

Requirements	Estimates	Resources	Estimates
Operations to be financed from current resources (non-repayable)		Resources for the financial year	
1. Administrative expenditure	5	1. Current resources :	
		1.1. Yield from at 0,31 % levy	172
2. Aid for redeployment (Article 56)	184	1.2. Net balance from previous year	139
		1.3. Fines and surcharges for late payment	14
3. Aid for research (Article 55)	88	1.4. Miscellaneous	p.m.
3.1. Steel	41		
3.2. Coal	34	2. Cancellation of commitments unlikely to be implemented	60
3.3. Social	13		
4. Interest subsidies	68	3. Unused resources carried over from 1989	p.m.
4.1. Investment (Article 54)	10		
4.2. Conversion (Article 56)	58	4. Exceptional revenue for social measures connected with restructuring of the ECSC industries	50
5. Social measures connected with restructuring of the steel industry (Article 56)	50		
6. Social measures connected with restructuring of the coal industry (Article 56)	40	5. Contingency reserve	p.m.
	435		435
Operations financed by loans from non-borrowed funds		Origin of non-borrowed funds	
7. Workers' housing	12	6. Special reserve and former ECSC Pension Fund	12

COMMISSION RECOMMENDATION No 3979/89/ECSC

of 20 December 1989

on Community surveillance of imports of certain iron and steel products covered by the ECSC Treaty and originating in non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 thereof,

Whereas by recommendation No 256/89/ECSC⁽¹⁾, the Commission subjected to a Community monitoring system the imports into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community;

Whereas the reasons which originally led the Commission to introduce this measure continue to apply and the said surveillance system should therefore be continued and extended so as to provide more detailed information on foreseeable imports and the terms and conditions of such imports,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. The release for free circulation in the Community of iron and steel products covered by the ECSC Treaty, listed in Annex III and originating in non-member countries, shall be subject to the issue of an import document.
2. The products referred to in paragraph 1 shall be considered as being of first-choice quality until proof to the contrary is supplied by the importer.
3. The import document shall be issued or endorsed by the Member States, free of charge and for any quantities requested, upon receipt of the application and in any case within not more than 10 working days from the submission of the completed application and presentation of two duplicates of the relevant purchase contract(s) and the vendor's order confirmation(s). The originals of these documents as well as the *pro forma* invoice must be produced if required by the licence-issuing authority.
4. Paragraph 1 shall apply without prejudice to the maintenance of existing quantitative restrictions imposed by the Member States on certain iron and steel products in respect of certain non-member countries.
5. The period of validity of the import document is hereby fixed at three months, without prejudice to possible changes in the import arrangements in force.

1. The importer's application must state:
 - (a) the name, address, occupation, telephone number and telex number of the importer;
 - (b) the description of the goods and the CN code⁽²⁾;
 - (c) the country of origin;
 - (d) the country of consignment;
 - (e) the net weight, by individual lots;
 - (f) the currency and value invoiced (cif or daf);
 - (g) the proposed date and place of customs clearance;
 - (h) where necessary, the precise characteristics establishing any claim that the goods are seconds or of substandard quality.

2. The following additional information shall also be supplied by the importer:

A. For goods originating in and consigned direct from one of the countries listed in Annex I (direct importation):

- (a) a full commercial description of the goods, including exact specifications and, where appropriate, declaration of the goods as seconds or of their possible use in shipbuilding, details of the exporter and place of delivery;
- (b) the delivered price per tonne, exclusive of VAT, including transport costs from the basing point to point of delivery and all extras or rebates;
- (c) particulars of:
 - (i) the price lists of the producer in the non-member country of origin, chosen for calculating the delivered price, including the date of the chosen lists,
or
 - (ii) the Community producer's price lists chosen for calculating the delivered price, including the date of the chosen lists,
or
 - (iii) where appropriate, the non-member country offer on which the terms of the delivery have been aligned, in sufficient detail to identify the offer and including the date.

⁽¹⁾ OJ No L 30, 1. 2. 1989, p. 49.

⁽²⁾ OJ No L 256, 7. 9. 1987.

B. For goods originating in and consigned direct from one of the countries listed in Annex II (direct importation):

- (a) a full commercial description of the products, including exact specifications and, where appropriate, declaration of the goods as seconds or of their possible use in shipbuilding, details of the exporter and place of delivery;
- (b) the delivered price per tonne, exclusive of VAT, including transport costs to point of delivery and all extras, rebates and any other factors relevant to calculation of the delivered price;
- (c) particulars of:
 - (i) the Community producer's price lists chosen for calculating the delivered price, including the date of the chosen lists,
 - or
 - (ii) where appropriate, the non-member country offer on which the terms of the delivery have been aligned, in sufficient detail to identify the offer and including its date;
- (d) for goods falling within CN code 7201, the name and address of the final purchaser, where known.

C. For goods originating in one of the countries listed in Annex I or II but consigned from any non-member country other than the country of origin (indirect importation), and for goods originating in a non-member country not listed in Annex I or II:

- (a) a complete description corresponding to that appearing in the list of products subject to the basic prices in force and details of the exporter and the place of delivery;
- (b) the cif or daf price at the Community frontier, per tonne, in the currency of the contract, plus customs duties applicable and unloading costs.
- (c) for goods falling within CN code 7201, the name and address of the final purchaser, where known.

3. The importer shall declare that neither he nor the purchaser will be granted any reduction, rebate or other form of refund not mentioned in the contract for the transaction, either at the time of the transaction or subsequently.

4. The importer shall certify that his application for an import document is accurate.

5. The importer shall state whether his application is a repeat of a previous application concerning the same delivery.

Article 3

1. When an import document for goods originating in the countries listed in Annex I or II is granted, the Member States shall notify the Commission of any differences between:

- the delivered price calculated on the basis of the reference price list, and
- the delivered price calculated on the basis of the contract or the *pro forma* invoice.

They shall also furnish all necessary documents, in particular the duplicates of import licence applications, purchase contracts and vendor's order confirmations; whenever the price difference noted is considerable or relates to a large quantity.

2. When an import document is granted for goods:

- originating in non-member countries other than those listed in Annex I or II,
- originating in a country listed in Annex I or II, but consigned from a non-member country other than the country of origin (indirect importation),

Member States shall inform the Commission of any difference, in ecus per tonne, between:

- the basic price as published in the *Official Journal of the European Communities*, and
- the cif or daf price at the Community frontier, including customs duties applicable and unloading costs.

3. Within the first 10 days of each month, Member States shall notify the Commission of the tonnage and values (calculated on the basis of the cif or daf prices) for which import documents were issued during the preceding month.

4. The information supplied by Member States shall include:

- (a) a breakdown by country of origin;
- (b) a breakdown by product (combined nomenclature) for each country of origin;
- (c) for each country of origin, the quantities of products declared as being seconds or of substandard quality;
- (d) within the total of any one product originating in any one country, the quantities not imported direct from that country and, in such cases, and indication of the country of consignment.

5. Within the first 10 days of each month, Member States shall notify to the Commission :

- (a) the tonnage and the values (calculated on the basis of the cif or daf price) for which import documents expired during the preceding month without having been fully or partially used ;
- (b) the tonnage and the values (calculated on the basis of the cif or daf price) for which previously issued import documents were renewed in whole or in part in the preceding month.

Article 4

This recommendation shall apply from 1 January to 31 December 1990.

Done at Brussels, 20 December 1989.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Austria
Finland
Norway
Sweden

ANNEX II

Brazil	Poland
Bulgaria	Romania
Czechoslovakia	Hungary

ANNEX III

7201 10 11	7208 22 99	7209 23 90	7211 41 10	7218 90 13	7224 10 00
7201 10 19	7208 23 10	7209 24 10	7211 41 91	7218 90 15	7224 90 11
7201 10 30	7208 23 91	7209 24 91	7211 49 10	7218 90 19	7224 90 30
7201 10 90	7208 23 99	7209 24 99	7211 90 11	7218 90 50	
7201 20 00	7208 24 10	7209 31 00			7225 10 10
7201 30 10	7208 24 90	7209 32 10	7212 10 10	7219 11 10	7225 10 91
7201 30 90	7208 31 00	7209 32 90	7212 10 91	7219 11 90	7225 10 99
7201 40 00	7208 32 10	7209 33 10	7212 21 11	7219 12 10	7225 20 11
	7208 32 30	7209 33 90	7212 29 11	7219 12 90	7225 20 19
7202 11 10	7208 32 51	7209 34 10	7212 30 11	7219 13 10	7225 20 30
7202 11 90	7208 32 59	7209 34 90	7212 40 10	7219 13 90	7225 30 00
7202 99 11	7208 32 91	7209 41 00	7212 40 91	7219 14 10	7225 40 10
	7208 32 99	7209 42 10	7212 50 31	7219 14 90	7225 40 30
7203 90 00	7208 33 10	7209 42 90	7212 50 51	7219 21 10	7225 40 50
	7208 33 91	7209 43 10	7212 60 11	7219 21 90	7225 40 70
7204 50 10	7208 33 99	7209 43 90	7212 60 91	7219 22 10	7225 40 90
7204 50 90	7208 34 10	7209 44 10		7219 22 90	7225 50 00
	7208 34 90	7209 44 90	7213 10 00	7219 23 10	7225 90 10
7206 10 00	7208 35 10	7209 90 10	7213 20 00	7219 23 90	
7206 90 00	7208 35 91		7213 31 00	7219 24 10	7226 10 10
	7208 35 93	7210 11 10	7213 39 00	7219 24 90	7226 10 30
7207 11 11	7208 35 99	7210 12 11	7213 41 00	7219 31 10	7226 20 10
7207 11 19	7208 41 00	7210 12 19	7213 49 00	7219 31 90	7226 20 31
7207 12 11	7208 42 10	7210 20 10	7213 50 00	7219 32 10	7226 20 51
7207 12 19	7208 42 30	7210 31 10		7219 32 90	7226 20 71
7207 19 11	7208 42 51	7210 39 10	7214 20 00	7219 33 10	7226 91 00
7207 19 15	7208 42 59	7210 41 10	7214 30 00	7219 33 90	7226 92 10
7207 19 31	7208 42 91	7210 49 10	7214 40 10	7219 34 10	7226 99 11
7207 20 11	7208 42 99	7210 50 10	7214 40 91	7219 34 90	7226 99 31
7207 20 15	7208 43 10	7210 60 11	7214 40 99	7219 35 10	
7207 20 17	7208 43 91	7210 60 19	7214 50 10	7219 35 90	7227 10 00
7207 20 31	7208 43 99	7210 70 11	7214 50 91	7219 90 11	7227 20 00
7207 20 33	7208 44 10	7210 70 19	7214 50 99	7219 90 19	7227 90 10
7207 20 51	7208 44 90	7210 90 31	7214 60 00		7227 90 90
7207 20 55	7208 45 10	7210 90 33		7220 11 00	
7207 20 57	7208 45 91	7210 90 35	7215 90 10	7220 12 00	7228 10 10
7207 20 71	7208 45 93	7210 90 39		7220 20 10	7228 10 30
	7208 45 99		7216 10 00	7220 90 11	7228 20 11
7208 11 00	7208 90 10	7211 11 00	7216 21 00	7220 90 31	7228 20 19
7208 12 10		7211 12 10	7216 22 00		7228 20 30
7208 12 91	7209 11 00	7211 12 90	7216 31 00	7221 00 10	7228 30 10
7208 12 99	7209 12 10	7211 19 10	7216 32 00	7221 00 90	7228 30 90
7208 13 10	7209 12 90	7211 19 91	7216 33 00		7228 60 10
7208 13 91	7209 13 10	7211 19 99	7216 40 10	7222 10 11	7228 70 10
7208 13 99	7209 13 90	7211 21 00	7216 40 90	7222 10 19	7228 70 31
7208 14 10	7209 14 10	7211 22 10	7216 50 10	7222 10 91	7228 80 10
7208 14 90	7209 14 90	7211 22 90	7216 50 90	7222 10 99	7228 80 90
7208 21 10	7209 21 00	7211 29 10	7216 90 10	7222 30 10	
7208 21 90	7209 22 10	7211 29 91		7222 40 11	7301 10 00
7208 22 10	7209 22 90	7211 29 99	7218 10 00	7222 40 19	
7208 22 91	7209 23 10	7211 30 10	7218 90 11	7222 40 30	

COMMISSION REGULATION (EEC) No 3980/89

of 20 December 1989

on licences and certificates issued under the supplementary trade mechanism for
certain products no longer subject to that mechanism

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 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 thereof,

Whereas, pursuant to Regulations (EEC) No 3621/89 ⁽³⁾ and (EEC) No 3913/89 ⁽⁴⁾, certain products in the milk and milk products sector on the one hand and in the beef and veal sector on the other hand were withdrawn, with effect on 1 January 1990, from the list of products subject to the supplementary trade mechanism (STM); whereas, as regards certified seed potatoes of lesser quality, the application of the STM, pursuant to Commission Regulation (EEC) No 650/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 1691/88 ⁽⁶⁾, is limited until 31 December 1989 by Article 81 (4) of the Act of Accession;

Whereas Articles 1 and 3 of Regulation (EEC) No 569/86 provide that failure to comply with the undertakings relating to STM licences or certificates issued for such products and expiring after 31 December 1989 should

entail the loss of the security lodged; whereas, since those undertakings have become pointless, it should be possible to waive them and to release the securities lodged;

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

HAS ADOPTED THIS REGULATION:

Article 1

Securities lodged for STM certificates and import licences:

- which have been delivered for the products referred to in Regulations (EEC) No 650/86, (EEC) No 3621/89 and (EEC) No 3913/89,
- which expire after 1 January 1990, and
- which have only been used partly or not at all at that date,

shall be released on application by the parties concerned.

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

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 351, 2. 12. 1989, p. 22.

⁽⁴⁾ OJ No L 375, 23. 12. 1989, p. 28.

⁽⁵⁾ OJ No L 60, 1. 3. 1986, p. 58.

⁽⁶⁾ OJ No L 151, 17. 6. 1988, p. 33.

COMMISSION REGULATION (EEC) No 3981/89
of 20 December 1989
amending Regulation (EEC) No 1272/88 laying down detailed rules for applying
the set-aside incentive scheme for arable land

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽¹⁾ as last amended by Regulation (EEC) No 1609/89⁽²⁾, and in particular Article 1a (7) thereof:

Whereas the arable land eligible for aid under the set-aside scheme provided for in Article 2 of Commission Regulation (EEC) No 1272/88⁽³⁾ should be defined in greater detail;

Whereas, in cases where land is left fallow in a rotation system, the area of the set-aside plots may be changed each year; whereas annual changes in the percentage of the land covered by the undertaking should therefore be authorized under certain circumstances;

Whereas the afforestation or non-agricultural use of set-aside land may entail major changes to the holding; whereas, in cases where land is farmed by a tenant, provision should be made for the owner to approve such uses;

Whereas the transition from an undertaking to set aside arable land to an undertaking to take early retirement as provided for in Council Regulation (EEC) No 1096/88 of 25 April 1988 establishing a Community scheme to encourage the cessation of farming⁽⁴⁾ should be facilitated under certain circumstances;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Agricultural Structure and Rural Development,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1272/88 is hereby amended as follows:

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 165, 15. 6. 1989, p. 1.

⁽³⁾ OJ No L 121, 11. 5. 1988, p. 36.

⁽⁴⁾ OJ No L 110, 29. 4. 1988, p. 1.

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

'1. For the purpose of this Regulation, arable land means the types of land generally included in a crop rotation system, listed in section D of the Annex to Regulation (EEC) No 571/88 and defined in the Annex to Commission Decision 83/461/EEC, with the exception of land mentioned under points D/15 and 17 (crops under glass) or D/21 (fallow) and of land used for products not subject to a market organization.'

2. The following paragraph is added to Article 3:

'4. Where land left fallow is included in a rotation system, Member States may permit annual changes in the percentage of the land on the holding covered by the undertaking, provided that:

- (a) the change does not exceed 10 % of the average area in respect of which the aid is granted;
- (b) the set-aside of an area smaller than the average area is authorized only where the difference can be offset by the set-aside of an area exceeding the average area in a previous year;
- (c) the 20 % minimum laid down in paragraph 3 or, in cases where exemption from the co-responsibility levy in the cereals sector is claimed under Article 1a (6) of Regulation (EEC) No 797/85, the 30 % minimum is always observed.'

3. The following subparagraph is added to Article 9 (1):

'In the case of areas farmed by tenants, the Member States may require the owner's consent to afforestation or use for non-agricultural purposes.'

4. The following subparagraph is added to Article 12 (3):

'The beneficiary may terminate the undertaking at any time if he definitively gives up all farming activities in accordance with the first indent of Article 4 (1) of Council Regulation (EEC) No 1096/88⁽⁵⁾.

⁽⁵⁾ OJ No L 110, 29. 4. 1988, p. 1.'

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

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3982/89
of 20 December 1989
altering the entry price for citrus fruit originating in certain Mediterranean third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3488/89 of 21 November 1989 laying down the method of decision for certain provisions laid down for agricultural products in the framework of Mediterranean agreements⁽¹⁾, and in particular Article 2 thereof,

Whereas, in accordance with the agreements concluded with various Mediterranean third countries, the Community may decide to alter the entry price for certain fruit and vegetables originating in such countries taking account of the annual reviews of trade flows by product and country pursuant to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries⁽²⁾;

Whereas an examination of the prospects for export flows from the Mediterranean third countries concerned in the light of the overall trend on the market for Community citrus fruit points to the need to alter the entry price for oranges, clementines, mandarins, other similar citrus hybrids and lemons;

Whereas the alteration of the entry price must, in accordance with the agreements and up to the quantities determined *pro rata temporis*, relate to the amount to be deducted for customs duties from the representative prices recorded in the Community for the calculation of the entry price of each product as provided for in Article 24 of Council Regulation (EEC) No 1035/75 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 1119/89⁽⁴⁾; whereas a reduction of one sixth is likely to achieve this objective; whereas such a reduction must apply from 1 January 1990 to the end of the 1989/90 export year in those countries provided that the reference price system is still in force; whereas the period in question for lemons will extend from 1 January to 31 December 1990 since the period during which this product is exported to the Community coincides with the calendar year in the additional protocols;

Whereas in order to ensure that the system is effective, the trend in imports of such products must be

monitored; whereas such imports must therefore be subject to Community surveillance;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of calculating the entry price provided for in Article 24 (3) of Regulation (EEC) No 1035/72 for each of the products originating in the Mediterranean countries mentioned in the Annex hereto, the amount to be deducted for customs duties from the representative prices recorded shall be reduced by one sixth during the period and up to the quantities indicated therein.

Article 2

1. Imports of the products listed in the Annex and originating in the States indicated therein shall be subject to Community surveillance.

2. Quantities shall be charged against the ceilings and when products are entered with customs authorities for release for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is presented before the date from which these preferential arrangements no longer apply.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission shall inform the Member States of the date from which these preferential arrangements cease to apply.

⁽¹⁾ OJ No L 340, 23. 11. 1989, p. 2.

⁽²⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 118, 29. 4. 1989, p. 12.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five days from the end of each 10-day period.

5. The Commission may take the requisite administrative measures to adapt the administrative procedures set out in the preceding subparagraphs.

Article 3

The Member States and the Commission shall cooperate closely to ensure this Regulation is applied.

Article 4

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

Product		Mediterranean third country	Period of application of the alteration	Quantities concerned (tonnes)
CN code	Description			
ex 0805 10	Oranges, fresh	Israel Morocco Cyprus Tunisia Egypt	} 1 January to 31 May 1990	281 000 241 000 62 000 27 500 4 900
ex 0805 20	Clementines, mandarins and other similar citrus hybrids, fresh	Morocco Israel	} 1 January to end February 1990	33 000 13 000
ex 0805 30 10	Lemons, fresh	Cyprus Turkey Israel	} 1 January to 31 December 1990	15 000 12 000 6 400

COMMISSION REGULATION (EEC) No 3983/89

of 20 December 1989

amending Regulation (EEC) No 1481/86 on the determination of prices of fresh or chilled sheep carcasses on representative Community markets and the survey of prices of certain other qualities of sheep carcasses in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 4 (5) thereof,

Whereas, pursuant to Article 22 of Regulation (EEC) No 3013/89, the price recorded on the representative markets of the Community must be derived from the prices recorded on the representative markets of each region or as regards regions 2, 3 and 4 of each Member State or quotation area for the various categories of fresh or chilled sheep carcasses after taking into account both the relative importance of each category and the relative volume of sheep production in each region or as regards regions 2, 3 and 4 in each Member State or quotation area;

Whereas, Article 1 of Commission Regulation (EEC) No 1481/86⁽²⁾, as last amended by Regulation (EEC) No 3181/88⁽³⁾, should therefore be replaced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1481/86 is replaced by the following:

Article 1

The price of sheep carcasses on the representative Community markets referred to in Article 22 (3) of Regulation (EEC) No 3013/89 shall be the average, weighted by the coefficients laid down in Annex 1 of the prices recorded on the representative market or markets of each Member State or, in the case of the United Kingdom, of Great Britain and Northern Ireland separately.'

Article 2

This Regulation shall enter into force on the third day following 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, 20 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1986, p. 12.

⁽³⁾ OJ No L 283, 18. 10. 1988, p. 11.

*ANNEX**ANNEX I***A. COEFFICIENTS TO BE USED IN CALCULATING THE PRICE RECORDED ON THE REPRESENTATIVE COMMUNITY MARKETS**

Belgium	0,44 %
Denmark	0,13 %
Germany	2,68 %
Spain	22,17 %
France	16,31 %
Greece	8,57 %
Ireland	5,23 %
Italy	5,02 %
Luxembourg	—
Netherlands	2,03 %
Portugal	2,52 %
Great Britain	32,68 %
Nothern Ireland	2,22 %
	100 %

COMMISSION REGULATION (EEC) No 3984/89

of 20 December 1989

amending Regulation (EEC) No 3007/84 laying down detailed rules for the application of the premium for producers of sheepmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Articles 5 (9) and 28 thereof,

Whereas Article 5 of Regulation (EEC) No 3013/89 provides for the grant of a premium to sheepmeat producers; whereas the general rules concerned are set out in Council Regulation (EEC) No 872/84⁽²⁾, as last amended by Regulation (EEC) No 1970/87⁽³⁾; whereas the detailed implementing rules for the grant of the premium are laid down in Commission Regulation (EEC) No 3007/84⁽⁴⁾, as last amended by Regulation (EEC) No 1514/86⁽⁵⁾, which specifies in particular the obligations to be fulfilled by the recipients of the premium, and the measures applicable if they fail to do so;

Whereas Article 4 (4) of Regulation (EEC) No 3013/89 provides that Member States must introduce, by the 1991 marketing year at the latest, a mechanism for differentiating between producers of heavy lambs and producers of light lambs; whereas Article 22 (8) of the said Regulation provides that certain Member States may introduce a system for differentiating between producers of heavy lambs and producers of light lambs with effect from the 1990 marketing year; whereas the control arrangements required in order to put the mechanism into effect should be laid down before the beginning of the 1990 marketing year; whereas this could suitably be achieved by means of a list, drawn up by the Member States, of the producers who market ewe's milk or ewe's milk products;

Whereas Article 3 (2) of Regulation (EEC) No 3007/84 specifies the period in which applications for premiums must be lodged; whereas, in the light of experience gained, it is necessary to change the introductory period for applications for premiums as well as make provision for the United Kingdom to apply a different period to take into account the particular situation in Northern Ireland; whereas in the case of Member States which make payments on accounts it is advisable that the time-limit for submitting applications should, once the mechanism for differentiating between producers of heavy lambs and producers of light lambs has been introduced,

expire on 30 April after the beginning of the marketing year for which they are submitted; whereas, moreover, it is advisable that payments on account should not be made before the end of the 100-day period specified in Article 2 of Regulation (EEC) No 3007/84;

Whereas it is advisable, in the light of the experience gained, to allow applications to be lodged until a certain period after the deadline, subject to a reduction in the premium payable; whereas applications submitted after that additional period should be declared invalid;

Whereas, in the interests of sound administrative management, Member States should communicate certain particulars of the applications for premiums submitted in respect of each marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3007/84 is hereby amended as follows:

1. Article 3 is replaced by the following:

Article 3

1. The number of animals in respect of which an application for a premium is lodged shall not be less than that specified in Article 1 of Regulation (EEC) No 872/84. Applications must state whether ewe's milk or milk products based on ewe's milk are being marketed by the producer during the marketing year in respect of which the premium is being applied for. This latter requirement:

- shall apply with effect from the 1991 marketing year, except in Member States qualifying under the provisions of Article 22 (8) of Regulation (EEC) No 3013/70, where it shall apply from the beginning of the 1990 marketing year,
- may, however, be made applicable from the beginning of the 1990 marketing year by any Member State for information purposes.

2. Sheepmeat and/or goatmeat producers who v to apply for a premium or, where appropriate, payment on account must submit an application to that effect to the competent authority designated by

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 40.

⁽³⁾ OJ No L 184, 3. 7. 1987, p. 23.

⁽⁴⁾ OJ No L 283, 27. 10. 1984, p. 28.

⁽⁵⁾ OJ No L 132, 21. 5. 1986, p. 16.

each Member State within a fixed period commencing on 1 November and ending on 30 April. In Member States where payments on account are made, the period for lodging applications shall, with effect from the marketing year in respect of which the mechanism specified in Article 4 (4) of Regulation (EEC) No 3013/89 is introduced, end at the latest on 30 April after the beginning of the marketing year for which the application is lodged.

However, Member States may specify that the period of the lodging of applications should consist of a shorter period or two shorter non-consecutive periods within the period referred to above. Where a Member State specifies two periods, no producer in that Member State may submit an application in more than one of those two periods.

However, the United Kingdom may for Northern Ireland fix a different period to those fixed for Great Britain.

3. Except in cases of *force majeure*, if an application is lodged with the competent authority after the date of expiry of the period specified in paragraph 2 for the lodging of applications:

- but not more than 10 working days after that date, the premium and, where applicable, the payment on account to the producer shall be reduced by 30 %,
- and more than 10 working days after that date it shall be declared invalid.

4. Member States shall communicate to the Commission, not later than 31 July each year, particulars of the applications for premiums submitted during the period(s) specified in paragraph 2. They shall, to that effect, use the forms corresponding to the specimen in the Annex to this Regulation.

2. Article 4 is amended as follows:

Paragraph 1 is replaced by the following:

'1. For the premium to be granted from the beginning of the 1990 marketing year, payments on

account provided for in Article 5 (6), subparagraph 2 of Regulation (EEC) No 3013/89 shall in no case be made before the end of the 100-day period referred to in Article 2.'

Paragraph 4 is deleted.

3. Article 5 is amended as follows:

- the existing text becomes paragraph 1,
- the following paragraph 2 is added:

'2. Not later than the beginning of the marketing year in respect of which the mechanism specified in Article 4 (4) of Regulation (EEC) No 3013/89 is introduced, Member States shall, for each marketing year, draw up a list of sheepmeat producers who market ewe's milk and ewe's milk products. The list shall be based on producers' declarations as referred to in Article 3 (1). Moreover, to establish this list, Member States shall take account of the results of the checks carried out and any other source of information available to the competent authority in particular that provided by processors and distributors on the marketing of ewe's milk and ewe's milk products by producers.'

Article 2

Member States shall notify the Commission, by 31 January 1990, of the necessary measures adopted pursuant to this Regulation.

Article 3

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

It shall apply from the 1990 marketing year.

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

APPLICATIONS FOR EWE AND SHE-GOAT PREMIUMS

MARKETING YEAR :

Region (⁽¹⁾)	Total number of applica- tions	(I) Number of ewes declared per producer not marketing ewe's milk (^(*)) (by class)				Number of applica- tions (I)	(II) Number of ewes declared per producer marketing ewe's milk (^(*)) (by class)				Number of applica- tions (II)	(III) Number of she-goats declared (per class)					Number of applica- tions (III)
		1/20	21/50	51/100	101/ 500		501/ 1 000	+ 1 000	Total	1/20		21/50	51/100	101/ 500	501/ 1 000	+ 1 000	
Total per Member State																	
Less favoured areas Directive 75/268/EEC																	
Non-less favoured areas																	

Total number of applica- tions	Number of ewes declared per producer not marketing ewe's milk / ewe's milk products (^(*))	Number of ewes declared per producer marketing ewe's milk / ewe's milk products	Number of she-goats declared	Number of animals at reduced rate (50 %)

(⁽¹⁾) Regional subdivision laid down Article 5 (2) of Council Directive 82/177/EEC of 22 March 1982.

(^(*)) For marketing years prior to the introduction of the system provided for in Article 4 (4) of Regulation (EEC) No 3013/89, all ewes declared must appear in the sections headed 'Ewes declared per producer not marketing milk / milk products'.

COMMISSION REGULATION (EEC) No 3985/89
of 20 December 1989

laying down a transitional measure relating to coupage of table wine in Spain
for 1990

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⁽¹⁾, and in particular Article 90 thereof,

Whereas Article 16 (5) of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽²⁾, as last amended by Regulation (EEC) No 1236/89⁽³⁾, prohibits coupage of a white table wine with a red table wine; whereas the abovementioned practice forms part of the arrangements in force in Spain and whereas Article 125 of the Act of Accession authorizes in it until 31 December 1989;

Whereas the conditions for the abandonment of this practice are not yet ripe in that country as they are related to the structure of wine-growing and consumers' attitudes, which change relatively slowly; whereas the abandonment of the abovementioned practice would result in the immediate future in a serious imbalance on the market generating a shortage of red wine and a substantial surplus of white wine, which would require major intervention operations; whereas the need to avoid very serious disturbance of the market justifies the adoption of a transitional measure;

Whereas, so that the possibility of carrying out coupage involving white table wine and red table wine remains limited to the country where it is necessary, care must be taken to ensure that wine obtained from this practice may not be mixed with other Community wines;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1990, coupage of a wine suitable for yielding a white table wine or of a white table wine with a wine suitable for yielding a red table wine or with a red table wine shall be permitted on Spanish territory provided that the product obtained has the characteristics of a red table wine and that the percentage of red wine used is not less than 60 %.

2. Until the date in paragraph 1, coupage in the Community as constituted at 31 December 1985 of Spanish wine other than white table wine with wine from other Member States shall be prohibited.

3. Spanish red and rosé table wines may only be the subject of trade with the other Member States or be exported to third countries if they are not obtained from coupage as referred to in paragraph 1.

For the purposes of applying paragraph 3, each competent authority designated by Spain shall guarantee until 30 June 1991 the origin of Spanish red table wine by affixing a stamp preceded by the words 'wine not obtained from white/red coupage' in the box reserved for official remarks on the accompanying document for wine provided for in Commission Regulation (EEC) No 986/89⁽⁴⁾.

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

⁽¹⁾ OJ No L 302, 15. 11. 1985, p. 9.

⁽²⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽³⁾ OJ No L 128, 11. 5. 1989, p. 31.

⁽⁴⁾ OJ No L 106, 18. 4. 1989, p. 1.

**COMMISSION REGULATION (EEC) No 3986/89
of 21 December 1989**

**amending Annexes II, III bis and VII to Council Regulation (EEC) No 4135/86
with regard to certain textile products originating in Yugoslavia (categories 5, 6,
7 and 15)**

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

Having regard to Council Regulation (EEC) No 4135/86 of 22 December 1986 on rules for imports of certain textile products originating in Yugoslavia ⁽¹⁾, as last amended by Regulation (EEC) No 669/88 ⁽²⁾, and in particular Article 16 thereof,

Whereas, with a view to the introduction of the combined nomenclature, the Community has negotiated with Yugoslavia an Agreed Minute modifying the quantitative limits for categories 5, 6, 7 and 15 products provided for in the Additional Protocol to the Cooperation Agreement between the EEC and Yugoslavia on trade in textiles;

Whereas the Council has decided, on 18 July 1989, that this Agreed Minute should be applied provisionally pending its formal conclusion;

Whereas it is therefore necessary to amend Annexes II, III bis and VII to Regulation (EEC) No 4135/86;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the 'Yugoslavia' Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II, III bis and VII to Regulation (EEC) No 4135/86 are hereby amended for Yugoslavia in accordance with the Annex hereto.

Article 2

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 21 December 1989.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 1.

⁽²⁾ OJ No L 73, 18. 3. 1988, p. 45.

ANNEX

1. Annex II is amended as follows:

— In group I B (categories 5, 6 and 7, Yugoslavia) the table is replaced by the following table:

'Category	CN code	Description	Third country	Unit	Year	Annual quantitative limit
5	6101 10 90	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted and crocheted	Yugoslavia	1 000 pieces	1988	2 122
	6101 20 90				1989	2 217
	6101 30 90				1990	2 317
					1991	2 418
	6102 10 90					
	6102 20 90					
	6102 30 90					
	6110 10 10					
	6110 10 31					
	6110 10 39					
	6110 10 91					
	6110 10 99					
	6110 20 91					
	6110 20 99					
	6110 30 91					
	6110 30 99					
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, cotton or man-made fibres	Yugoslavia	1 000 pieces	1988	978
	6203 41 90				1989	1 027
	6203 42 31				1990	1 079
	6203 42 33				1991	1 133
	6203 42 35					
	6203 42 90					
	6203 43 19					
	6203 43 90					
	6203 49 19					
	6203 49 50					
	6204 61 10					
	6204 62 31					
	6204 62 33					
	6204 62 35					
	6204 63 19					
	6204 69 19					
7	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	Yugoslavia	1 000 pieces	1988	567
	6106 20 00				1989	598
	6106 90 10				1990	631
					1991	665
	6206 20 00					
	6206 30 00					
	6206 40 00					

— In group II B (category 15, Yugoslavia) the table is replaced by the following table:

'Category	CN code	Description	Third country	Unit	Year	Annual quantitative limit
15	6202 11 00	Women's or girl's woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, cotton or man-made textile fibres (other than parkas) (of category 21)	Yugoslavia	1 000 pieces	1988	735
	6202 12 10				1989	778
	ex 6202 12 90				1990	825
	6202 13 10				1991	875
	ex 6202 13 90					
	6204 31 00					
	6204 32 90					
	6204 33 90					
	6204 39 19					
	6210 30 00					

2. Annex III bis is amended as follows:

— In group I B (categories 5, 6 and 7, Yugoslavia) the table is replaced by the following table:

Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
5	6101 10 90	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Yugoslavia	D	1 000 pieces	750	765	779	796
	6101 20 90			F		564	599	636	672
	6101 30 90			I		181	200	220	240
				BNL		188	193	198	204
	6102 10 90			UK		279	290	302	312
	6102 20 90			IRL		13	14	15	16
	6102 30 90			DK		45	48	51	55
				GR		28	29	30	31
	6110 10 10			ES		57	61	67	76
	6110 10 31			PT		17	18	19	20
	6110 10 39								
	6110 10 91			EEC		2 122	2 217	2 317	2 418
	6110 10 99								
	6110 20 91								
	6110 20 99								
	6110 30 91								
	6110 30 99								
6	6203 41 10	Men's or boys' woven breeches, shorts other than swimwear and trousers (including slacks); women's or girls' woven trousers and slacks, of wool, cotton or man-made fibres	Yugoslavia	D	1 000 pieces	305	316	328	337
	6203 41 90			F		99	111	123	139
	6203 42 31			I		82	93	105	118
	6203 42 33			BNL		141	144	147	150
	6203 42 35			UK		261	268	275	282
	6203 42 90			IRL		5	6	7	8
	6203 43 19			DK		15	16	17	18
	6203 43 90			GR		12	14	15	15
	6203 49 19			ES		44	45	47	50
	6203 49 50			PT		14	14	15	16
	6204 61 10			EEC		978	1 027	1 079	1 133
	6204 62 31								
	6204 62 33								
	6204 62 35								
	6204 63 19								
	6204 69 19								
7	6106 10 00	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, cotton or man-made fibres	Yugoslavia	D	1 000 pieces	250	257	264	270
	6106 20 00			F		70	77	85	94
	6106 90 10			I		60	67	75	81
				BNL		71	73	76	79
	6206 20 00			UK		49	54	57	62
	6206 30 00			IRL		2	2	2	2
	6206 40 00			DK		12	13	14	15
				GR		12	12	12	12
				ES		33	35	37	40
				PT		8	8	9	10
				EEC		567	598	631	665

— In group II B (category 15, Yugoslavia) the table is replaced by the following table :

Category	CN code	Description	Third country	Member State	Unit	Quantitative limit from 1 January to 31 December			
						1988	1989	1990	1991
15	6202 11 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, cotton or man-made textile fibres (other than parkas) (of category 21)	Yugoslavia	D	1 000 pieces	306	313	321	329
	6202 12 10			F		149	153	157	162
	ex 6202 12 90			I		43	52	59	68
	6202 13 10			BNL		63	69	76	81
	ex 6202 13 90			UK		74	86	100	115
				IRL		2	2	2	2
	6204 31 00			DK		34	34	34	35
	6204 32 90			GR		12	12	13	14
	6204 33 90			ES		40	45	50	55
	6204 39 19			PT		12	12	13	14
	6210 30 00			EEC		735	778	825	875

3. Annex VII is modified as follows :

— In Appendix A (Categories 5, 6, 7 and 15) the table is replaced by :

Category	Description	Units	Years	Quantity EEC
5	Jerseys, windcheaters and the like	1 000 pieces	1988	3 600
			1989	3 832
			1990	4 078
			1991	4 340
6	Woven trousers	1 000 pieces	1988	10 852
			1989	11 655
			1990	12 510
			1991	13 444
7	Blouses and shirt-blouses, woven, knitted or crocheted	1 000 pieces	1988	5 889
			1989	6 232
			1990	6 595
			1991	6 978
15	Woven coats and jackets for women	1 000 pièces	1988	5 754
			1989	6 329
			1990	6 961
			1991	7 657

— Appendix B is replaced by the following :

APPENDIX B

Breakdown of outward processing trade objectives between Member States

Category	Unit	Member State	1988	1989	1990	1991
5	1 000 pieces	D	3 134	3 338	3 552	3 780
		F	—	—	—	—
		I	111	118	125	133
		BNL	355	377	401	427
		UK	—	—	—	—
		IRL	—	—	—	—
		DK	—	—	—	—
		GR	—	—	—	—
		E	—	—	—	—
		P	—	—	—	—
		EEC	3 600	3 832	4 078	4 340

Category	Unit	Member State	1988	1989	1990	1991
6	1 000 pieces	D	9 245	9 928	10 663	11 543
		F	415	446	479	514
		I	147	158	170	183
		BNL	1 045	1 123	1 206	1 294
		UK	—	—	—	—
		IRL	—	—	—	—
		DK	—	—	—	—
		GR	—	—	—	—
		E	—	—	—	—
		P	—	—	—	—
		EEC	10 852	11 655	12 518	13 444
7	1 000 pieces	D	5 438	5 755	6 090	6 444
		F	—	—	—	—
		I	—	—	—	—
		BNL	451	477	505	534
		UK	—	—	—	—
		IRL	—	—	—	—
		DK	—	—	—	—
		GR	—	—	—	—
		E	—	—	—	—
		P	—	—	—	—
		EEC	5 899	6 232	6 595	6 978
8	1 000 pieces	D	10 062	10 515	10 988	11 483
		F	125	130	137	143
		I	145	152	159	166
		BNL	4 726	4 939	5 160	5 392
		UK	—	—	—	—
		IRL	—	—	—	—
		DK	—	—	—	—
		GR	—	—	—	—
		E	—	—	—	—
		P	—	—	—	—
		EEC	15 058	15 736	16 444	17 184
15	1 000 pieces	D	5 220	5 742	6 316	6 948
		F	110	121	133	146
		I	44	48	53	58
		BNL	380	418	459	505
		UK	—	—	—	—
		IRL	—	—	—	—
		DK	—	—	—	—
		GR	—	—	—	—
		E	—	—	—	—
		P	—	—	—	—
		EEC	5 754	6 329	6 961	7 657
16	1 000 pieces	D	2 616	2 851	3 107	3 387
		F	109	119	130	142
		I	109	119	130	142
		BNL	376	410	447	487
		UK	—	—	—	—
		IRL	—	—	—	—
		DK	49	53	58	63
		GR	—	—	—	—
		E	—	—	—	—
		P	—	—	—	—
		EEC	3 259	3 552	3 872	4 221

COMMISSION REGULATION (EEC) No 3987/89

of 22 December 1989

fixing for the period 1 January to 31 December 1990, the maximum quantity of certain products of the oils and fats sector to be released for consumption and imported into Spain and Portugal

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 475/86 of 25 February 1986 laying down general rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽¹⁾, as amended by Regulation (EEC) No 1930/88⁽²⁾, and in particular Article 16 thereof,

Having regard to Council Regulation (EEC) No 476/86 of 25 February 1986 laying down the general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Portugal⁽³⁾, as amended by Regulation (EEC) No 1920/87⁽⁴⁾, and in particular Article 14 thereof,

Whereas Article 2 (2) of Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽⁵⁾, as last amended by Regulation (EEC) No 3474/89⁽⁶⁾, provides for the fixing of the quantities of oils and fats to be released for consumption in Spain and the maximum annual quantity of imports of such products; whereas Regulation (EEC) No 3474/89 fixes the maximum quantity of sunflower oil to be released for consumption and exported from Spain for the 1989/90 marketing year; whereas the maximum quantities for other products or groups of products listed in Article 1 (1) of Regulation (EEC) No 1183/86 should be fixed; whereas the overall forecast supply balance provided for in Article 4 of Regulation (EEC) No 475/86 has been drawn up;

Whereas imports of products processed from oil such as margarine and hydrogenated fats should be relaxed explicitly;

Whereas Article 2 (2) of Commission Regulation (EEC) No 1184/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector

released for consumption in Portugal⁽⁷⁾, as last amended by Regulation (EEC) No 1726/87⁽⁸⁾, provides for the fixing of the quantities of oils and fats to be released for consumption in Portugal and the maximum annual quantities of imports of such products; whereas the maximum quantities should be fixed in accordance with the criteria defined in Article 292 of the Act of Accession; whereas the overall forecast supply balance provided for in Article 4 of Regulation (EEC) No 476/86 has been drawn up;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 31 December 1990, the quantities to be released for consumption in Spain are hereby fixed at the following levels:

- (a) 150 000 tonnes of oils referred to in Annex I to Regulation (EEC) No 1183/86 and intended for human consumption, including 110 000 tonnes of soya oil;
- (b) 72 000 tonnes of other oils and fats intended for human consumption;
- (c) — 13 000 tonnes of linseed oil, castor oil and China-wood oil,
— 13 000 tonnes of soya oil,
— 28 000 tonnes of other oils intended for purposes other than human consumption.

2. For the period 1 January to 31 December 1990, the quantities to be released for consumption in Portugal are hereby fixed at the following levels:

- (a) 105 000 tonnes of soya oil;
- (b) 155 000 tonnes of the oils referred to in Annex I to Regulation (EEC) No 1184/86;
- (c) 45 000 tonnes of other oils and fats intended for human consumption.

Article 2

1. For the period 1 January to 31 December 1990, the maximum quantities which may be imported into Spain are hereby fixed at the following levels:

- ⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 47.
- ⁽²⁾ OJ No L 170, 2. 7. 1988, p. 3.
- ⁽³⁾ OJ No L 53, 1. 3. 1986, p. 51.
- ⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.
- ⁽⁵⁾ OJ No L 107, 24. 4. 1986, p. 17.
- ⁽⁶⁾ OJ No L 337, 21. 11. 1989, p. 19.
- ⁽⁷⁾ OJ No L 107, 24. 4. 1986, p. 23.
- ⁽⁸⁾ OJ No L 163, 23. 6. 1987, p. 17.

- (a) 0 tonnes of the oils referred to in Annex I to Regulation (EEC) No 1183/86 and intended for human consumption;
- (b) 63 500 tonnes of other oils and fats intended for human consumption, including:
- (1) 1 500 tonnes of hydrogenated fats covered by CN code 1516,
 - (2) 1 500 tonnes margarine covered by CN code 1517;
- (c) — 13 000 tonnes of linseed oil, castor oil and China-wood oil,
- 0 tonnes of soya oil,
 - 28 000 tonnes of other oils intended for purposes other than human consumption.

The quantities of margarine and hydrogenated fat are divided each as follows:

- 750 tonnes for the first half of 1990;
- 750 tonnes for the second half of 1990.

2. For the period 1 January to 31 December 1990, the maximum quantities which may be imported into Portugal are hereby fixed at the following levels:

- (a) 105 000 tonnes of soya oil;
- (b) 140 000 tonnes of the oils referred to in Annex I to Regulation (EEC) No 1184/86;
- (c) 45 000 tonnes of other oils and fats intended for human consumption.

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, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3988/89
of 22 December 1989
setting the target ceiling for imports of oil cake into Portugal in 1990

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 251 (1) thereof,

Whereas under Article 249 of the Act of Accession the supplementary trade mechanism (STM) applies to oil cake; whereas under Article 251 of the Act an estimate is to be drawn up, as a general rule at the start of each marketing year, of production and consumption of oil cake in Portugal; whereas the calendar year should be used as a reference period; whereas the target ceiling is based on the estimate drawn up; whereas under the said Article 251 the ceiling must be successively fixed at levels designed to ensure that traditional trade patterns alter in such a way that the Portuguese market is gradually and harmoniously opened up;

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 target ceiling for imports into Portugal from the other Member States of oil cake falling within CN codes ex 2304 00 00, 2305 00 00 and 2306, CN codes ex 2306 90 11 and 2306 90 19 excluded, shall be 275 000 tonnes for 1990.

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, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3989/89

of 22 December 1989

laying down detailed rules for applying Regulation (EEC) No 2641/80 with regard to imports of sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular Article 15 (2) thereof,

Having regard to Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat⁽²⁾, as amended by Regulation (EEC) No 3939/87⁽³⁾, and in particular Article 1 (2) thereof,

Whereas, in accordance with Article 14 of Regulation (EEC) No 3013/89, the levies applicable to the products in question are limited to those resulting from voluntary restraint agreements; whereas Article 7 (2) of Commission Regulation (EEC) No 19/82⁽⁴⁾, as amended by Regulation (EEC) No 3887/87⁽⁵⁾, stipulates that the levy payable in respect of imports under the voluntary restraint agreements is to be limited to 10 % *ad valorem*; whereas, by its Decision of 12 December 1989⁽⁶⁾, the Council approved on behalf of the Community an adaptation of the agreement between the European Economic Community and Argentina and Australia on trade in mutton, lamb and goatmeat; whereas that adaptation, taking into account the dispositions of the mentioned agreement, provides for the levy to be reduced to zero;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 7 (2) of Regulation (EEC) No 19/82, box 24 of import licences issued up to 31

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽³⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 3, 7. 1. 1982, p. 18.

⁽⁵⁾ OJ No L 365, 24. 12. 1987, p. 39.

⁽⁶⁾ Not yet published.

December 1992 in response to export certificates issued and delivered by Argentina and Australia shall show one of the following:

- Exacción limitada a cero (aplicación del Reglamento (CEE) n° 3989/89)
- Importafgift begrænset til nul (jf. forordning (EØF) nr. 3989/89)
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EWG) Nr. 3989/89)
- Εισφορά περιοριζόμενη στο μηδέν (εφαρμογή του κανονισμού (ΕΟΚ) αριθ. 3989/89)
- Levy limited to zero (application of Regulation (EEC) No 3989/89)
- Prélèvement limité à zéro (application du règlement (CEE) n° 3989/89)
- Prelievo limitato a zero (applicazione del regolamento (CEE) n. 3989/89)
- Heffing beperkt tot nul (toepassing van Verordening (EEG) nr. 3989/89)
- Direito nivelador limitado a zero (aplicação do Regulamento (CEE) n° 3989/89).

Article 2

On application by the parties concerned and on presentation of proof that the products have been imported using an import licence issued since 1 January 1989, the Member States shall reimburse levies collected in accordance with Regulation (EEC) No 1430/79⁽⁷⁾.

Article 3

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

It shall apply from 1 January 1990, with the exception of the measure provided for in Article 2, which shall apply with effect from 1 January 1989.

⁽⁷⁾ OJ No L 175, 12. 7. 1979, p. 1.

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

Done at Brussels, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3990/89

of 22 December 1989

fixing the quotas for 1990 applying to imports into Spain of milk and milk products from third countries

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 491/86 of 25 February 1986 laying down rules for the application of quantitative restrictions on imports into Spain of certain agricultural products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 3296/88⁽²⁾, and in particular Article 3 (1) thereof,

Whereas, pursuant to Article 77 of the Act of Accession of Spain and Portugal, Spain may, until 31 December 1995, apply quantitative restrictions on imports from third countries; whereas the said restrictions concern products which are subject to the supplementary trade mechanism in the case of milk and milk products;

Whereas Commission Regulation (EEC) No 3621/89⁽³⁾ has removed skim milk powder and certain types of cheese from the list of products which are subject to the supplementary trade mechanism; whereas this should be taken into consideration when fixing the quota for imports of cheeses from Switzerland;

Whereas Commission Regulation (EEC) No 609/86⁽⁴⁾, as amended by Regulation (EEC) No 222/88⁽⁵⁾, fixed the initial quotas by volume for each product or group of milk products; whereas the second and third subparagraphs of Article 1 (3) of Regulation (EEC) No 491/86 fixed the minimum annual rate of increase in the quota taking into account the patterns of trade and the state of bilateral or multilateral negotiations; whereas this method should be used to fix the quotas for 1990 for imports into Spain of certain milk products from third countries;

Whereas, to ensure proper management of the quota, the applications for import licences should be subject to the lodging of a security in accordance with Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the

system of securities for agricultural products⁽⁶⁾; as amended by Regulation (EEC) No 1181/87⁽⁷⁾;

Whereas provision should be made for Spain to communicate information to the Commission on the application of the quota;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The quotas for 1990 for products specified in Annex I to Council Regulation (EEC) No 491/86 imported into Spain from third countries shall be as follows:

- CN codes 0401, 0403 10 11, 0403 10 13, 0403 10 19, 0403 90 11, 0403 90 13, 0403 90 19, 0403 90 31, 0403 90 33, 0403 90 39, as well as 0403 90 51, 0403 90 53, 0403 90 59, other than concentrates, 0404 10 91 and 0404 90: 435 tonnes
- CN code 0405: 180 tonnes

2. The quotas for 1990 for products specified in Annex II to Council Regulation (EEC) No 491/86 falling within CN codes 0406 90 13 and 0406 90 15 as regards imports from Switzerland, are fixed at 3 400 tonnes

Article 2

1. The Spanish authorities shall issue import authorizations so as to ensure a fair allocation of the available quantity between the applicants.

2. Applications for import authorizations shall be subject to the lodging of a security. The provisions of Regulation (EEC) No 2220/85 shall apply in respect of the said security.

The primary requirement, within the meaning of Article 20 of the said Regulation, shall consist in the effective importation of the products.

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 351, 2. 12. 1989, p. 22.

⁽⁴⁾ OJ No L 58, 1. 3. 1986, p. 33.

⁽⁵⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁶⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽⁷⁾ OJ No L 113, 30. 4. 1987, p. 31.

Article 3

1. The Spanish authorities shall communicate to the Commission the measures which they adopt for the application of Article 2.

2. They shall, for each of the products concerned, transmit, not later than the 15th of each month, the following information on import authorizations issued in the preceding month :

- the quantities covered by the import authorizations issued,
- the quantities imported.

Article 4

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

It shall apply with effect from 1 January 1990.

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

Done at Brussels, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3991/89

of 22 December 1989

amending Regulation (EEC) No 606/86 laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 83 thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for applying the supplementary mechanism applicable to trade ⁽¹⁾, as last amended by Regulation (EEC) No 3296/89 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 84 (1) of the Act of Accession of Spain and Portugal provides for the fixing of guide quantities only until 31 December 1989; whereas, in view of the fact that from 1 January 1990 only an indicative ceiling will be fixed, the detailed rules for applying the supplementary trade mechanism laid down in Commission Regulation (EEC) No 606/86 ⁽³⁾, as last amended by Regulation (EEC) No 419/89 ⁽⁴⁾, should be amended;

Whereas the indicative ceilings for imports into Spain of the milk products referred to in the Annex to this Regulation have been fixed for 1990 in the light of the export prospects of the Community of Ten and with a view to continuing the gradual opening-up of the Spanish market;

Whereas, in order to ensure regular supplies for the Spanish market and efficient management of the supplementary trade mechanism ceilings corresponding to the 12 months of the calendar year within the limits of overall indicative ceilings should be fixed;

Whereas, following the adoption of Commission Regulation (EEC) No 3621/89 of 1 December 1989 withdrawing certain milk products subject to the supplementary trade mechanism ⁽⁵⁾, certain provisions of Regulation (EEC) No 606/86 should be adapted;

Whereas, because of certain difficulties caused by the procedures for submitting applications and issuing

licences for milk products, it is necessary to derogate from Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁶⁾, as last amended by Regulation (EEC) No 1903/89 ⁽⁷⁾, and from Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism ⁽⁸⁾, as last amended by Regulation (EEC) No 3296/88;

Whereas the Management Committee for Milk and Milk Products failed to deliver an opinion within the period specified by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 606/86 is hereby amended as follows:

1. In Article 1 (1) '1989' is replaced by '1990'.
2. Article 2 is replaced by the following:

'Article 2

1. The overall indicative ceilings referred to in the Annex shall be broken down at the rate of one twelfth per calendar month as regards the following products:

- (a) milk and cream, not concentrated nor containing added sugar or other sweetening matter falling within CN codes 0401, 0403 10 11, 0403 10 13, 0403 10 19, 0403 90 51, 0403 90 53, 0403 90 59, 0404 10 91, 0404 90 11, 0404 90 13, 0404 90 19, 0404 90 31, 0404 90 33 and 0404 90 39;
- (b) butter and other fats and oils derived from milk falling within CN code 0405;
- (c) cheese, excluding curd, falling within CN ex 0406.

2. As regards cheese, excluding curd, the indicative ceiling referred to in the Annex shall be broken down by category, prior to monthly division, as follows:

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽⁴⁾ OJ No L 49, 21. 2. 1989, p. 10.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 22.

⁽⁶⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁷⁾ OJ No L 184, 30. 6. 1989, p. 22.

⁽⁸⁾ OJ No L 57, 1. 3. 1986, p. 1.

Category	Quantity (tonnes)
1. Processed cheese	1 278
2. Havarti, fat content 60 %	1 643
3. Edammerin balls, Gouda	8 395
4. Soft, ripened cow's milk cheese	1 552
5. Cheddar, Chester	250
6. Other, excluding Emmental, Gruyère, blue-veined cheese, Parmigiano Reggiano and Grana Padano	4 106

3. Applications for STM licences for the above cheese categories shall state the quantity, category and, where appropriate, the type concerned.

4. Notwithstanding the provisions of:

(a) Article 15 of Regulation (EEC) No 3719/88, STM licence applications lodged during the week are treated as having been lodged the following Monday before 1 p.m.,

(b) the first and second subparagraphs of Article 6 (2) of Regulation (EEC) No 574/86, Member States shall notify the Commission, before Wednesday at 1 p.m., of the quantity, broken down by product, for which licence applications are deemed to have been lodged the previous Monday. Member States shall issue STM licences for the quantities applied for on the following Monday, unless special measures have been taken by the Commission in the meantime.'

3. In Article 3:

(a) Paragraph 1 is replaced by the following:

'1. The quantity covered by an STM licence application may not exceed, per undertaking and per month the quantity provided for in Article 2.

Each undertaking may lodge only one application for an STM licence for each cheese category. As

regards cheese categories 3 to 6 referred to in Article 2 (2), the STM licence applications lodged by each undertaking during any one month may not exceed 10 % of the quantities available for that month,'

(b) in paragraph 5, 'Notwithstanding the second paragraph of Article 6 (4) of Regulation (EEC) No 574/86' is replaced by 'Notwithstanding the third subparagraph of Article 6 (2) of Regulation (EEC) No 574/86.'

4. Article 4 is replaced by the following:

'Article 4

The amount of the security referred to in Article 1 (3) of Regulation (EEC) No 569/86 for the products listed in the Annex shall be as follows:

- ECU 4/100 kg for products falling within CN codes 0401, 0403 10 11, 0403 10 13, 0403 10 19, 0403 90 51 to 0403 90 59, 0404 10 91, 0404 90 11, 0404 90 13, 0404 90 19, 0404 90 31, 0404 90 33 and 0404 90 39,
- ECU 15/100 kg for products falling within CN code 0405,
- ECU 25/100 kg for products falling within CN code 0406.'

5. Paragraph 1 of Article 5 is deleted.

6. Paragraph 2 of Article 5 is replaced by the following:

'Spain shall notify the Commission of the quantities of products actually imported each month at the latest 45 days after the end of the month concerned, broken down by product and, where appropriate, by category.'

7. The Annex is replaced by the following:

'ANNEX

Indicative ceilings

CN code	Description	Quantity
ex 0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter, other than in immediate packings of a net content not exceeding 2 litres	288 000
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, not concentrated nor containing added sugar or other sweetening matter, nor flavoured, nor containing added fruit or cocoa other than in immediate packings of a net content not exceeding 2 litres	
ex 0404	Whey, not concentrated nor containing added sugar or other sweetening matter; products consisting of natural milk constituents, other than in immediate packings of a net content not exceeding 2 litres	

CN code	Description	Quantity
ex 0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter in immediate packings of a net content not exceeding 2 litres	72 000
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, not concentrated nor containing added sugar or other sweetening matter, nor flavoured, nor containing added fruit or cocoa, in immediate packings of a net content not exceeding 2 litres	
ex 0404	Whey, not concentrated nor containing added sugar or other sweetening matter; products consisting of natural milk constituents, in immediate packings of a net content not exceeding 2 litres	
0405	Butter and other fats and oils derived from milk	2 400
ex 0406	Cheese, excluding curd, Emmentaler, Gruyere, blue-veined cheese, Parmigiano Reggiano, and Grana Padano	17 224'

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, 22 December 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 3992/89

of 22 December 1989

derogating for the 1989/90 wine year from Regulation (EEC) No 2721/88 in regard to the date of submission for approval of contracts for preventive distillation

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 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 38 (5) thereof,

Whereas Article 6 of Commission Regulation (EEC) No 2721/88 of 31 August 1988 laying down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87 ⁽³⁾, as amended by Regulation (EEC) No 2355/89 ⁽⁴⁾, stipulates that distillation contracts and declarations are to be submitted for approval no later than four months after the opening for the particular wine year of the distillation operation in question; whereas for the 1989/90 wine year this time limit is, owing to market uncertainty following a much lower than average harvest, too short for the preventive distillation operation opened on 1 September 1989; whereas it should be put back;

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

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from the first subparagraph of Article 6 (1) of Regulation (EEC) No 2721/88 contracts and declarations for the preventive distillation operation opened for the 1989/90 wine year by Commission Regulation (EEC) No 2485/89 ⁽⁵⁾ may be submitted to the competent agency for approval up to 31 January 1990.

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, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.
⁽²⁾ OJ No L 128, 11. 5. 1989, p. 31.
⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.
⁽⁴⁾ OJ No L 222, 1. 8. 1989, p. 60.

⁽⁵⁾ OJ No L 238, 15. 8. 1989, p. 21.

COMMISSION REGULATION (EEC) No 3993/89

of 22 December 1989

on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of barley held by the intervention agency of the United Kingdom

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 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾, as amended by Regulation (EEC) No 195/89 ⁽⁴⁾, provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 100 000 tonnes of barley held by the intervention agency of the United Kingdom should be issued;

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 intervention agency of the United Kingdom shall issue a standing invitation to tender for the resale on the internal market of 100 000 tonnes of barley held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 9 January 1990.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 28 March 1990.
3. Tenders must be lodged with the intervention agency of the United Kingdom:

Intervention Board for Agricultural Produce,
Fountain House,
2 Queens Walk,
UK-Reading, RG1 7QW, Berkshire;
telex 848302.

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the intervention agency of the United Kingdom shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 22 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 139, 24. 5. 1986, p. 36.
⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.
⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

COMMISSION REGULATION (EEC) No 3994/89

of 22 December 1989

allocating the quantity of preserved cultivated mushrooms to be imported free of the additional amount in the period 1 January to 30 June 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures applicable to imports of preserved cultivated mushrooms ⁽³⁾, and in particular Article 6 thereof,

Whereas Article 1 of Commission Regulation (EEC) No 3433/81 ⁽⁴⁾, as last amended by Regulation (EEC) No 3933/88 ⁽⁵⁾, states that the quantity fixed in Article 3 of Regulation (EEC) No 1796/81 is to be allocated among the Member States;

Whereas the actual system of allocation of the quantity among Member States may only be maintained as such in

the framework of a community management; whereas nevertheless, in order to permit the import trade to adapt itself to this new situation, it is appropriate to foresee a transitional period of six months, and, therefore, to proceed with a fixation of the quantities for a period *pro rata temporis*;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantity fixed in Article 3 of Regulation (EEC) No 1796/81 is hereby allocated as follows for the period 1 January to 30 June 1990:

		(net weight in tonnes)				
Importing country	Country of origin	China	South Korea	Taiwan	Hong Kong	Other
						Reserve
Belgium } Luxembourg }		139	—	24	—	—
Denmark		428	10	—	—	—
Germany		12 963	1 480	919	216	716
Greece		8	2	68	—	9
France		4	—	8	—	1
Ireland		—	—	—	—	—
Italy		—	—	13	—	9
Netherlands		36	8	34	—	4
United Kingdom		65	—	84	—	—
Spain		2	—	3	—	—
Portugal		—	—	—	1	—

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 29.

⁽³⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽⁴⁾ OJ No L 346, 2. 12. 1981, p. 5.

⁽⁵⁾ OJ No L 348, 17. 12. 1988, p. 19.

2. The Member States shall notify the Commission of the country of origin of the products covered by import licences issued for the quantities set off against the reserve in such licences.

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, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 3995/89

of 22 December 1989

concerning the stopping of fishing for common sole by vessels flying the flag of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of

ICES divisions II, IV by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quota allocated for 1989,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES divisions II, IV by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1989.

Fishing for common sole in the waters of ICES divisions II, IV by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the day following that 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, 22 December 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 369, 31. 12. 1988, p. 3.

⁽⁴⁾ OJ No L 218, 28. 7. 1989, p. 5.

COMMISSION REGULATION (EEC) No 3996/89
of 22 December 1989
concerning the stopping of fishing for saithe by vessels flying the flag of France

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

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

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

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

Whereas, according to the information communicated to the Commission, catches of saithe in the waters of ICES divisions VII, VIII, IX, X; CECAF 34.1.1 (EC-zone) by

vessels flying the flag of France or registered in France have reached the quota allocated for 1989,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of saithe in the waters of ICES divisions VII, VIII, IX, X; CECAF 34.1.1 (EC-zone) by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1989.

Fishing for saithe in the waters of ICES divisions VII, VIII, IX, X; CECAF 34.1.1 (EC-zone) by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the day following that 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, 22 December 1989.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 369, 31. 12. 1988, p. 3.

⁽⁴⁾ OJ No L 218, 28. 7. 1989, p. 5.

COMMISSION REGULATION (EEC) No 3997/89
of 28 December 1989
fixing the import levies on milk and milk 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 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 763/89 ⁽²⁾, and in particular Article 14 (8)
thereof,

Whereas the import levies on milk and milk products
were fixed by Commission Regulation (EEC) No
1167/89 ⁽³⁾, as last amended by Regulation (EEC) No
3761/89 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1167/89 to the prices
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

1. The import levies referred to in Article 14 of Regu-
lation (EEC) No 804/68 shall be as set out in the Annex
hereto.
2. There shall be no levy for imports from Portugal,
including the Azores and Madeira, for milk and milk
products listed in Article 1 of Regulation (EEC) No
804/68.

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, 28 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 121, 29. 4. 1989, p. 20.

⁽⁴⁾ OJ No L 365, 15. 12. 1989, p. 19.

ANNEX

to the Commission Regulation of 28 December 1989 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		14,73
0401 10 90		13,52
0401 20 11		20,46
0401 20 19		19,25
0401 20 91		25,53
0401 20 99		24,32
0401 30 11		65,80
0401 30 19		64,59
0401 30 31		127,08
0401 30 39		125,87
0401 30 91		213,89
0401 30 99		212,68
0402 10 11		97,66
0402 10 19		90,41
0402 10 91	(¹)	0,9041/kg + 25,17
0402 10 99	(¹)	0,9041/kg + 17,92
0402 21 11		154,23
0402 21 17		146,98
0402 21 19		146,98
0402 21 91		194,64
0402 21 99		187,39
0402 29 11	(¹) (²)	1,4698/kg + 25,17
0402 29 15	(¹)	1,4698/kg + 25,17
0402 29 19	(¹)	1,4698/kg + 17,92
0402 29 91	(¹)	1,8739/kg + 25,17
0402 29 99	(¹)	1,8739/kg + 17,92
0402 91 11		31,00
0402 91 19		31,00
0402 91 31		38,75
0402 91 39		38,75
0402 91 51		127,08
0402 91 59		125,87
0402 91 91		213,89
0402 91 99		212,68
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,2345/kg + 21,55
0402 99 39	(¹)	1,2345/kg + 20,34
0402 99 91	(¹)	2,1026/kg + 21,55
0402 99 99	(¹)	2,1026/kg + 20,34

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 11		22,87
0403 10 13		27,94
0403 10 19		68,21
0403 10 31	(¹)	0,1683/kg + 23,96
0403 10 33	(¹)	0,2190/kg + 23,96
0403 10 39	(¹)	0,6217/kg + 23,96
0403 90 11		97,66
0403 90 13		154,23
0403 90 19		194,64
0403 90 31	(¹)	0,9041/kg + 25,17
0403 90 33	(¹)	1,4698/kg + 25,17
0403 90 39	(¹)	1,8739/kg + 25,17
0403 90 51		22,87
0403 90 53		27,94
0403 90 59		68,21
0403 90 61	(¹)	0,1683/kg + 23,96
0403 90 63	(¹)	0,2190/kg + 23,96
0403 90 69	(¹)	0,6217/kg + 23,96
0404 10 11		25,85
0404 10 19	(¹)	0,2585/kg + 17,92
0404 10 91	(²)	0,2585/kg
0404 10 99	(²)	0,2585/kg + 17,92
0404 90 11		97,66
0404 90 13		154,23
0404 90 19		194,64
0404 90 31		97,66
0404 90 33		154,23
0404 90 39		194,64
0404 90 51	(¹)	0,9041/kg + 25,17
0404 90 53	(¹) (²)	1,4698/kg + 25,17
0404 90 59	(¹)	1,8739/kg + 25,17
0404 90 91	(¹)	0,9041/kg + 25,17
0404 90 93	(¹) (²)	1,4698/kg + 25,17
0404 90 99	(¹)	1,8739/kg + 25,17
0405 00 10		220,08
0405 00 90		268,50
0406 10 10		214,17
0406 10 90		271,28
0736 20 10	(²)	393,60
0406 20 90		393,60
0406 30 10	(²)	169,65
0406 30 31	(²)	162,74
0406 30 39	(²)	169,65
0406 30 90	(²)	266,37
0406 40 00	(²)	158,11
0406 90 11	(²)	219,06

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 90 13	(³)	236,69
0406 90 15	(³)	236,69
0406 90 17	(³)	236,69
0406 90 19	(³)	393,60
0406 90 21	(³)	219,06
0406 90 23	(³)	174,56
0406 90 25	(³)	174,56
0406 90 27	(³)	174,56
0406 90 29	(³)	174,56
0406 90 31	(³)	174,56
0406 90 33		174,56
0406 90 35	(³)	174,56
0406 90 37	(³)	174,56
0406 90 39	(³)	174,56
0406 90 50	(³)	174,56
0406 90 61		393,60
0406 90 63		393,60
0406 90 69		393,60
0406 90 71		214,17
0406 90 73		174,56
0406 90 75		174,56
0406 90 77		174,56
0406 90 79		174,56
0406 90 81		174,56
0406 90 83		174,56
0406 90 85		174,56
0406 90 89	(³)	174,56
0406 90 91		214,17
0406 90 93		214,17
0406 90 97		271,28
0406 90 99		271,28
1702 10 10		35,49
1702 10 90		35,49
2106 90 51		35,49
2309 10 15		70,23
2309 10 19		91,02
2309 10 39		85,81
2309 10 59		72,03
2309 10 70		91,02
2309 90 35		70,23
2309 90 39		91,02
2309 90 49		85,81
2309 90 59		72,03
2309 90 70		91,02

-
- (¹) The levy on 100 kg of product falling within this subheading is equal to the sum of the following : ...
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product ; and
 - (b) the other amount indicated.
- (²) The levy on 100 kg of product falling within this subheading is equal to :
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (³) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
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COMMISSION REGULATION (EEC) No 3998/89
of 28 December 1989
fixing the amount of the subsidy on oil seeds

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 3756/89⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3010/89⁽⁷⁾, as last amended by Regulation (EEC) No 3873/89⁽⁸⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 December 1989.

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

Done at Brussels, 28 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 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 365, 15. 12. 1989, p. 7.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 288, 6. 10. 1989, p. 17.

⁽⁸⁾ OJ No L 374, 22. 12. 1989, p. 61.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,170	1,170	1,170	1,170
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	23,880	23,960	24,110	24,388	24,666	24,743
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	56,67	56,87	57,22	57,93	58,58	58,97
— Netherlands (Fl)	62,99	63,20	63,60	64,36	65,09	65,49
— BLEU (Bfrs/Lfrs)	1 153,09	1 156,95	1 164,20	1 177,62	1 191,04	1 194,76
— France (FF)	181,58	182,18	183,32	185,46	187,61	188,17
— Denmark (Dkr)	213,25	213,96	215,30	217,79	220,27	220,96
— Ireland (£ Irl)	20,210	20,276	20,403	20,642	20,880	20,944
— United Kingdom (£)	14,892	14,927	15,004	15,174	15,374	15,318
— Italy (Lit)	39 198	39 323	39 569	40 036	40 503	40 509
— Greece (Dr)	3 806,49	3 802,12	3 789,11	3 818,16	3 869,39	3 782,10
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	178,89	178,89
— in another Member State (Pta)	3 371,22	3 384,02	3 399,12	3 433,46	3 475,88	3 461,16
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 632,75	4 629,81	4 628,81	4 658,00	4 704,33	4 662,01

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
1. Gross aids (ECU) :						
— Spain	3,670	3,670	3,670	3,670	3,670	3,670
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	26,380	26,460	26,610	26,888	27,166	27,243
2. Final aids :						
(a) Seed harvested and processed in :						
— Federal Republic of Germany (DM)	62,58	62,77	63,12	63,83	64,49	64,87
— Netherlands (Fl)	69,59	69,80	70,19	70,95	71,69	72,09
— BLEU (Bfrs/Lfrs)	1 273,81	1 277,67	1 284,91	1 298,34	1 311,76	1 315,48
— France (FF)	200,83	201,42	202,56	204,71	206,85	207,42
— Denmark (Dkr)	235,58	236,29	237,63	240,11	242,59	243,28
— Ireland (£ Irl)	22,352	22,418	22,545	22,784	23,022	23,086
— United Kingdom (£)	16,645	16,681	16,758	16,927	17,127	17,071
— Italy (Lit)	43 380	43 505	43 752	44 219	44 686	44 691
— Greece (Dr)	4 254,96	4 250,59	4 237,58	4 266,63	4 317,86	4 230,57
(b) Seed harvested in Spain and processed :						
— in Spain (Pta)	561,13	561,13	561,13	561,13	561,13	561,13
— in another Member State (Pta)	3 753,46	3 766,26	3 781,36	3 815,70	3 858,12	3 843,40
(c) Seed harvested in Portugal and processed :						
— in Portugal (Esc)	480,01	480,01	480,01	480,01	480,01	480,01
— in another Member State (Esc)	5 112,76	5 109,82	5 108,82	5 138,01	5 184,34	5 142,01

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	6,890	6,890
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	33,500	33,641	33,803	34,144	34,465
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	79,39	79,73	80,11	80,97	81,72
— Netherlands (Fl)	88,37	88,74	89,17	90,09	90,94
— BLEU (Bfrs/Lfrs)	1 617,61	1 624,42	1 632,24	1 648,71	1 664,21
— France (FF)	255,61	256,68	257,90	260,54	263,01
— Denmark (Dkr)	299,16	300,42	301,86	304,91	307,77
— Ireland (£ Irl)	28,450	28,568	28,705	28,998	29,273
— United Kingdom (£)	21,619	21,699	21,780	21,996	22,225
— Italy (Lit)	55 284	55 512	55 777	56 350	56 889
— Greece (Dr)	5 527,10	5 534,04	5 521,59	5 562,32	5 621,14
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 053,45	1 053,45
— in another Member State (Pta)	4 144,44	4 166,51	4 183,15	4 226,67	4 275,67
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	7 071,58	7 079,25	7 078,74	7 119,88	7 174,25
— in another Member State (Esc)	6 891,87	6 899,34	6 898,84	6 938,94	6 991,93
3. Compensatory aids:					
— in Spain (Pta)	4 100,48	4 122,55	4 139,66	4 183,18	4 232,18
4. Special aid:					
— in Portugal (Esc)	6 891,87	6 899,34	6 898,84	6 938,94	6 991,93

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

ANNEX IV

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

(value of ECU 1)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
DM	2,031890	2,027220	2,022750	2,018830	2,018830	2,007110
Fl	2,293230	2,288570	2,284230	2,280150	2,280150	2,268640
Bfrs/Lfrs	42,744900	42,711600	42,676600	42,646600	42,646600	42,556100
FF	6,940010	6,939040	6,938760	6,939190	6,939190	6,938760
Dkr	7,903710	7,911970	7,919300	7,927840	7,927840	7,937330
£Irl	0,771005	0,771060	0,771619	0,772470	0,772470	0,774747
£	0,729613	0,732192	0,734423	0,736529	0,736529	0,742682
Lit	1 515,86	1 518,46	1 520,98	1 523,24	1 523,24	1 530,42
Dr	187,88400	189,77800	192,38300	193,95200	193,95200	200,62200
Esc	178,30800	179,77000	181,11000	182,19500	182,19500	185,15900
Pta	130,76900	131,34300	131,88500	132,34300	132,34300	133,85800

COMMISSION REGULATION (EEC) No 3999/89
of 28 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 3874/89 ⁽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 29 December 1989.

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

Done at Brussels, 28 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 374, 22. 12. 1989, p. 65.

ANNEX

to the Commission Regulation of 28 December 1989 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,77 ⁽¹⁾
1701 11 90	31,77 ⁽¹⁾
1701 12 10	31,77 ⁽¹⁾
1701 12 90	31,77 ⁽¹⁾
1701 91 00	36,77
1701 99 10	36,77
1701 99 90	36,77 ⁽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 4000/89

of 28 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 3956/89⁽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 379, 28. 12. 1989, p. 50.⁽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 27 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 29 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, 28 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 28 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 (*)	51,14	116,42	121,25
0714 10 91	48,12	116,42	118,23
0714 10 99	51,14	116,42	121,25
0714 90 11	48,12	116,42 (*)	118,23
0714 90 19	51,14	116,42 (*)	121,25
1102 20 10	55,32	233,77	239,81
1102 20 90	30,95	132,47	135,49
1102 90 10	92,66	212,81	218,85
1103 13 11	55,32	233,77	239,81
1103 13 19	55,32	233,77	239,81
1103 13 90	30,95	132,47	135,49
1103 19 30	92,66	212,81	218,85
1103 21 00	55,36	226,22	232,26
1103 29 20	92,66	212,81	218,85
1103 29 40	55,32	233,77	239,81
1104 11 10	52,10	120,59	123,61
1104 11 90	102,28	236,46	242,50
1104 19 10	55,36	226,22	232,26
1104 19 50	55,32	233,77	239,81
1104 21 10	80,01	189,17	192,19
1104 21 30	80,01	189,17	192,19
1104 21 50	126,34	295,58	301,62
1104 21 90	52,10	120,59	123,61
1104 23 10	46,83	207,79	210,81
1104 23 30	46,83	207,79	210,81
1104 23 90	30,95	132,47	135,49
1104 29 10*10 (*)	39,46	167,15	170,17
1104 29 30*10 (*)	46,86	201,09	204,11
1104 29 91	30,97	128,19	131,21
1104 30 10	26,59	94,26	100,30
1104 30 90	26,58	97,40	103,44
1106 20 10	51,14	114,60 (*)	121,25
1106 20 91	64,63	205,46 (*)	229,64
1106 20 99	64,63	205,46 (*)	229,64
1107 10 11	59,65	223,71	234,59
1107 10 19	47,32	167,15	178,03
1107 10 91	96,53	210,45	221,33 (*)
1107 10 99	74,88	157,25	168,13

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1107 20 00	85,47	183,26	194,14 ⁽²⁾
1108 11 00	80,83	276,50	297,05
1108 12 00	64,63	209,09	229,64
1108 13 00	64,63	209,09	229,64
1108 14 00	64,63	104,54	229,64
1108 19 90	64,63	104,54 ⁽³⁾	229,64
1109 00 00	290,94	502,72	684,06
1702 30 51	154,22	272,73	369,45
1702 30 59	110,57	209,09	275,58
1702 30 91	154,22	272,73	369,45
1702 30 99	110,57	209,09	275,58
1702 40 90	110,57	209,09	275,58
1702 90 50	110,57	209,09	275,58
1702 90 75	156,96	285,71	382,43
1702 90 79	108,38	198,70	265,19
2106 90 55	110,57	209,09	275,58
2302 10 10	19,98	51,91	57,91
2302 10 90	35,97	111,23	117,23
2302 20 10	19,98	51,91	57,91
2302 20 90	35,97	111,23	117,23
2302 30 10	19,98	51,91	57,91
2302 30 90	35,97	111,23	117,23
2302 40 10	19,98	51,91	57,91
2302 40 90	35,97	111,23	117,23
2303 10 11	236,10	259,74	441,08

⁽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: wheat.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 18 December 1989

amending Decision 87/278/EEC on Community financial contribution to the development of the monitoring and supervision facilities necessary for applying the Community arrangements for the conservation of fishery resources

(89/648/EEC)

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,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas Decision 87/278/EEC ⁽²⁾ provides that the Community will participate in the financial expenditure incurred by Member States from 1 January 1988 to 31 December 1989 on the development of the monitoring and supervision of facilities necessary for applying the Community arrangements for the conservation of fishery resources;

Whereas the said operations include the purchase and installation of technical and electronic equipment;

Whereas implementation of the said operations has been delayed because of the complexity of designing equipment which must be particularly sophisticated to ensure total effectiveness in inspection and surveillance;

Whereas the investments planned cannot be fully implemented before 1 January 1990; whereas therefore the time limit laid down should be deferred in the Community interest to enable the planned work to be completed and to ensure Community financial participation in the expenditure involved;

Whereas it must be possible for the estimates of eligible expenditure to be adjusted on the basis of the observed

trend of costs; whereas, therefore, provision should be made for the Commission Decision relating to the eligibility of expenditure to be amended,

HAS ADOPTED THIS DECISION:

Article 1

Decision 87/278/EEC is hereby as follows:

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

'2. The Community shall reimburse, at a rate of 50 % and subject to a maximum of ECU 10 million, the eligible expenditure incurred by Member States from 1 January 1988 to 31 December 1990.'

2. the following sentence is added to point 4 of the Annex:

'The Commission may amend its Decision as to the eligibility of expenditure on the basis of the observed trend of costs.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1989.

For the Council

The President

J. MELLICK

⁽¹⁾ Opinion delivered on 15 December 1989 (not yet published in the Official Journal).

⁽²⁾ OJ No L 135, 23. 5. 1987, p. 31.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3668/89 of 7 December 1989 re-establishing the levying of customs duties on nuts, of iron or steel, falling within CN codes 7318 16 30, 7318 16 91 and 7318 16 99, originating in Singapore, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply

(Official Journal of the European Communities No L 358 of 8 December 1989)

On page 20 in the table in Article 1, the following lines are deleted:

'7318 16 10		- - - Turned from bars, rods, profiles, or wire, of solid section, of a hole diameter not exceeding 6 mm
		- - - Other.'
'7318 16 50		- - - - - Self-locking nuts'.

Corrigendum to Commission Regulation (EEC) No 3733/89 of 13 December 1989 re-establishing the levying of customs duties on polyethylene, falling within CN code 3901 10 90, originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 4257/88 apply

(Official Journal of the European Communities No L 364 of 14 December 1989)

On page 13 in the table in Article 1, the following line is deleted:

'3901 10 10		- - Linear polyethylene'.
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Corrigendum to Commission Regulation (EEC) No 3956/89 of 27 December 1989 altering the import levies on products processed from cereals and rice

(Official Journal of the European Communities No L 379 of 28 December 1989)

On page 51 in the Annex, the footnote:

for: '(*) TARIC code: clipped oats.'

read: '(*) Taric code: wheat.'