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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 66/90

of 11 January 1990

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 10 January 1990;

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 12 January 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 363, 13. 12. 1989, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

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

Done at Brussels, 11 January 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 11 January 1990 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	32,80	133,46 ⁽²⁾ ⁽³⁾
0712 90 19	32,80	133,46 ⁽²⁾ ⁽³⁾
1001 10 10	40,11	174,04 ⁽¹⁾ ⁽²⁾
1001 10 90	40,11	174,04 ⁽¹⁾ ⁽²⁾
1001 90 91	33,59	132,34
1001 90 99	33,59	132,34
1002 00 00	58,71	126,64 ⁽⁶⁾
1003 00 10	49,88	116,50
1003 00 90	49,88	116,50
1004 00 10	41,28	121,66
1004 00 90	41,28	121,66
1005 10 90	32,80	133,46 ⁽²⁾ ⁽³⁾
1005 90 00	32,80	133,46 ⁽²⁾ ⁽³⁾
1007 00 90	49,88	137,90 ⁽⁴⁾
1008 10 00	49,88	24,52
1008 20 00	49,88	70,86 ⁽⁴⁾
1008 30 00	49,88	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	49,88	0,00
1101 00 00	60,91	199,16
1102 10 00	96,07	191,17
1103 11 10	76,80	285,24
1103 11 90	64,84	214,88

⁽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 67/90

of 11 January 1990

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 10 January 1990;

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 12 January 1990.

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

Done at Brussels, 11 January 1990.

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 11 January 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 1	1st period 2	2nd period 3	3rd period 4
0709 90 60	0	0,29	0,29	0
0712 90 19	0	0,29	0,29	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0,29	0,29	0
1005 90 00	0	0,29	0,29	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	14,49	14,49	18,11
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	(ECU/tonne)				
	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 68/90

of 11 January 1990

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;

⁽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.

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 8 and 9 January 1990 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 12 January 1990.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 11 January 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

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

COMMISSION REGULATION (EEC) No 69/90

of 11 January 1990

fixing the export refunds 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 Regulation (EEC) No 763/89 ⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

— the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 84, 29. 3. 1989, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

Whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 140 per 100 kilograms;

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

Done at Brussels, 11 January 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to 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 12 January 1990.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 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 91, 1. 4. 1984, p. 71.

ANNEX

to the Commission Regulation of 11 January 1990 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund
0401 10 10 000		4,55
0401 10 90 000		4,55
0401 20 11 100		4,55
0401 20 11 500		7,63
0401 20 19 100		4,55
0401 20 19 500		7,63
0401 20 91 100		10,51
0401 20 91 500		12,44
0401 20 99 100		10,51
0401 20 99 500		12,44
0401 30 11 100		16,29
0401 30 11 400		25,72
0401 30 11 700		39,20
0401 30 19 100		16,29
0401 30 19 400		25,72
0401 30 19 700		39,20
0401 30 31 100		46,90
0401 30 31 400		73,85
0401 30 31 700		81,55
0401 30 39 100		46,90
0401 30 39 400		73,85
0401 30 39 700		81,55
0401 30 91 100		93,10
0401 30 91 400		137,37
0401 30 91 700		160,47
0401 30 99 100		93,10
0401 30 99 400		137,37
0401 30 99 700		160,47
0402 10 11 000		50,00
0402 10 19 000		50,00
0402 10 91 000		0,5000
0402 10 99 000		0,5000
0402 21 11 200		50,00
0402 21 11 300		82,38
0402 21 11 500		87,56
0402 21 11 900		95,00
0402 21 17 000		50,00
0402 21 19 300		82,38
0402 21 19 500		87,56
0402 21 19 900		95,00
0402 21 91 100		95,79
0402 21 91 200		96,54
0402 21 91 300		97,91
0402 21 91 400		105,86
0402 21 91 500		108,57
0402 21 91 600		118,92
0402 21 91 700		125,16
0402 21 91 900		132,07
0402 21 99 100		95,79

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

Product code	Destination (*)	Amount of refund
0402 21 99 200		96,54
0402 21 99 300		97,91
0402 21 99 400		105,86
0402 21 99 500		108,57
0402 21 99 600		118,92
0402 21 99 700		125,16
0402 21 99 900		132,07
0402 29 15 200		0,5000
0402 29 15 300		0,8238
0402 29 15 500		0,8756
0402 29 15 900		0,9500
0402 29 19 200		0,5000
0402 29 19 300		0,8238
0402 29 19 500		0,8756
0402 29 19 900		0,9500
0402 29 91 100		0,9579
0402 29 91 500		1,0586
0402 29 99 100		0,9579
0402 29 99 500		1,0586
0402 91 11 110		4,55
0402 91 11 120		10,51
0402 91 11 310		17,83
0402 91 11 350		22,30
0402 91 11 370		27,65
0402 91 19 110		4,55
0402 91 19 120		10,51
0402 91 19 310		17,83
0402 91 19 350		22,30
0402 91 19 370		27,65
0402 91 31 100		21,87
0402 91 31 300		32,67
0402 91 39 100		21,87
0402 91 39 300		32,67
0402 91 51 000		25,72
0402 91 59 000		25,72
0402 91 91 000		93,10
0402 91 99 000		93,10
0402 99 11 110		0,0455
0402 99 11 130		0,1051
0402 99 11 150		0,1796
0402 99 11 310		20,57
0402 99 11 330		25,13
0402 99 11 350		34,08
0402 99 19 110		0,0455
0402 99 19 130		0,1051
0402 99 19 150		0,1796
0402 99 19 310		20,57
0402 99 19 330		25,13
0402 99 19 350		34,08
0402 99 31 110		0,2380
0402 99 31 150		35,55
0402 99 31 300		0,4690
0402 99 31 500		0,8155
0402 99 39 110		0,2380
0402 99 39 150		35,55
0402 99 39 300		0,4690

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

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,8155
0402 99 91 000		0,9310
0402 99 99 000		0,9310
0403 10 11 100		4,55
0403 10 11 300		7,63
0403 10 13 000		10,51
0403 10 19 000		16,29
0403 10 31 100		0,0455
0403 10 31 300		0,0763
0403 10 33 000		0,1051
0403 10 39 000		0,1629
0403 90 11 000		50,00
0403 90 13 000		50,00
0403 90 19 000		95,79
0403 90 31 000		0,5000
0403 90 33 000		0,5000
0403 90 39 000		0,9579
0403 90 51 100		4,55
0403 90 51 300		7,63
0403 90 53 000		10,51
0403 90 59 110		16,29
0403 90 59 140		25,72
0403 90 59 170		39,20
0403 90 59 310		46,90
0403 90 59 340		73,85
0403 90 59 370		81,55
0403 90 59 510		93,01
0403 90 59 540		137,37
0403 90 59 570		160,47
0403 90 61 100		0,0455
0403 90 61 300		0,0763
0403 90 63 000		0,1051
0403 90 69 000		0,1629
0404 90 11 100		50,00
0404 90 11 910		4,55
0404 90 11 950		17,83
0404 90 13 120		50,00
0404 90 13 130		82,38
0404 90 13 140		87,56
0404 90 13 150		95,00
0404 90 13 911		4,55
0404 90 13 913		10,51
0404 90 13 915		16,29
0404 90 13 917		25,72
0404 90 13 919		39,20
0404 90 13 931		17,83
0404 90 13 933		22,30
0404 90 13 935		27,65
0404 90 13 937		32,67
0404 90 13 939		34,19
0404 90 19 110		95,79
0404 90 19 115		96,54
0404 90 19 120		97,91
0404 90 19 130		105,86
0404 90 19 135		108,57

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

Product code	Destination (*)	Amount of refund
0404 90 19 150		118,92
0404 90 19 160		125,16
0404 90 19 180		132,07
0404 90 19 900		—
0404 90 31 100		50,00
0404 90 31 910		4,55
0404 90 31 950		17,83
0404 90 33 120		50,00
0404 90 33 130		82,38
0404 90 33 140		87,56
0404 90 33 150		95,00
0404 90 33 911		4,55
0404 90 33 913		10,51
0404 90 33 915		16,29
0404 90 33 917		25,72
0404 90 33 919		39,20
0404 90 33 931		17,83
0404 90 33 933		22,30
0404 90 33 935		27,65
0404 90 33 937		32,67
0404 90 33 939		34,19
0404 90 39 110		95,79
0404 90 39 115		96,54
0404 90 39 120		97,91
0404 90 39 130		105,86
0404 90 39 150		108,57
0404 90 39 900		—
0404 90 51 100		0,5000
0404 90 51 910		0,0455
0404 90 51 950		20,57
0404 90 53 110		0,5000
0404 90 53 130		0,8238
0404 90 53 150		0,8756
0404 90 53 170		0,9500
0404 90 53 911		0,0455
0404 90 53 913		0,1051
0404 90 53 915		0,1629
0404 90 53 917		0,2572
0404 90 53 919		0,3920
0404 90 53 931		20,57
0404 90 53 933		25,13
0404 90 53 935		34,08
0404 90 53 937		35,55
0404 90 53 939		—
0404 90 59 130		0,9579
0404 90 59 150		1,0586
0404 90 59 930		0,5652
0404 90 59 950		0,8155
0404 90 59 990		0,9310
0404 90 91 100		0,5000
0404 90 91 910		0,0455
0404 90 91 950		20,57
0404 90 93 110		0,5000
0404 90 93 130		0,8238
0404 90 93 150		0,8756

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

Product code	Destination (*)	Amount of refund
0404 90 93 170		0,9500
0404 90 93 911		0,0455
0404 90 93 913		0,1051
0404 90 93 915		0,1629
0404 90 93 917		0,2572
0404 90 93 919		0,3920
0404 90 93 931		20,57
0404 90 93 933		25,13
0404 90 93 935		34,08
0404 90 93 937		35,55
0404 90 93 939		—
0404 90 99 130		0,9579
0404 90 99 150		1,0586
0404 90 99 930		0,5652
0404 90 99 950		0,8155
0404 90 99 990		0,9310
0405 00 10 100		—
0405 00 10 200		117,20
0405 00 10 300		147,44
0405 00 10 500		151,22
0405 00 10 700		155,00
0405 00 90 100		155,00
0405 00 90 900		196,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	...	84,94
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	...	113,25
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	...	120,33
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	...	134,49
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83

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

Product code	Destination (*)	Amount of refund
0406 30 10 200	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 250	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 300	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 10 350	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 10 400	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 10 450	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 500		—
0406 30 10 550	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68

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

Product code	Destination (°)	Amount of refund
0406 30 10 600	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42
0406 30 10 650	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 10 750	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 800	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 10 900		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68

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

Product code	Destination (*)	Amount of refund
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	—
	...	48,68
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	—
	...	71,42
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	43,52
	404	20,00
	...	48,68
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	63,88
	404	28,00
	...	71,42

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

Product code	Destination (*)	Amount of refund
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	93,03
	404	—
	...	103,95
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	113,54
	404	—
	...	126,87
0406 40 00 100		—
0406 40 00 900	028	—
	032	—
	038	—
	400	120,00
	404	—
	...	126,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 15 900		—

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

Product code	Destination (*)	Amount of refund
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	113,00
	404	—
	...	159,34
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	732	139,68
	...	151,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96

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

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	62,48
	404	16,00
	...	89,96
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	58,40
	404	14,96
	...	83,83
0406 90 33 959		—
0406 90 35 110		—
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	158,54

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

Product code	Destination (*)	Amount of refund
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 61 000	028	—
	032	—
	036	90,00
	400	190,00
	404	140,00
	...	185,00
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	212,12
0406 90 63 900	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	150,00
	404	80,00
	...	165,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	...	89,49

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

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	...	98,13
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	...	110,79
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	...	135,35
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	151,00
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	65,00
	404	—
	...	125,96
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	58,77
	404	—
	...	110,79

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

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	...	135,35
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	75,00
	404	—
	732	123,35
	...	135,35
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	56,14
	404	—
	...	114,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	...	130,00
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 83 990	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	158,54

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

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	***	130,00
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	65,00
	404	—
	732	123,35
	***	135,35
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	87,23
	404	—
	***	89,49
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	96,18
	404	—
	***	98,13
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	109,31
	404	—
	***	110,79
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	***	151,00
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	130,00
	404	—
	***	130,00

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

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	732	123,35
	...	135,35
0406 90 89 972	028	—
	032	—
	400	39,03
	404	—
	...	47,97
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	74,00
	404	—
	732	123,35
	...	135,35
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	21,46
	404	—
	...	21,06
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	37,62
	404	—
	...	35,97
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	45,81
	404	—
	...	43,62
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		15,00
2309 10 15 300		20,00
2309 10 15 400		25,00
2309 10 15 500		30,00
2309 10 15 700		35,00

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

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		15,00
2309 10 19 300		20,00
2309 10 19 400		25,00
2309 10 19 500		30,00
2309 10 19 600		35,00
2309 10 19 700		37,50
2309 10 19 800		40,00
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		15,00
2309 10 70 200		20,00
2309 10 70 300		25,00
2309 10 70 500		30,00
2309 10 70 600		35,00
2309 10 70 700		40,00
2309 10 70 800		44,00
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		15,00
2309 90 35 300		20,00
2309 90 35 400		25,00
2309 90 35 500		30,00
2309 90 35 700		35,00
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		15,00
2309 90 39 300		20,00
2309 90 39 400		25,00
2309 90 39 500		30,00
2309 90 39 600		35,00
2309 90 39 700		37,50
2309 90 39 800		40,00
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		15,00
2309 90 70 200		20,00
2309 90 70 300		25,00
2309 90 70 500		30,00
2309 90 70 600		35,00
2309 90 70 700		40,00
2309 90 70 800		44,00
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by "".

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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

COMMISSION REGULATION (EEC) No 70/90**of 11 January 1990****altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty**

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 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 January 1990 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EEC) No 4023/89 ⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 4023/89 to the infor-

mation at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 4023/89 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 January 1990.

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

Done at Brussels, 11 January 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 382, 30. 12. 1989, p. 50.

ANNEX

to the Commission Regulation of 11 January 1990 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	26,58
Raw sugar:	24,45
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$26,58 \times \frac{S^{(1)}}{100}$ or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion: The rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses:	—
Isoglucose ⁽²⁾ :	26,58 ⁽³⁾

(1) 'S' represents per 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 71/90**of 11 January 1990****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 4/90 ⁽³⁾, as last amended by Regulation (EEC) No 60/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4/90 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 4/90 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 January 1990.

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

Done at Brussels, 11 January 1990.

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 1, 4. 1. 1990, p. 8.

⁽⁴⁾ OJ No L 8, 11. 1. 1990, p. 36.

ANNEX

to the Commission Regulation of 11 January 1990 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	24,45 ⁽¹⁾	
1701 11 90 910	24,45 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	24,45 ⁽¹⁾	
1701 12 90 910	24,45 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2658
1701 99 10 100	26,58	
1701 99 10 910	26,58	
1701 99 10 950	26,58	
1701 99 90 100		0,2658

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

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

COMMISSION REGULATION (EEC) No 72/90

of 11 January 1990

altering the export refunds on syrups and certain other sugar sector products
exported in the natural state

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

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

Having regard to Council Regulation (EEC) No 1785/81
of 18 June 1981 on the common organization of the
markets in the sugar sector ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1069/89 ⁽²⁾, and in particular Article 19 (4)
thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No 4009/89 ⁽³⁾;

Whereas it follows from applying the rules, criteria and
other provisions contained in Regulation (EEC) No
4009/89 to the information at present available to the

Commission that the export refunds at present in force
should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 4009/89 are hereby
altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 January
1990.

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

Done at Brussels, 11 January 1990.

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 382, 30. 12. 1989, p. 15.

ANNEX

to the Commission Regulation of 11 January 1990 altering the export refunds on syrups
and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		26,58
1702 60 10 000		26,58
1702 60 90 000	0,2658	
1702 90 30 000		26,58
1702 90 60 000	0,2658	
1702 90 71 000	0,2658	
1702 90 90 900	0,2658	
2106 90 30 000		26,58
2106 90 59 000	0,2658	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70).
Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 73/90

of 11 January 1990

applying the duty in the Common Customs Tariff to fresh lemons originating in Cyprus

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 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus⁽¹⁾, and in particular Article 5 thereof;

Whereas Article 5 (2) and (3) of Annex I to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus provides for a reduced rate of duty on imports into the Community of fresh lemons originating in Cyprus; whereas, during the period in which reference prices are applied, this reduction is dependent on the observance of a specified price on the Community market; whereas detailed rules for the application of this system are contained in Regulation (EEC) No 1252/73; whereas, in certain respects, these rules refer to provisions of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽²⁾ as last amended by Regulation (EEC) No 1119/89⁽³⁾;

Whereas Regulation (EEC) No 1252/73 provides that, where products are imported, the duty in the Common Customs Tariff is applied where quotations for that product, in accordance with the provisions of Article 24 (2) of Regulation (EEC) No 1035/72 recorded on the representative Community markets at the importer/wholesaler stage or converted to that stage, adjusted by the conversion factors and following deduction of import charges other than customs duties, remain lower than the reference price in force, plus the incidence of the Common Customs Tariff on that price and a standard amount fixed at 1,2 units of account (1,44 ECU) per 100 kilograms, for three consecutive market days on the representative markets of the Community with the lowest quotations;

Whereas the conversion factors and import charges other than customs duties are those used for the purpose of

calculating the entry price referred to in Regulation (EEC) No 1035/72; whereas the method of calculating import charges other than customs duties is, for certain cases, defined in Article 2 of Regulation (EEC) No 1252/73;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3(1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾,
- 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 application of these rules to quotations recorded for lemons imported into the Community and originating in Cyprus indicates that the conditions set out in the first paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas the duty in the Common Customs Tariff should, therefore, be applied to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 13 January 1990, the duty in the Common Customs Tariff shall be applied to fresh lemons CN code 0805 30 10 imported into the Community and originating in Cyprus.

Article 2

This Regulation shall enter into force on 13 January 1990.

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 113.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 11 January 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 74/90
of 11 January 1990
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 59/90 ⁽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 12 January 1990.

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

Done at Brussels, 11 January 1990.

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 8, 11. 1. 1990, p. 34.

ANNEX

to the Commission Regulation of 11 January 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	30,57 ⁽¹⁾
1701 11 90	30,57 ⁽¹⁾
1701 12 10	30,57 ⁽¹⁾
1701 12 90	30,57 ⁽¹⁾
1701 91 00	33,71
1701 99 10	33,71
1701 99 90	33,71 ⁽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 75/90

of 11 January 1990

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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 syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 4008/89 ⁽³⁾, as last amended by Regulation (EEC) No 58/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4008/89 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 4008/89, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 January 1990.

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

Done at Brussels, 11 January 1990.

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 382, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 8, 11. 1. 1990, p. 32.

ANNEX

to the Commission Regulation of 11 January 1990 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,3371	—
1702 20 90	0,3371	—
1702 30 10	—	46,44
1702 40 10	—	46,44
1702 60 10	—	46,44
1702 60 90	0,3371	—
1702 90 30	—	46,44
1702 90 60	0,3371	—
1702 90 71	0,3371	—
1702 90 90	0,3371	—
2106 90 30	—	46,44
2106 90 59	0,3371	—

COMMISSION REGULATION (EEC) No 76/90

of 11 January 1990

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 3942/89⁽⁷⁾, as last amended by Regulation (EEC) No 61/90⁽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:

— 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 10 January 1990;

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 3942/89 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 12 January 1990.

⁽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 379, 28. 12. 1989, p. 13.⁽⁸⁾ OJ No L 8, 11. 1. 1990, p. 38.⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽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, 11 January 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 11 January 1990 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)
1102 20 10	64,29	238,48	244,52
1102 20 90	36,03	135,14	138,16
1103 13 11	64,29	238,48	244,52
1103 13 19	64,29	238,48	244,52
1103 13 90	36,03	135,14	138,16
1103 29 40	64,29	238,48	244,52
1104 19 50	64,29	238,48	244,52
1104 23 10	54,80	211,98	215,00
1104 23 30	54,80	211,98	215,00
1104 23 90	36,03	135,14	138,16
1104 30 90	30,31	99,37	105,41
1106 20 91	72,65	209,68 (?)	233,86
1106 20 99	72,65	209,68 (?)	233,86
1108 12 00	72,65	213,31	233,86
1108 13 00	72,65	213,31	233,86
1108 14 00	72,65	106,65	233,86
1108 19 90	72,65	106,65 (?)	233,86
1702 30 51	164,68	278,23	374,95
1702 30 59	118,59	213,31	279,80
1702 30 91	164,68	278,23	374,95
1702 30 99	118,59	213,31	279,80
1702 40 90	118,59	213,31	279,80
1702 90 50	118,59	213,31	279,80
1702 90 75	167,91	291,48	388,20
1702 90 79	116,00	202,71	269,20
2106 90 55	118,59	213,31	279,80
2302 10 10	22,09	53,41	59,41
2302 10 90	40,47	114,45	120,45
2302 20 10	22,09	53,41	59,41

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
2302 20 90	40,47	114,45	120,45
2302 30 10	22,09	53,41	59,41
2302 30 90	40,47	114,45	120,45
2302 40 10	22,09	53,41	59,41
2302 40 90	40,47	114,45	120,45
2303 10 11	246,06	264,98	446,32

⁽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.

COMMISSION REGULATION (EEC) No 77/90

of 11 January 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 363, 13. 12. 1989, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 12 January 1990.

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

Done at Brussels, 11 January 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 11 January 1990 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (°)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	06	95,00
	07	95,00
	02	0
1001 10 90 000	01	10,00
1001 90 91 000	08	46,00
	02	0
1001 90 99 000	04	51,00
	05	51,00
	11	66,00
	02	10,00
1002 00 00 000	03	60,00
	05	60,00
	02	10,00
1003 00 10 000	09	59,00
	10	69,50
	02	0
1003 00 90 000	04	57,00
	02	10,00
1004 00 10 000	08	57,00
	02	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	73,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	86,00
1101 00 00 120	01	86,00
1101 00 00 130	01	79,00
1101 00 00 150	01	76,00
1101 00 00 170	01	73,00
1101 00 00 180	01	70,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	86,00
1102 10 00 200	01	86,00
1102 10 00 300	01	86,00
1102 10 00 500	01	86,00
1102 10 00 900	—	—
1103 11 10 100	01	190,00
1103 11 10 200	01	180,00
1103 11 10 500	01	161,00
1103 11 10 900	01	152,00
1103 11 90 100	01	86,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows:

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

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 December 1989

concerning the provision in the Netherlands of express delivery services

(Only the Dutch text is authentic)

(90/16/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 90 (1) and (3) thereof,

Having given the Netherlands authorities the opportunity to make known their views on the objections raised by the Commission in respect of Articles 2 and 12 of the new Postal Law,

Whereas :

I. THE FACTS

The measure in question

- (1) By Articles 2 and 12 of the Law of 26 October 1988 on the operation of the postal service (postal code), the Netherlands prohibit all undertakings other than the franchise of the postal service, i. e. the undertaking PTT Post BV, from collecting, transporting and distributing letters weighing up to 500 grammes, unless the undertakings satisfy all three of the following conditions :

- they must be registered,
- they must provide a significantly better service than that provided by the Post Office as regards delivery times and supervision during carriage,
- the price for such services must be not lower than the minimum established by the implementing Decree (algemene maatregel van bestuur).

The Government of the Netherlands adopted a Decree on 19 December 1988 (Besluit minimumtarieven koeriersdiensten) ⁽¹⁾ fixing the minimum in question at Fl 11,90 for inland deliveries or to other Member States and at Fl 17,5 for the service to non-Community countries.

The minimum is not applicable to the PTT Post BV or to its EMS service. The amounts laid down by the Decree are higher than some rates charged previously by private express couriers operating in the Netherlands, both for deliveries with the Netherlands and for those to other Member States.

Furthermore, under the Decree of 12 May 1989 ⁽²⁾ which defines the conditions of registration, only private express courier services are required to register their rates each year before 1 March. This second measure is designed to prevent any variation in charges negotiated with important customers. It particularly affects undertakings located outside the Netherlands as they will be obliged to register their rates annually at The Hague, irrespective of the number of letters collected in the Netherlands.

The previous situation

- (2) Prior to the entry into force of the Law of 26 October 1988, the postal service was regulated by the Postal Law of 1954. The Post Office also held exclusive rights to collect and distribute letters

⁽¹⁾ *Staatsblad* 1988, 605.

⁽²⁾ *Staatscourant*, 8. 6. 1989, No 109.

under that legislation. In practice, however, the Netherlands authorities did not object to the express delivery services provided by international couriers in the Netherlands at charges below the minimum recently set by the new Law. The service met needs which the Post Office was unable to fulfill. The monopoly way was in fact limited to a basic letter carriage system. Competition existed between the Post Office, in the form of its EMS service, and international couriers for the provisions of express delivery services.

At 1 January 1989, the express courier undertakings employed some 4 000 persons. A large proportion of the jobs in private express courier undertakings, usually SMEs, is concerned with the transport of express deliveries within the Netherlands — some of it destined for the international courier service for delivery to other Member States — which the new Dutch legislation has the effect of eliminating to the advantage of PTT Post BV.

The service in question

- (3) The postal service covers two markets: a basic postal service and an express delivery service. As services rather than products are involved, it is not possible to distinguish between the two markets solely on the basis of the type of object transported. The essential difference lies in the value added by the providers to the transport of the goods concerned.

The basic postal service consists in transporting mail from letterboxes and post offices throughout the country which is sorted centrally and then delivered at regular times to the letterboxes of the addressees. The express mail service can be regarded as a part of the basic postal service; it is standardized and integrated with the basic service, the only difference being quicker carriage within the Netherlands, subject to a lump-sum tax.

In addition to providing a faster and safer mail delivery service compared with the basic service, express couriers also provide some or all of the following services depending on their individual sales policy:

- home collection of packages,
- delivery to the addressee in person,
- possibility of changing destination or addressee in transit,

- acknowledgement of receipt given to sender,
- keeping track of packages,
- individual attention given to customers and 'à la carte' service offered.

The fact that the Netherlands authorities argue that the express courier service forms part of the basic postal service is not relevant here. The Dutch Post Office is able to provide both services. This does not, however, alter the fact that the rapid service calls for additional activities to those provided as part of the basic service. The fact that one undertaking provides several services does not mean that only one market is concerned.

- (4) The market for the basic postal service and the express delivery market also differ as regards the requirements they fulfil. These services are not interchangeable. The express service meets the needs of the business world which requires a guarantee that packages will be delivered within a given time. The basic service, on the other hand, meets the needs of the general public where the price of the service is at least as important as the speed. The additional services provided by express couriers are reflected in the price: the highest charge for a basic service, i.e. for a 500 gramme letter, is Fl 4,5. The charges for express deliveries, however, are nearly always in excess of Fl 4,5, even taking account of the discounts given to major customers until the Decree of 19 December 1988 entered into force. It should be noted that at Community level, 95 % of items are dealt with by the basic service, compared with 5 % by the express service. However, the turnover of the basic service was only double that of the express services. This is because the former as a mass service with low added value, whereas the latter has a high added value. The two services do not, in practice, compete against each other.

Background

- (5) By letter dated 7 November 1988, the Commission expressed reservations concerning Article 12 (1) and (2) of the draft postal law because it was liable to adversely affect the activities of express courier undertakings. On learning that the Law had been adopted, the Commission sent a telex on 29 November 1988 requesting further information and inviting the Netherlands authorities to send their comments on the possible incompatibility of the Law with Community Law. The telex also warned that if the Commission's interpretation should prove correct, i.e. if the new provisions excluded post office competitors from a part of the express deliveries market, the Commission could adopt a decision based on Article 90 (3). By letter dated 13 December 1988, the Netherlands authorities sent

the definitive version of the Law together with the minutes of the parliamentary debates on the new Law.

By letter dated 16 January 1989, the Netherlands authorities also replied to the substance of the questions put by the Commission. Their arguments are as follows: the legal monopoly is limited to what is necessary in order to provide the general postal service; the express service also deserves protection and the monopoly has existed since 1807. The first point is dealt with in detail in paragraphs 16 and 17. The second is not relevant as the post office itself, in the form of its EMS service, offers more advantageous rates than the express mail tariff. It is thus in competition with its own service. The third point is not viable either as the former legislation antedates the emergence of private express couriers, and was never used against them.

II. LEGAL ASSESSMENT

The undertaking concerned

- (6) The Netherlands post office — the PTT Post BV — is an undertaking governed by private law company but wholly owned by the State of the Netherlands. It has concluded an agreement with the postal administrations of other Member States on an express or an express courier service to and from those countries under the same name 'EMS'.

The EMS service is clearly designed for the same customers as those of private express courier companies. Furthermore, the PTT Post BV continues to provide the traditional express letter service.

- (7) PTT Post BV is a public undertaking within the meaning of Article 90 (1) of the EEC Treaty; Articles 2 and 12 of the Postal Law and the Decree of 19 December 1988 granting PTT Post BV the exclusive right to collect, transport and distribute letters weighing up to 500 grammes constitute measures within the meaning of that Article.

Article 86

- (8) Under Article 90 of the EEC Treaty, undertakings to which a Member State has granted exclusive rights within the meaning of that Article are still subject to the rules of competition contained in Article 86 of the Treaty. They are subject to the provisions of Article 86 unless it is shown, under Article 90 (2), that the application of such rules would obstruct the performance in law or in fact of the particular tasks assigned to them.

The geographical market and the service in question

- (9) The markets concerned by the State measure in question are the market for the handling of letters weighing up to 500 grammes originating in the Netherlands territory, and the similar, but separate, market for the express delivery of letters from that territory.

The territory concerned fulfils the criterion of substantiality provided for in Article 86 in view of the relative economic importance of the Dutch market in relation to the Community.

In that market, express courier services as described in points 3 and 4, are provided in sufficiently uniform conditions of competition as regards prices, characteristics and the needs they satisfy to enable them to be distinguished from other services.

Existence of a dominant position

- (10) Because it has been granted the exclusive right to collect, transport and distribute all mail weighing up to 500 grammes within the Netherlands, to install post boxes and issue postage stamps, PTT Post BV, like the post office since 1954, holds a dominant position as regards the basic postal service.

As a result of these exclusive rights, which mean that there can be no competition on this market, PTT Post BV is able to operate independently both of its competitors, as they are excluded from the market, and of its consumers, who cannot obtain the basic service elsewhere.

Abuse of a dominant position

(a) Extension of a dominant position

- (11) An abuse of a dominant position within the meaning of Article 86 is committed where an undertaking holding a dominant position on a particular market reserves to itself or to an undertaking belonging to the same group an ancillary activity which might be carried out by another undertaking as part of its activities on a neighbouring but separate market, with the possibility of eliminating all competition from such an undertaking⁽¹⁾. The effect of the new Law is to reserve for PTT Post BV the section of the express delivery market concerning mail handled for a charge not exceeding Fl 11,9 in which, prior to the entry into force of the Law, it competed against private express delivery undertakings.

⁽¹⁾ Judgment of 3 October 1985, Case 311/84, CBEM CLT and IPB, (1985) ECR p. 3278, point 27.

The Law of 26 October and the Decree of 19 December 1988 thus extend the dominant position of PTT Post BV to the express delivery market which is separate from that of the basic service. In future, PTT Post BV will hold a dominant position on this market not only because of its infrastructure which covers the whole of the Netherlands, but also because the Law prohibits its competitors from providing an express service for less than Fl 11,9, thus reserving a whole section of that market for itself. Competition on the remaining part of the market does not exclude such a dominant position since PTT Post BV is able to adopt a market strategy which takes no account of that competition, without thereby suffering any detrimental effects. There will be no constraints on any strategy PTT Post BV adopts with regard to the express delivery service it offers major customers since its competitors will not be able to offer discounts below the legal minimum.

(b) Imposition of unfair prices and conditions.

- (12) Before the new Law entered into force, numerous undertakings made use of private express courier services. They considered that the Post Office services did not cater as adequately for their needs, as regards either price or quality. Those undertakings now no longer have the choice of using the post office services or private couriers for the express delivery of mail weighing up to 500 grammes in the category of prices not exceeding FL 11,9. The Law requires them to use the PTT Post BV express services on the terms laid down by the latter, whether or not they correspond to their needs.

(c) Restriction of supply

- (13) The new measure will adversely affect the number of providers and the quality of the service. Since private couriers can no longer provide their services at a price below Fl 11,90, their customers no longer have a service of the same quality, as the Netherlands post office and its EMS service are not as yet offering an express delivery service of comparable reliability or speed. Customers therefore clearly suffer from a disadvantage since, if they wish to continue to use this service, it will cost them at least Fl 11,9 per item, instead of the lower rate charged previously.
- (14) Furthermore, the measure prevents post office competitors which provide an express service for consignments weighing more than 500 grammes from offering a full range of fast delivery services and therefore places them at a disadvantage in comparison with the post office. The Netherlands post office can take advantage of the fact that it

alone is able to provide services for less than the minimum price in order to provide its customers with other services at a price approaching their marginal cost, whereas its competitors will have to charge all their collection and transport costs against solely those services not covered by the monopoly. By reserving the market for express deliveries at a price below the legal minimum to the Post Office, the Netherlands are creating discrimination even in the services that are not reserved.

In addition, the second condition which competitors of the Post Office in the express deliveries market must satisfy in order to continue to provide their service i. e. that the service must be better than that of PTT Post BV, discriminates not only against these competitors but also places them in a position of legal uncertainty. Although at present the service provided by private courier firms in most cases differs qualitatively from the post office service, it is possible that in future the post office service responsible for express deliveries, the EMS, will reach a comparable level of quality. Under the new Law, private couriers would then be prohibited from dealing with mail originating in the Netherlands, except in the case of packages weighing more than 500 grammes.

Effect on trade between Member States

- (15) In order for a measure to be considered as adversely affecting trade between Member States, it is not necessary to establish its actual effect on the volume of such trade; it need only, as provided for in Articles 85 and 86 of the EEC Treaty, be liable to affect trade between Member States. It is quite clear that by reserving for a single undertaking the market for express deliveries weighing up to 500 grammes, at a price below Fl 11,9, and destined for other Member States, the Netherlands Government has taken measures liable to affect the provision of express deliveries services between Member States. Even if the restriction concerned only express deliveries within the Netherlands, the measure would affect the provision of services in the Netherlands by competing undertakings established in other Member States. The fact that undertakings in other Member States which deliver consignments to the Netherlands are prohibited from transporting to or from their Dutch customers all letters now reserved for the PTT Post BV limits their possibilities of offsetting their collection and distribution costs in the Netherlands against revenue from transporting mail between their customers in the Netherlands. It also prevents them from having further recourse to Dutch sub-contractors to collect and distribute mail in the Netherlands or, at the very least, makes the service

provided by such sub-contractors more expensive. The prohibition is liable to impede the supply of express delivery services from adjacent countries or to make it more costly.

Article 90 (2)

(16) The distinction made in the Netherlands Law between the reserved service on the one hand and other postal services on the other appears to be designed to guarantee the quality of the general service. The aim of the Netherlands Government in making this distinction was to define what constitutes a service of general economic interest and what does not. Under the EEC Treaty, it is the Commission's task to assess this distinction in the light of Article 90 (2). Under that Article, the rules of the Treaty and in particular the competition rules apply to postal services unless their application obstructs the performance in law or in fact of the particular tasks assigned to such services. It is for the Member State to prove that the application of the rules would have such an effect.

(17) In the present case, the Netherlands justify extending the dominant position of the post office by the need to guarantee that it has sufficient revenue to carry out the tasks assigned to it. Competition between private couriers and the post office express service would be liable to leave the latter with only the less profitable destinations. In fact, post office profits rose from Fl 9 million to 130 million from 1986 to 1987, despite such competition. In the past, the post office had an annual turnover in the express deliveries sector of approximately Fl 40 million in spite of competition from private couriers. As regards the traditional express service, competition did not prevent the number of consignments rising from 3,5 million in 1983 to 4,7 million in 1987.

Thus there is no evidence that maintaining the competitive situation existing prior to the new Law would jeopardize the basic postal service and that the measure in question is critical for the financial viability of the post office. The need to extend the dominant position of the post office to the express deliveries market, which is of secondary importance to it, is not an objective necessity and does not justify the elimination of competition on this market.

The post office, in fact, already has quite substantial advantages in carrying out its tasks. It has the exclusive right to place post boxes and issue postage stamps. It is exempt from the obligations imposed by the Road Transport Act (*wet autovervoer goederen*) and the Decree on driving

hours (*rijtijden besluit*). It achieves economies of scale by using its staff and its infrastructure for a variety of services and reflects these in its charges, in particular by granting discounts on its EMS rates.

Furthermore, PTT Post BV is currently withstanding competition from private couriers very well. It is not obliged to provide its services throughout the Netherlands at the same rates. It offers large discounts, whose compatibility with Article 86 appears in certain cases to be doubtful⁽¹⁾. It can, therefore, like its private competitors, take account of cost differences when fixing its rates. It is therefore not established that the general interest tasks affect the tariff structure⁽²⁾ of PTT Post BV in such a way as to enable it to avoid the constraints of the competition rules in the matter of its express delivery service.

(18) In view of these considerations, continuation of the competitive structure which existed prior to the introduction of the new Law is not liable to obstruct the public service obligations which the Netherlands Government has imposed on the Post Office. The monopoly held by PTT Post BV in respect of the basic postal service, which is not affected by this Decision is, at the present moment, amply sufficient to ensure that public service obligations are fulfilled without affecting trade to an extent contrary to the interests of the Community.

HAS ADOPTED THIS DECISION:

Article 1

Articles 2 and 12 of the Netherlands Law of 26 October on the operation of the postal service, together with the provisions of the implementing Decree of 19 December 1988 which reserves for PTT Post BV the express collection, transport and distribution of postal items weighing up to 500 grammes, at a price not exceeding Fl 11,9 for EEC destinations, and Fl 17,5 for non-EEC destinations, and the obligation to register all tariffs beforehand imposed by the Decree of 12 May 1989, are incompatible with Article 90 (1) of the EEC Treaty, read in conjunction with Article 86 of that Treaty.

Article 2

The Netherlands shall inform the Commission, within two months from the date of notification of this

⁽¹⁾ See Judgment of 13 February, 1979, Case 85/76, Hoffman Laroche v. Commission (1979) ECR p. 461 (points 49 and 102 *et seq.*).

⁽²⁾ See Judgment of 11 April, Case 66/86, Ahmed Saeed Flugreisen v. ZBW, not published.

Decision, of the measures it has taken to comply therewith.

Done at Brussels, 20 December 1989.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION DECISION

of 22 December 1989

adopting the 1990 plan allocating to the Member States resources to be charged to the 1990 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(90/17/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community⁽²⁾, as last amended by Regulation (EEC) No 2736/89⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾, and in particular Article 2 (4) thereof,

Whereas in order to implement the scheme for the supply of such food to the most deprived section of the population, to be financed from resources available in the 1990 budget year, the Commission must adopt a plan; whereas this plan should indicate in particular the quantity of products by type that may be withdrawn from intervention stock for distribution in each Member State and the financial resources made available to implement the plan in each Member State; whereas this plan should also indicate the level of appropriations to be reserved to cover costs of intra-Community transport of intervention products as referred to in Article 7 of Regulation (EEC) No 3744/87;

Whereas for the 1990 scheme all Member States have provided the information required in accordance with the provisions of Article 1 (3) of Regulation (EEC) No 3744/87;

Whereas in order to facilitate the implementation of this scheme it is necessary to specify the rates of exchange to be employed in converting the ecu into national currencies and to do so at rates which reflect economic reality;

Whereas statistical data upon which the numbers of the most deprived persons in each Member State may be estimated is now available;

Whereas the Commission has already taken several Decision allocating resources to be charged to the 1990 budget to a number of Member States;

Whereas the appropriations available to implement the plan in 1990 are now known; whereas it is necessary in order to help optimize the utilization of budget appropriations to take account of the degree to which the various Member States used the resources allocated to them in 1988 and 1989, but to do so in a manner which does not prejudice any possible further allocations relating to 1990,

Whereas in accordance with the provisions of Article 1 (4) of Regulation (EEC) No 3744/87 the Commission has sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this plan;

Whereas the measures provided for in this Decision are in accordance with the opinions of the relevant management committees,

HAS ADOPTED THIS DECISION:

Article 1

The plan referred to in Article 2 (1) of Regulation (EEC) 3744/87 for 1990 is adopted as set out in the following Articles:

Article 2

Subject to a limit of ECU 12 077 000, the following quantities of produce may be withdrawn from intervention for distribution in Germany:

— 3 875 tonnes of butter.

Article 3

Subject to a limit of ECU 22 447 000, the following quantities of produce may be withdrawn from intervention for distribution in Italy:

- 9 000 tonnes of durum wheat,
- 1 000 tonnes of butter,
- 6 200 tonnes of beef,
- 1 000 tonnes of olive oil.

(¹) OJ No L 352, 15. 12. 1987, p. 1.

(²) OJ No L 352, 15. 12. 1987, p. 33.

(³) OJ No L 263, 9. 9. 1989, p. 19.

(⁴) OJ No L 164, 24. 6. 1985, p. 1.

(⁵) OJ No L 153, 13. 6. 1987, p. 1.

Article 4

Subject to a limit of ECU 31 671 000, the following quantities of produce may be withdrawn from intervention for distribution in Spain:

- 17 250 tonnes of soft wheat,
- 4 600 tonnes of durum wheat,
- 2 875 tonnes of butter,
- 3 450 tonnes of beef,
- 4 025 tonnes of olive oil.

Article 5

Subject to a limit of ECU 11 526 500, the following quantities of produce may be withdrawn from intervention for distribution in Greece:

- 2 795 tonnes of beef.

Article 6

Subject to a limit of ECU 3 833 000, the following quantities of produce may be withdrawn from intervention for distribution in Ireland:

- 50 tonnes of butter,
- 1 450 tonnes of beef.

Article 7

Subject to a limit of ECU 110 000, the following quantities of produce may be withdrawn from intervention for distribution in Luxembourg:

- 18 tonnes of soft wheat,
- 20 tonnes of butter,
- 17 tonnes of beef.

Article 8

Subject to a limit of ECU 2 699 000, the following quantities of produce may be withdrawn from intervention for distribution in the Netherlands:

- 269 tonnes of butter,
- 538 tonnes of beef.

Article 9

Subject to a limit of ECU 8 797 000, the following quantities of produce may be withdrawn from intervention for distribution in Portugal:

- 750 tonnes of soft wheat,
- 550 tonnes of durum wheat,
- 375 tonnes of butter,
- 1 725 tonnes of beef,
- 725 tonnes of olive oil.

Article 10

Subject to a limit of ECU 22 902 000, the following quantities of produce may be withdrawn from intervention for distribution in the United Kingdom:

- 4 075 tonnes of butter,
- 2 975 tonnes of beef

Article 11

1. Subject to a limit of ECU 2 219 000, the following quantities of produce may be withdrawn from intervention for distribution in Belgium:

- 1 000 tonnes of soft wheat,
- 750 tonnes of beef.

2. The quantities and the resources already allocated for 1990 to Belgium by Commission Decision 89/521/EEC⁽¹⁾ are included in this Article.

Article 12

1. Subject to a limit of ECU 25 520 000, the following quantities of produce may be withdrawn from intervention for distribution in France:

- 4 500 tonnes of soft wheat,
- 8 000 tonnes of durum wheat,
- 2 700 tonnes of butter,
- 3 800 tonnes of beef.

2. The quantities and the resources already allocated for 1990 to France by Commission Decision 89/562/EEC⁽²⁾ are included in this Article.

Article 13

1. Subject to a limit of ECU 1 180 000, the following quantities of produce may be withdrawn from intervention for distribution in Denmark:

- 40 tonnes of butter,
- 318 tonnes of beef.

2. The quantities and the resources already allocated for 1990 to Denmark by Commission Decision 89/561/EEC⁽³⁾ are included in this Article.

Article 14

ECU 3 000 000 are reserved to cover the costs of intra-Community transport referred to in Article 2 (1) of Regulation 3744/87.

Article 15

1. The withdrawals referred to in Articles 2 to 13 may be made from 1 October 1989 until 31 August 1990.

2. All amounts in ecu shall be converted into national currencies at the rates applicable on 3 January 1990 and published in the *Official Journal of the European Communities*, Series C.

⁽¹⁾ OJ No L 270, 19. 9. 1989, p. 15.

⁽²⁾ OJ No L 305, 21. 10. 1989, p. 34.

⁽³⁾ OJ No L 305, 21. 10. 1989, p. 33.

Article 16

This Decision is addressed to the Member States.

It shall apply from its date of notification.

Done at Brussels, 22 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission
