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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 374/90 of 12 February 1990 extending the provisional anti-dumping duty on imports of small screen colour television receivers originating in the Republic of Korea** 1

Commission Regulation (EEC) No 375/90 of 14 February 1990 fixing the import levies on cereals and on wheat or rye flour, groats and meal 2

Commission Regulation (EEC) No 376/90 of 14 February 1990 fixing the premiums to be added to the import levies on cereals, flour and malt 4
- ★ **Commission Regulation (EEC) No 377/90 of 13 February 1990 establishing unit values for the determination of the customs value of certain perishable goods** 6

Commission Regulation (EEC) No 378/90 of 14 February 1990 fixing the export refunds on white sugar and raw sugar exported in its unaltered state 9

Commission Regulation (EEC) No 379/90 of 14 February 1990 fixing the import levies on milk and milk products 11
- ★ **Commission Regulation (EEC) No 380/90 of 14 February 1990 correcting Regulation (EEC) No 63/90 adapting the conversion rates to be applied in agriculture fixed by Council Regulation (EEC) No 1678/85** 16

Commission Regulation (EEC) No 381/90 of 14 February 1990 fixing the maximum export refunds on olive oil for the sixth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 17

Commission Regulation (EEC) No 382/90 of 14 February 1990 introducing a corrective amount on the import of cucumbers into the Community of Ten from Spain (except the Canary Islands) 19

Contents (continued)

Commission Regulation (EEC) No 383/90 of 14 February 1990 fixing the import levies on white sugar and raw sugar	20
Commission Regulation (EEC) No 384/90 of 14 February 1990 fixing the maximum export refund for white sugar for the 41th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89	22

II *Acts whose publication is not obligatory*

Commission

90/59/EEC :

- * **Commission Decision of 7 February 1990 amending Decision 89/469/EEC concerning certain protection measures relating to bovine spongiform encephalopathy in the United Kingdom** 23

90/60/EEC :

- * **Commission Decision of 7 February 1990 approving the draft measures for implementation in the Netherlands of Article 3b of Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector** 25
-

Corrigenda

- * **Corrigendum to the corrigendum to Commission Regulation (EEC) No 3990/87 of 23 December 1987 amending Regulation (EEC) No 1418/76 on the common organization of the market in rice (OJ No L 377 of 31.12.1987)** 26
- * **Corrigendum to Commission Regulation (EEC) No 3056/89 of 10 October 1989 establishing unit values for the determination of the customs value of certain perishable goods (OJ No L 293 of 12.10.1989)** 26

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 374/90**of 12 February 1990****extending the provisional anti-dumping duty on imports of small screen colour television receivers originating in the Republic of Korea**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Community ⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 3232/89 ⁽²⁾, the Commission imposed a provisional anti-dumping duty on imports of small screen colour television receivers originating in the Republic of Korea;

Whereas the examination of the facts has not yet been completed and the Commission has informed the exporters concerned in the Republic of Korea of its intention to propose an extension of the period of validity of the provisional duty for a further period not exceeding two months. Exporters representing a significant percentage of the trade involved did not object,

Article 1

The provisional anti-dumping duty on imports of small screen colour television receivers originating in the Republic of Korea, imposed by Regulation (EEC) No 3232/89, is hereby extended for a period not exceeding two months as from 28 February 1990.

Without prejudice to Article 11 of Regulation (EEC) No 2423/88 and to any other decision taken by the Council, it shall apply until the entry into force of an act of the Council adopting definitive measures.

Article 2

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

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

Done at Brussels, 12 February 1990.

For the Council

The President

A. REYNOLDS

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 314, 28. 10. 1989, p. 1.

COMMISSION REGULATION (EEC) No 375/90

of 14 February 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 201/90 ⁽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 13 February 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 15 February 1990.

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

Done at Brussels, 14 February 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 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

ANNEX

to the Commission Regulation of 14 February 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	34,06	134,70 ⁽¹⁾ ⁽²⁾
0712 90 19	34,06	134,70 ⁽¹⁾ ⁽²⁾
1001 10 10	41,81	180,91 ⁽¹⁾ ⁽²⁾
1001 10 90	41,81	180,91 ⁽¹⁾ ⁽²⁾
1001 90 91	34,84	142,14
1001 90 99	34,84	142,14
1002 00 00	59,97	127,99 ⁽³⁾
1003 00 10	51,14	114,95
1003 00 90	51,14	114,95
1004 00 10	42,54	123,00
1004 00 90	42,54	123,00
1005 10 90	34,06	134,70 ⁽¹⁾ ⁽²⁾
1005 90 00	34,06	134,70 ⁽¹⁾ ⁽²⁾
1007 00 90	51,14	140,08 ⁽⁴⁾
1008 10 00	51,14	28,77
1008 20 00	51,14	83,10 ⁽⁴⁾
1008 30 00	51,14	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	51,14	0,00
1101 00 00	62,80	213,02
1102 10 00	97,98	193,21
1103 11 10	79,49	295,09
1103 11 90	66,72	228,23

⁽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 376/90

of 14 February 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 201/90⁽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 13 February 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 15 February 1990.

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

Done at Brussels, 14 February 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 22, 27. 1. 1990, p. 7.

⁽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 14 February 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 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	3,95
1001 10 90	0	0	0	3,95
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	4,30
1003 00 90	0	0	0	4,30
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
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 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	7,65	7,65
1107 10 99	0	0	0	5,72	5,72
1107 20 00	0	0	0	6,67	6,67

**COMMISSION REGULATION (EEC) No 377/90
of 13 February 1990**

**establishing unit values for the determination of the customs value of certain
perishable goods**

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

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

Having regard to Commission Regulation (EEC) No
1577/81 of 12 June 1981 establishing a system of simpli-
fied procedures for the determination of the customs
value of certain perishable goods ⁽¹⁾, as last amended by
Regulation (EEC) No 3462/89 ⁽²⁾, and in particular Article
1 thereof,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 February
1990.

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

Done at Brussels, 13 February 1990.

For the Commission
Christiane SCRIVENER
Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 334, 18. 11. 1989, p. 21.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	34,73	1 482	273,62	70,76	240,80	6 672	26,71	52 673	79,82	25,06
1.20	0702 00 10 0702 00 90	Tomatoes	130,42	5 564	1 027,30	265,69	904,08	25 051	100,28	197 757	299,71	94,11
1.30	0703 10 19	Onions (other than sets)	24,13	1 029	190,09	49,16	167,29	4 635	18,55	36 593	55,45	17,41
1.40	0703 20 00	Garlic	236,39	10 086	1 862,01	481,58	1 638,67	45 406	181,76	358 439	543,23	170,58
1.50	ex 0703 90 00	Leeks	33,89	1 444	267,20	69,05	234,59	6 454	26,07	51 367	77,78	24,58
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	35,35	1 508	278,81	71,89	244,80	6 721	27,24	53 623	81,08	25,69
1.70	0704 20 00	Brussels sprouts	91,24	3 887	719,35	185,92	631,56	17 375	70,20	138 290	209,42	66,20
1.80	0704 90 10	White cabbages and red cabbages	43,46	1 853	342,72	88,37	300,92	8 262	33,48	65 914	99,66	31,58
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	107,78	4 598	848,95	219,56	747,12	20 702	82,87	163 425	247,67	77,77
1.100	ex 0704 90 90	Chinese cabbage	40,61	1 732	319,89	82,73	281,52	7 800	31,22	61 580	93,32	29,30
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	84,43	3 602	665,05	172,00	585,28	16 217	64,92	128 023	194,02	60,92
1.120	ex 0705 29 00	Endives	38,72	1 650	305,33	78,91	268,07	7 375	29,79	58 697	88,89	28,09
1.130	ex 0706 10 00	Carrots	72,29	3 084	569,41	147,27	501,11	13 885	55,58	109 612	166,12	52,16
1.140	ex 0706 90 90	Radishes	93,16	3 974	733,79	189,78	645,78	17 894	71,63	141 257	214,08	67,22
1.150	0707 00 11 0707 00 19	Cucumbers	106,05	4 525	835,33	216,04	735,14	20 370	81,54	160 803	243,70	76,52
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	266,00	11 349	2 095,24	541,90	1 843,92	51 094	204,53	403 336	611,27	191,94
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	157,73	6 730	1 242,41	321,33	1 093,39	30 297	121,28	239 166	362,46	113,82
1.180	ex 0708 90 00	Broad beans	31,11	1 355	251,99	64,78	218,65	5 512	24,26	47 309	73,04	20,38
1.190	0709 10 00	Globe artichokes	78,89	3 366	621,44	160,72	546,90	15 154	60,66	119 629	181,30	56,93
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	407,99	17 408	3 213,64	831,16	2 828,17	78 367	313,70	618 630	937,56	294,40
1.200.2	ex 0709 20 00	— other	228,93	9 768	1 803,21	466,37	1 586,92	43 973	176,02	347 121	526,08	165,19
1.210	0709 30 00	Aubergines (egg-plants)	193,20	8 243	1 521,80	393,59	1 339,26	37 110	148,55	292 949	443,97	139,41
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> , var. <i>dulce</i>)	43,17	1 842	340,08	87,95	299,29	8 293	33,19	65 466	99,21	31,15
1.230	0709 51 30	Chantarelles	556,01	23 931	4 428,22	1 139,98	3 869,16	102 135	429,67	837 139	1 287,01	394,04
1.240	0709 60 10	Sweet peppers	135,84	5 796	1 069,97	276,73	941,63	26 092	104,44	205 972	312,16	98,02
1.250	0709 90 50	Fennel	24,68	1 051	194,59	49,97	170,86	4 648	18,98	37 467	56,44	18,33
1.260	0709 90 70	Courgettes	123,56	5 272	973,30	251,73	856,56	23 734	95,01	187 362	283,95	89,16
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	83,09	3 573	661,63	170,19	578,78	15 258	64,18	125 219	192,08	58,69
2.10	ex 0802 40 00	Chestnuts (<i>Castanea spp.</i>), fresh	146,09	6 222	1 151,44	295,70	1 011,02	27 507	112,36	221 703	333,97	108,51
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	47,15	2 012	371,46	96,07	326,90	9 058	36,26	71 506	108,37	34,03
2.30	ex 0804 30 00	Pineapples, fresh	58,16	2 481	458,13	118,48	403,18	11 172	44,72	88 191	133,65	41,97
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	160,35	6 842	1 263,09	326,67	1 111,58	30 801	123,30	243 146	368,50	115,71
2.50	ex 0804 50 00	Guavas and mangoes, fresh	172,86	7 375	1 361,61	352,16	1 198,29	33 204	132,91	262 111	397,24	124,74
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	40,27	1 718	317,23	82,04	279,18	7 736	30,96	61 068	92,55	29,06

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamllins	32,21	1 374	253,75	65,63	223,31	6 188	24,77	48 848	74,03	23,24
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	29,17	1 244	230,04	59,32	201,99	5 546	22,47	44 244	66,89	21,20
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	— Clementines	89,45	3 816	704,60	182,23	620,09	17 182	68,78	135 637	205,56	64,55
2.70.2	ex 0805 20 30	— Monreales and Satsumas	29,83	1 272	234,99	60,77	206,80	5 730	22,93	45 237	68,55	21,52
2.70.3	ex 0805 20 50	— Mandarins and Wilkings	75,73	3 231	596,53	154,28	524,98	14 547	58,23	114 833	174,03	54,64
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	79,53	3 393	626,47	162,02	551,33	15 277	61,15	120 597	182,77	57,39
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	34,49	1 471	271,72	70,27	239,12	6 626	26,52	52 306	79,27	24,89
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	171,07	7 299	1 347,46	348,50	1 185,83	32 859	131,53	259 387	393,11	123,44
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	36,69	1 565	289,03	74,75	254,36	7 048	28,21	55 640	84,32	26,47
2.90.2	ex 0805 40 00	— pink	78,00	3 328	614,43	158,91	540,73	14 983	59,97	118 279	179,25	56,28
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	161,40	6 886	1 271,29	328,80	1 118,80	31 001	124,10	244 725	370,89	116,46
2.110	0807 10 10	Water-melons	81,09	3 455	639,31	165,23	561,29	15 442	62,39	122 902	186,11	58,83
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	87,12	3 717	686,24	177,48	603,92	16 734	66,98	132 102	200,20	62,86
2.120.2	ex 0807 10 90	— Other	142,83	6 094	1 125,06	290,98	990,11	27 435	109,82	216 576	328,23	103,06
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	59,78	2 550	470,92	121,79	414,43	11 483	45,97	90 653	137,38	43,14
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	94,33	4 025	743,04	192,17	653,91	18 119	72,53	143 036	216,77	68,07
2.150	0809 10 00	Apricots	149,90	6 396	1 180,78	305,39	1 039,15	28 794	115,26	227 302	344,48	108,17
2.160	0809 20 10 0809 20 90	Cherries	220,66	9 412	1 740,13	448,73	1 527,90	41 952	170,03	334 673	506,04	160,37
2.170	ex 0809 30 00	Peaches	122,82	5 240	967,46	250,21	851,41	23 592	94,44	186 237	282,25	88,63
2.180	ex 0809 30 00	Nectarines	113,10	4 825	890,87	230,41	784,01	21 724	86,96	171 494	259,90	81,61
2.190	0809 40 11 0809 40 19	Plums	112,11	4 783	883,10	228,40	777,18	21 535	86,20	169 999	257,64	80,90
2.200	0810 10 10 0810 10 90	Strawberries	375,00	16 000	2 953,80	763,95	2 599,50	72 031	288,34	568 610	861,75	270,60
2.205	0810 20 10	Raspberries	893,94	38 142	7 041,24	1 821,10	6 196,66	171 707	687,35	1 355 446	2 054,24	645,06
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	179,42	7 780	1 443,17	370,20	1 255,56	32 582	138,91	270 928	418,03	122,25
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	112,88	4 816	889,16	229,96	782,51	21 683	86,79	171 165	259,41	81,45
2.230	ex 0810 90 80	Pomegranates	72,77	3 105	573,24	148,25	504,48	13 979	55,95	110 349	167,24	52,51
2.240	ex 0810 90 80	Khakis	82,19	3 507	647,44	167,45	569,78	15 788	63,20	124 634	188,88	59,31
2.250	ex 0810 90 30	Lychees	186,88	7 973	1 471,98	380,70	1 295,42	35 895	143,69	283 358	429,44	134,85

COMMISSION REGULATION (EEC) No 378/90

of 14 February 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 February 1990.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

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

Done at Brussels, 14 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 14 February 1990 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	(ECU) 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	24,61 ⁽¹⁾	
1701 11 90 910	24,54 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	24,61 ⁽¹⁾	
1701 12 90 910	24,54 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2675
1701 99 10 100	26,75	
1701 99 10 910	26,68	
1701 99 10 950	26,68	
1701 99 90 100		0,2675

⁽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 379/90
of 14 February 1990
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 247/90 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 247/90 to the prices known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 16 February 1990.

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

Done at Brussels, 14 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 27, 31. 1. 1990, p. 19.

ANNEX

to the Commission Regulation of 14 February 1990 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		15,97
0401 10 90		14,76
0401 20 11		22,20
0401 20 19		20,99
0401 20 91		27,60
0401 20 99		26,39
0401 30 11		71,29
0401 30 19		70,08
0401 30 31		137,68
0401 30 39		136,47
0401 30 91		231,64
0401 30 99		230,43
0402 10 11		108,49
0402 10 19		101,24
0402 10 91	(¹)	1,0124/kg + 24,68
0402 10 99	(¹)	1,0124/kg + 17,43
0402 21 11		172,02
0402 21 17		164,77
0402 21 19		164,77
0402 21 91		211,09
0402 21 99		203,84
0402 29 11	(¹) (²)	1,6477/kg + 24,68
0402 29 15	(¹)	1,6477/kg + 24,68
0402 29 19	(¹)	1,6477/kg + 17,43
0402 29 91	(¹)	2,0384/kg + 24,68
0402 29 99	(¹)	2,0384/kg + 17,43
0402 91 11		31,00
0402 91 19		31,00
0402 91 31		38,75
0402 91 39		38,75
0402 91 51		137,68
0402 91 59		136,47
0402 91 91		231,64
0402 91 99		230,43
0402 99 11		52,87
0402 99 19		52,87
0402 99 31	(¹)	1,3405/kg + 21,06
0402 99 39	(¹)	1,3405/kg + 19,85
0402 99 91	(¹)	2,2801/kg + 21,06
0402 99 99	(¹)	2,2801/kg + 19,85

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

CN code	Note	Import levy
0403 10 11		24,41
0403 10 13		30,01
0403 10 19		73,70
0403 10 31	(¹)	0,1857/kg + 23,47
0403 10 33	(¹)	0,2397/kg + 17,43
0403 10 39	(¹)	0,6766/kg + 23,47
0403 90 11		108,49
0403 90 13		172,02
0403 90 19		211,09
0403 90 31	(¹)	1,0124/kg + 24,68
0403 90 33	(¹)	1,6477/kg + 24,68
0403 90 39	(¹)	2,0384/kg + 24,68
0403 90 51		24,61
0403 90 53		30,01
0403 90 59		73,70
0403 90 61	(¹)	0,1857/kg + 23,47
0403 90 63	(¹)	0,2397/kg + 17,43
0403 90 69	(¹)	0,6766/kg + 23,47
0404 10 11		26,99
0404 10 19	(¹)	0,2699/kg + 17,43
0404 10 91	(²)	0,2699/kg
0404 10 99	(²)	0,2699/kg + 17,43
0404 90 11		108,49
0404 90 13		172,02
0404 90 19		211,09
0404 90 31		108,49
0404 90 33		172,02
0404 90 39		211,09
0404 90 51	(¹)	1,0124/kg + 24,68
0404 90 53	(¹) (²)	1,6477/kg + 24,68
0404 90 59	(¹)	2,0384/kg + 24,68
0404 90 91	(¹)	1,0124/kg + 24,68
0404 90 93	(¹) (²)	1,6477/kg + 24,68
0404 90 99	(¹)	2,0384/kg + 24,68
0405 00 10		238,65
0405 00 90		291,15
0406 10 10		230,79
0406 10 90		284,55
0406 20 10	(³)	400,79
0406 20 90		400,79
0406 30 10	(³)	182,06
0406 30 31	(³)	174,29
0406 30 39	(³)	182,06
0406 30 90	(³)	278,78
0406 40 00	(³)	158,11
0406 90 11	(³)	223,59

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

CN code	Note	Import levy
0406 90 13	(³)	234,53
0406 90 15	(³)	234,53
0406 90 17	(³)	234,53
0406 90 19	(³)	400,79
0406 90 21	(³)	223,59
0406 90 23	(³)	187,83
0406 90 25	(³)	187,83
0406 90 27	(³)	187,83
0406 90 29	(³)	187,83
0406 90 31	(³)	187,83
0406 90 33		187,83
0406 90 35	(³)	187,83
0406 90 37	(³)	187,83
0406 90 39	(³)	187,83
0406 90 50	(³)	187,83
0406 90 61		400,79
0406 90 63		400,79
0406 90 69		400,79
0406 90 71		230,79
0406 90 73		187,83
0406 90 75		187,83
0406 90 77		187,83
0406 90 79		187,83
0406 90 81		187,83
0406 90 83		187,83
0406 90 85		187,83
0406 90 89	(³)	187,83
0406 90 91		230,79
0406 90 93		230,79
0406 90 97		284,55
0406 90 99		284,55
1702 10 10		35,49
1702 10 90		35,49
2106 90 51		35,49
2309 10 15		78,35
2309 10 19		101,64
2309 10 39		95,66
2309 10 59		79,92
2309 10 70		101,64
2309 90 35		78,35
2309 90 39		101,64
2309 90 49		95,66
2309 90 59		79,92
2309 90 70		101,64

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

COMMISSION REGULATION (EEC) No 380/90
of 14 February 1990

**correcting Regulation (EEC) No 63/90 adapting the conversion rates to be
applied in agriculture fixed by Council Regulation (EEC) No 1678/85**

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

Having regard to Council Regulation (EEC) No 1677/85
of 11 June 1985 on monetary compensatory amounts in
agriculture ⁽¹⁾, as last amended by Regulation (EEC) No
1889/87 ⁽²⁾, and in particular Articles 6 (2) and 6a (2)
thereof,

Whereas the agricultural conversion rates currently appli-
cable were fixed by Council Regulation (EEC) No
1678/85 ⁽³⁾, as last amended by Commission Regulation
(EEC) No 286/90 ⁽⁴⁾; whereas those rates were adopted by
Commission Regulation (EEC) No 63/90 ⁽⁵⁾;

Whereas a check has shown that a mistake appears in
Regulation (EEC) No 63/90 as regards the dismantlement
from 11 January 1990 for the United Kingdom in respect
of the 'Fishery products', 'Amounts unrelated to price
fixing' and 'All other products' product sectors, for which
the dismantlement must be the same as that laid down
for poultry and milk and milk products; whereas that
mistake must be corrected; whereas it should also be

pointed out that the dismantlement for Italy is 0 for fruit
and vegetables, and tobacco and not 0,896 % as indicated
mistakenly in the preamble to Regulation (EEC) No
63/90;

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the relevant manage-
ment committees,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex XI to Regulation (EEC) No 1678/85, '0,712669'
is replaced by '0,709729' opposite 'Fishery products',
'Amounts unrelated to price fixing' and 'All other
products'.

Article 2

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

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

Done at Brussels, 14 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 31, 2. 2. 1990, p. 10.

⁽⁵⁾ OJ No L 8, 11. 1. 1990, p. 43.

COMMISSION REGULATION (EEC) No 381/90**of 14 February 1990****fixing the maximum export refunds on olive oil for the sixth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89**

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the sixth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 February 1990.

Article 2

This Regulation shall enter into force on 15 February 1990.

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

Done at Brussels, 14 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 314, 28. 10. 1989, p. 48.

ANNEX

to the Commission Regulation of 14 February 1990 fixing the maximum export refunds on olive oil for the sixth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3246/89

<i>(ECU/100 kg)</i>	
Product code	Amount of refund
1509 10 90 100	65,00
1509 10 90 900	104,50
1509 90 00 100	74,02
1509 90 00 900	110,09
1510 00 90 100	17,41
1510 00 90 900	52,66

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

COMMISSION REGULATION (EEC) No 382/90

of 14 February 1990

introducing a corrective amount on the import of cucumbers into the
Community of Ten from Spain (except the Canary Islands)

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 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism;Whereas Commission Regulation (EEC) No 235/90 ⁽²⁾
fixed, for the 1990 marketing year, the Community offer
price for cucumbers applicable with regard to Spain
(except Canary Islands);Whereas Commission Regulation (EEC) No 3815/89 ⁽³⁾
lays down detailed rules for applying the compensatory
mechanism on imports of fruit and vegetables from Spain
(except the Canary Islands);Whereas, in the case of cucumbers, the offer price for the
Spanish product as calculated in accordance with the
provisions of Council Regulation (EEC) No 3709/89 hasremained for two consecutive market days at a level at
least ECU 0,6 below the Community offer price; whereas
a corrective amount equal to the difference between the
Community offer price and the Spanish offer price must
therefore be introduced for these products from Spain
(except the Canary Islands);Whereas if the system is to operate normally the offer
price of the Spanish product should be calculated on the
following basis:

- in the case of currencies the spot market rates for
which are maintained in relationship to each other
within a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the corrective factor
provided for in the last subparagraph of Article 3 (1)
of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as
amended by Regulation (EEC) No 1636/87 ⁽⁵⁾;
- in the case of other currencies, an exchange rate based
on the arithmetic mean of the spot market rate for
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,

HAS ADOPTED THIS REGULATION:

*Article 1*On import into the Community of Ten of cucumbers
(CN codes 0707 00 11 and 0707 00 19) from Spain (except
the Canary Islands) a corrective amount of ECU 30,65 per
100 kilograms net shall be levied.*Article 2*This Regulation shall enter into force on 16 February
1990.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 14 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.⁽²⁾ OJ No L 26, 30. 1. 1990, p. 21.⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 383/90**of 14 February 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 371/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the information 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 15 February 1990.

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

Done at Brussels, 14 February 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 40, 14. 2. 1990, p. 8.

ANNEX

to the Commission Regulation of 14 February 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	29,79 ⁽¹⁾
1701 11 90	29,79 ⁽¹⁾
1701 12 10	29,79 ⁽¹⁾
1701 12 90	29,79 ⁽¹⁾
1701 91 00	33,57
1701 99 10	33,57
1701 99 90	33,57 ⁽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 384/90

of 14 February 1990

fixing the maximum export refund for white sugar for the 41th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 999/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 41th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 41th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 999/89 the maximum amount of the export refund is fixed at ECU 29,181 per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 February 1990.

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

Done at Brussels, 14 February 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 107, 19. 4. 1989, p. 6.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 5.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 February 1990

amending Decision 89/469/EEC concerning certain protection measures relating to bovine spongiform encephalopathy in the United Kingdom

(90/59/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 89/622/EEC ⁽²⁾, and in particular Article 9 thereof,

Whereas several outbreaks of bovine spongiform encephalopathy have occurred throughout the territory of the United Kingdom;

Whereas Commission Decision 89/469/EEC ⁽³⁾ laid down measures to prevent the spread of this disease to other Member States;

Whereas, in the light of developments in the knowledge of the epidemiology of the disease and of the distribution of outbreaks, it is now necessary to amend these measures;

Whereas a significant risk may be considered to exist in respect of all cattle except those intended for slaughter before the age of six months, it being considered that these latter animals are unlikely to transmit the infection, unless they are the progeny of affected females;

Whereas, however, cattle born outside the United Kingdom but moved into the United Kingdom after 18 July 1988 have not been exposed to the agent of the

disease through infected feedingstuffs; whereas therefore such animals may be sent to other Member States;

Whereas it is necessary to allow time for introduction of the necessary measures in Member States;

Whereas the measures provided for in this Decision are not in accordance with the opinion of the Standing Veterinary Committee; whereas the Commission has therefore proposed these measures to Council on 22 January 1990 in accordance with Article 13 of Directive 64/432/EEC, the Council being required to adopt measures within 15 days;

Whereas, however, the Council has not acted within the required time limit; whereas the Council has not decided against the proposed measures by simple majority within the same time limits; whereas these measures should now be adopted by the Commission,

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/469/EEC is amended as follows:

1. Article 1 is replaced by the following:

Article 1

1. The United Kingdom shall not send to other Member States:

— live cattle other than those aged under 6 months and bearing a special mark,

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽³⁾ OJ No L 225, 3. 8. 1989, p. 51.

— live cattle born to females in which bovine spongiform encephalopathy is suspected or has been officially confirmed.

2. However, the provisions of paragraph 1 shall not apply to cattle born outside the United Kingdom and subsequently introduced into the United Kingdom after the 18 July 1988'.

2. The following phrase is added to Article 2:

'as amended by Decision 90/59/EEC (*)'.

(*) OJ No L 41, 15. 2. 1990, p. 23.'

3. The following Article 2a is added:

Article 2a

Member States which receive live cattle aged under six months and bearing a special mark from the United Kingdom shall take the appropriate measures to

ensure that the said cattle are slaughtered before the age of 6 months'.

Article 2

Member States shall amend the measures which they apply to trade so as to bring into compliance with this Decision on 1 March 1990. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 7 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION**of 7 February 1990**

approving the draft measures for implementation in the Netherlands of Article 3b of Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

(90/60/EEC)**THE COMMISSION OF THE EUROPEAN COMMUNITIES**

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 ⁽¹⁾, as last amended by Regulation (EEC) No 3880/89 ⁽²⁾, and in particular the second subparagraph of Article 3b (1) thereof,

Whereas the abovementioned provisions stipulate that Member States are to notify the Commission of their draft national measures for the implementation of the said Article 3b and that these must first be approved by the Commission;

Whereas the draft measures notified by the Netherlands on 15 January 1990 should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The draft national measures for implementation in the Netherlands of Article 3b of Regulation (EEC) No 857/84, which provide for assignment of additional or special reference quantities to the producers of a Member State as a whole in accordance with the third indent of paragraph 1 of that Article, are hereby approved.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 7 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 3.

CORRIGENDA

Corrigendum to the corrigendum to Commission Regulation (EEC) No 3990/87 of 23 December 1987 amending Regulation (EEC) No 1418/76 on the common organization of the market in rice

(Official Journal of the European Communities No L 377 of 31 December 1987)

In the corrigendum published in the *Official Journal of the European Communities* No L 229 of 18 August 1988 on page 45, under the reference to page 17, Annex, the entry for ex 1901 is deleted.

Corrigendum to Commission Regulation (EEC) No 3056/89 of 10 October 1989 establishing unit values for the determination of the customs value of certain perishable goods

(Official Journal of the European Communities No L 293 of 12 October 1989)

Page 24, Annex, code 2.120.2, column 'Lit':

for: '2 284 453',

read: '228 453'.
