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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 401/90

of 16 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 15 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 17 February 1990.

⁽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.

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 16 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 ⁽²⁾ ⁽³⁾
0712 90 19	34,06	134,70 ⁽²⁾ ⁽³⁾
1001 10 10	41,81	181,79 ⁽¹⁾ ⁽²⁾
1001 10 90	41,81	181,79 ⁽¹⁾ ⁽²⁾
1001 90 91	34,84	143,59
1001 90 99	34,84	143,59
1002 00 00	59,97	131,28 ⁽⁴⁾
1003 00 10	51,14	115,69
1003 00 90	51,14	115,69
1004 00 10	42,54	123,00
1004 00 90	42,54	123,00
1005 10 90	34,06	134,70 ⁽²⁾ ⁽³⁾
1005 90 00	34,06	134,70 ⁽²⁾ ⁽³⁾
1007 00 90	51,14	140,08 ⁽⁴⁾
1008 10 00	51,14	30,01
1008 20 00	51,14	84,05 ⁽⁴⁾
1008 30 00	51,14	0,00 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	51,14	0,00
1101 00 00	62,80	215,05
1102 10 00	97,98	197,82
1103 11 10	79,49	296,46
1103 11 90	66,72	231,15

⁽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 402/90**of 16 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 15 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 17 February 1990.

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

Done at Brussels, 16 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 16 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	3,61	3,61	3,61
1008 30 00	0	0	0	3,61
1008 90 90	0	0	0	3,61
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 403/90**of 16 February 1990****fixing the import levies on rice and broken 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 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30⁽³⁾, as amended by Regulation (EEC) No 1546/87⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2637/89⁽⁵⁾, as last amended by Regulation (EEC) No 345/90⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2637/89 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 February 1990.

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 255, 1. 9. 1989, p. 8.

⁽⁶⁾ OJ No L 38, 10. 2. 1990, p. 14.

ANNEX

to the Commission Regulation of 16 February 1990 fixing the import levies on rice and broken rice

(ECU/tonne)				
CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	150,98	309,17
1006 10 23	—	215,72	140,21	287,62
1006 10 25	—	215,72	140,21	287,62
1006 10 27	—	215,72	140,21	287,62
1006 10 92	—	—	150,98	309,17
1006 10 94	—	215,72	140,21	287,62
1006 10 96	—	215,72	140,21	287,62
1006 10 98	—	215,72	140,21	287,62
1006 20 11	—	—	189,63	386,46
1006 20 13	—	269,65	176,16	359,53
1006 20 15	—	269,65	176,16	359,53
1006 20 17	—	269,65	176,16	359,53
1006 20 92	—	—	189,63	386,46
1006 20 94	—	269,65	176,16	359,53
1006 20 96	—	269,65	176,16	359,53
1006 20 98	—	269,65	176,16	359,53
1006 30 21	13,05	—	243,83	511,51
1006 30 23	12,97	436,61	279,19	582,15
1006 30 25	12,97	436,61	279,19	582,15
1006 30 27	12,97	436,61	279,19	582,15
1006 30 42	13,05	—	243,83	511,51
1006 30 44	12,97	436,61	279,19	582,15
1006 30 46	12,97	436,61	279,19	582,15
1006 30 48	12,97	436,61	279,19	582,15
1006 30 61	13,90	—	260,03	544,76
1006 30 63	13,90	468,05	299,68	624,07
1006 30 65	13,90	468,05	299,68	624,07
1006 30 67	13,90	468,05	299,68	624,07
1006 30 92	13,90	—	260,03	544,76
1006 30 94	13,90	468,05	299,68	624,07
1006 30 96	13,90	468,05	299,68	624,07
1006 30 98	13,90	468,05	299,68	624,07
1006 40 00	2,17	—	77,70	161,41

(⁽¹⁾) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

(⁽²⁾) In accordance with Regulation (EEC) No 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

NB: The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Commission Regulation (EEC) No 3294/86 (OJ No L 304, 30. 10. 1986, p. 25).

COMMISSION REGULATION (EEC) No 404/90**of 16 February 1990****fixing the premiums to be added to the import levies on rice and broken 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 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89⁽³⁾, as last amended by Regulation (EEC) No 346/90⁽⁴⁾;

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 February 1990.

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.

⁽⁴⁾ OJ No L 38, 10. 2. 1990, p. 16.

ANNEX

to the Commission Regulation of 16 February 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 405/90
of 15 February 1990
on the supply of various lots of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid managements ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 300 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community as Community food aid, for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

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, 15 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 20. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOTS A and B

1. **Operation No** (1): 25/90 and 26/90 — Commission Decision of 14. 7. 1989
2. **Programme**: 1989
3. **Recipient**: Bolivia
4. **Representative of the recipient** (2): Ing. Enrique Vargas, Superintendente de AADAA, Calle Gen. Arteaga, 130, CP 1437 Arica Chile; telex 221043, tel. 52 780
5. **Place or country of destination**: Bolivia
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (3) (4) (5): see OJ No C 216, 14. 8. 1987, p. 7, (I.3.1 and I.3.2)
8. **Total quantity**: 200 tonnes
9. **Number of lots**: two (25/90: 100 tonnes; 26/90: 100 tonnes)
10. **Packaging and marking**: 20 kilograms and OJ No C 216, 14. 8. 1987, pp. 7 and 8 (I.3.3)
Supplementary markings on the packaging:
'ACCIÓN N° 25/90 or 26/90 / ACEITE DE MANTEQUILLA / DONACIÓN DE LA COMUNIDAD
ECONÓMICA EUROPEA A BOLIVIA / DISTRIBUCIÓN GRATUITA'
and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4)
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination: 25/90 — La Paz
26/90 — Oruro
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**:
— Oficinas recepción:
Ofinaal — Sr. Angel Castro Canabria, Jefe Almacenes Ofinaal — Prolongación Cordero n° 223 (San Jorge), La Paz; tel. 36 40 51;
Ofinaal — Sr. Alberto Arrazola, Jefe regional Ofinaal, Barrio servicio nacional de caminos n° 76, Oruro; tel.: 401 91
— Arica
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 10. 4. 1990
18. **Deadline for the supply**: 10. 5. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of invitation to tender, date of expiry of the period allowed for submission of tenders** (6): 12 noon on 5. 3. 1990
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 12 noon on 19. 3. 1990
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19 — 25. 4. 1990
(c) deadline for the supply: 25. 5. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, rue de la Loi, 200, B-1049 Bruxelles; telex: AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** (7): refund applicable 26. 1. 1990 fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

LOT C

1. **Operation No** (1): 131/90 — Commission Decision of 20. 7. 1989
2. **Programme**: 1989
3. **Recipient**: Republic of Mali
4. **Representative of the recipient** (2): M. Makan Makadji, Directeur Général Union Laitière de Bamako, Route de Sotuba, BP 20, Bamako; telex 2553 SADA, tel. 22 33 83
5. **Place or country of destination**: Republic of Mali
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (3): see OJ No C 216, 14. 8. 1987, p. 7 (I.3.1. and I.3.2.)
8. **Total quantity**: 100 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 5 kilograms and OJ No C 216, 14. 8. 1987, pp. 7 and 8 (I.3.3)
Supplementary markings on the packaging:
'ACTION N° 131/90 / BUTTEROIL / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4)
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**:
M. Makan Makadji, Directeur Général Union Laitière de Bamako, Route de Sotuba, BP 20, Bamako;
telex 2553 SADA, tel. 22 33 83
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 — 10. 4. 1990
18. **Deadline for the supply**: 15. 5. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 12 noon on 5. 3. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 19. 3. 1990;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 9 — 19. 4. 1990;
 - (c) deadline for the supply: 31. 5. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, rue de la Loi, 200, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (5): refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
 - (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (³) Commission delegate to be contacted by the successful tenderer : Mr Boselli, Délégation CEE, Calle Orinoco-Las Mercedes, Ap. 768076, Las Americas 1061 A, Caracas, Venezuela ; telex 27298 VC.
 - (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
 - (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
 - (⁶) The successful tenderer shall give the beneficiaries' representative a health certificate at the time of delivery.
 - (⁷) The successful tenderer shall give the beneficiaries' representative a certificate of origin at the time of delivery.
 - (⁸) Commission delegate to be contacted by the successful tenderer : M. Vanhaeverbeke : telex 2526 Deleqfed, tel. (223) 22 23 56, telefax (223) 22 36 70.
-

COMMISSION REGULATION (EEC) No 406/90

of 16 February 1990

on the supply of various lots of skimmed-milk powder as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 600 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

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, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No** (1): 9/90 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma, telex 626675 I WFP
4. **Representative of the recipient** (2): see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Bolivia
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4) (5): see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 400 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms and OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3)
Supplementary markings on packaging:
'ACCIÓN N° 9/90/BOLIVIA 0273501 / LECHE DESNATADA EN POLVO / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / ARICA VÍA COCHABAMBA, BOLIVIA'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization of product**: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 — 25. 3. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (6): 5. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 19. 3. 1990, at 12 noon
 - (b) period for making the goods available at the port of shipment: 29. 3 — 8. 4. 1990
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles, telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (7): refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

LOT B

1. **Operation No** ⁽¹⁾: 3/90 — Commission Decision of 16. 3. 1988
2. **Programme**: 1988
3. **Recipient** ⁽¹³⁾: CICR, 17, avenue de la Paix, CH-1211 Geneva, telex 22269 CICR CH, tel. 734 60 01
4. **Representative of the recipient** ⁽³⁾: Delegación del CICR, calle La Concepción 311, Casilla 16363, Correo 9, La Providencia, Santiago, Chile
5. **Place or country of destination**: Chile
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁷⁾ ⁽⁸⁾ ⁽⁹⁾: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 100 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms (in 20-foot containers) and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.4.3)
Supplementary markings on packaging:
'ACCIÓN N° 3/90 / CL-29 / LECHE EN POLVO VITAMINADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DISTRIBUCIÓN GRATUITA / VALPARAÍSO'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization** ⁽¹⁰⁾: the Community market. The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** ⁽¹¹⁾: free-at-port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Valparaíso
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 — 25. 3. 1990
18. **Deadline for the supply**: 5. 5. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 5. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 19. 3. 1990 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 3 — 8. 4. 1990
 - (c) deadline for the supply: 19. 5. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**: Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

LOT C

1. **Operation No** ⁽¹⁾: 964/89 — Commission Decision of 19. 4. 1989
2. **Programme**: 1989
3. **Recipient** ⁽³⁾: League of Red Cross and Red Crescent Societies, Logistic Service, Po Box 372, CH-1211 Genève 19, télex 22555 LRCS CH; Tél. 734-5580; téléfax: 7330395
4. **Representative of the recipient** ⁽³⁾: Croissant Rouge Algérien, 15 bis, Boulevard Mohamed V, Alger — tel.: 264 5727 or 264 57 28; télex: Hilai 67356 DZ ou 66442 CRA
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁶⁾ ⁽⁷⁾: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 100 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms (on pallets) and OJ No C 216, 14. 8. 1987, p. 4. and 5 (under I.1.B.4 and I.1.B.4.2)
Supplementary markings on packaging:
'ACTION N° 964/89 / A RED HALF MOON WITH ITS POINTS ORIENTED TOWARD THE RIGHT / LAIT ÉCRÉMÉ VITAMINÉ EN POUDRE / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX-ROUGE ET DU CROISSANT ROUGE (LICROSS) POUR DISTRIBUTION GRATUITE / ALGER'
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization** ⁽²⁾: the Community market. The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** ⁽¹⁾: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Alger
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 — 25. 3. 1990
18. **Deadline for the supply**: 19. 5. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of a second invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 5. 3. 1990; at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 19. 3. 1990 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 29. 3 — 8. 4. 1990
 - (c) deadline for the supply: 2. 6. 1990
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:

Bureau de l'aide alimentaire, —
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Bruxelles;
telex AGREC 22037 B or 25670 B
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

Notes : —

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that, for the product to be delivered, the standards applicable relating to nuclear radiation in the Member State concerned have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁷) The successful tenderer shall give the beneficiaries' representative at the time of delivery, a certificate of origin.
- (⁸) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate in Spanish stating the following : 'Se trata de un producto pasteurizado'.
- (⁹) Analysis and quality certificate listing technical specifications of the product and issued by official entity in country of origin.
- (¹⁰) All the documents must be legalized by the diplomatic representative of Chile at the country of origin of the product.
- (¹¹) Supply free at terminal, as provided for in Article 14 (5) (a) of Regulation (EEC) No 2200/87, implies that the following costs at the port of landing shall be borne by the successful tenderer :
- Should containers be used on a FCL/FCL or LCL/FCL basis, all costs of unloading and transportation from the under hook stage up to the designated destuffing area via, if any, transit check shed area. The THC (terminal handling charges or equivalent) costs of destuffing the goods from the containers, local charges incurred at a later stage, and costs occasioned by delays of detention or returning the containers are to be borne by the recipient.
 - should containers be used on a LCL/LCL or FCL/LCL basis, all the costs of unloading and transportation from the under hook stage up to the designated destuffing area via, if any, transit check shed area and by way of derogation from the aforementioned paragraph 5 (a) of Article 14, the LCL charges (destuffing of the goods). The local charges incurred after the stage of destuffing the goods from the containers are to be borne by the recipients.
- (¹²) Packaging certificate giving net weight per package and total weight of packaging.
- (¹³) The successful tenderer shall contact the recipient as soon as possible to establish what consignment documents are required and how they are to be distributed.
- (¹⁴) To be delivered on standard pallets — 40 bags each pallet — wrapped in plastic shrink cover.

COMMISSION REGULATION (EEC) No 407/90

of 16 February 1990

opening an invitation to tender for the sale for export of baled tobacco held by
the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EEC) No 203/90⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73⁽³⁾, as last amended by Regulation (EEC) No 395/90⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Six lots of baled raw tobacco from the 1986 and 1987 harvests, held by the Italian intervention agency, with a total weight of 6 595 842 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

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

Article 3

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

Article 4

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

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

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Azienda di Stato per gli interventi nel mercato agricolo, sezione specializzata per il tabacco (AIMA), via Duccio Galimberti 47, I-00136 Roma.

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

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

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

Article 6

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

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 10.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 42, 16. 2. 1990, p. 46.

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Perustitza Erzegovina Bright	1987	633 504
		1987	370 504
		1987	317 552
			1 321 560
2	Burley I	1986	577 295
3	Burley I	1987	430 883
4	Tsebelia	1987	1 518 707
5	Tsebelia	1987	1 518 714
6	Tsebelia	1986	1 228 683
Total			6 595 842

COMMISSION REGULATION (EEC) No 408/90

of 16 February 1990

derogating in regard to packaging until 30 June 1992 from the quality standards
for tomatoes

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

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables ⁽¹⁾, as last amended by
Regulation (EEC) No 1119/89 ⁽²⁾, and in particular Article
2 (3) thereof,

Whereas Commission Regulation (EEC) No 778/83 ⁽³⁾
laid down quality standards for tomatoes; whereas as a
result of technological development in the commercial
preparation of certain products they can be given better
commercial identification without any loss of quality;
whereas sufficient experience should, however, be gained
before the standards are definitively changed and there-
fore a temporary derogation from the quality standards for
tomatoes should be introduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Until 30 June 1992 the following derogation from the
Annex to Regulation (EEC) No 778/83 shall apply:

In Section V.B 'Packaging', the following sentence is
deleted: 'No stamp or label may be placed on the
tomatoes themselves.'

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 86, 31. 3. 1983, p. 14.

COMMISSION REGULATION (EEC) No 409/90

of 16 February 1990

amending Regulation (EEC) No 584/75 laying down detailed rules for the application of the system of tendering for export refunds on rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds for rice and criteria for fixing the amount of such refunds ⁽¹⁾, and in particular Article 4 (2) thereof,Whereas the second subparagraph of Article 1 (2) of Commission Regulation (EEC) No 584/75 ⁽²⁾, as last amended by Regulation (EEC) No 379/89 ⁽³⁾, provides that a period of at least 15 days must elapse between the date of publication of the notice of an invitation to tender and the first date laid down for the submission of tenders;

Whereas a period of 10 days is likely better to ensure efficient management of the tendering procedure while

enabling the operators concerned to be informed in good time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second-to-last sentence of Article 1 (2) of Regulation (EEC) No 584/75 is hereby replaced by the following:

‘Between publication of the invitation to tender and the first date fixed for submission of tenders, a period of at least 10 days must be allowed.’

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

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 36.⁽²⁾ OJ No L 61, 7. 3. 1975, p. 25.⁽³⁾ OJ No L 44, 16. 2. 1989, p. 22.

COMMISSION REGULATION (EEC) No 410/90**of 16 February 1990****setting quality standards for kiwifruit**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1119/89 ⁽²⁾, and in particular Article 2 (2) thereof,

Whereas Annex 1 to Regulation (EEC) No 1035/72 listing the products for delivery fresh to the consumer to be covered by quality standards was supplemented by Council Regulation (EEC) No 1010/89 ⁽³⁾ adding kiwifruit; whereas the quality standards for this product must therefore be set;

Whereas application of these standards should have the effect of keeping products of unsatisfactory quality off the market, guiding production to meet consumers' requirements and facilitating trade under fair competitive conditions, so helping to improve the profitability of production;

Whereas these standards shall be applicable at all marketing stages; whereas transport over long distances, storage of more than a certain duration and the amount of handling to which products are subject can result in some degree of deterioration owing to the biological development of the product or its fairly perishable nature; whereas such deterioration should be taken into account in the application of the standards at the marketing stages

following consignment; whereas since products of the 'extra' class must be particularly carefully selected and packed allowance should be made for a loss of freshness and turgidity alone;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quality standards for kiwifruit falling within CN code 0810 90 10 shall be as shown in the Annex hereto.

These standards shall apply to all marketing stages on the terms laid down by Regulation (EEC) No 1035/72.

However at stages following consignment the following tolerances shall be allowed:

- a slight loss of freshness and turgidity,
- for products other than the 'extra' class, slight deterioration arising from biological development and perishability.

Article 2

This Regulation shall enter into force on 1 October 1990.

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

Done at Brussels, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 109, 20. 4. 1989, p. 3.

ANNEX

QUALITY STANDARD FOR KIWIFRUIT

I. DEFINITION OF PRODUCE

This standard applies to kiwifruit (also known as 'actinidia' or 'kiwis') of varieties (cultivars) derived from *Actinidia chinensis* (Planch.) or *Actinidia deliciosa* (A. Chev., C. F., Liang and A. R. Ferguson), to be supplied fresh to the consumer, kiwifruit for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of this standard is to define the quality requirements for kiwifruit, after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the kiwifruit must be :

- intact (but free of peduncle),
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- adequately firm : not soft, or shrivelled or water-soaked,
- well-formed ; double or multiple fruits are excluded,
- practically free of pests,
- practically free from damage caused by pests,
- free from abnormal external moisture,
- free of any foreign smell and/or taste.

The kiwifruit must be sufficiently developed and display satisfactory ripeness⁽¹⁾. The development and the condition must be such as to enable them :

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

Kiwifruit are classified into three classes, as defined below :

(i) 'Extra' class

Kiwifruit in this class must be of superior quality. They must be well developed and have all the characteristics and the colouring typical of the variety.

They must be free from defects apart from a very slight superficial deterioration, on condition that this does not affect the quality and general appearance of the produce or its presentation in the package.

(ii) Class I

Kiwifruit in this class must be of good quality.

They must be firm and the flesh must be perfectly sound.

They must present the characteristics of the variety. The following defects, however, may be allowed provided that these do not affect the general appearance of the produce, the quality, the keeping quality and presentation of the package :

- a slight defect in shape (but free of swelling or malformations),
- a slight defect in colouring,
- superficial skin defects, provided that the total area affected does not exceed 1-cm²,
- a small 'Hayward mark' like longitudinal lines, and without protuberance.

⁽¹⁾ In order to satisfy this requirement, the fruit when harvested must have attained a degree of ripeness of at least 6,2 %, as assessed by the Brix test.

(iii) *Class II*

This class includes kiwifruit which do not qualify for inclusion in the higher classes, but which satisfy the minimum requirements specified above.

The fruit must be reasonably firm and the flesh should not show any serious defects.

The following defects, however, may be allowed provided that the kiwifruit retain their essential characteristics as regards the quality, the keeping quality and presentation :

- defects of shape,
- defects in colouring,
- skin defects, such as small healed cuts or scarred/grazed tissue, provided that the total area affected does not exceed 2 cm²,
- several, more pronounced 'Hayward marks', with light protuberance,
- slight bruising.

III. PROVISIONS CONCERNING SIZING

Sizing is determined by the weight of the fruit.

The minimum weight for 'extra' class is 90 grams, for class I is 70 grams and that for class II is 65 grams.

The difference in weight between the largest and the smallest fruit in any one package must not exceed :

- 15 grams for fruit weighing less than 85 grams,
- 20 grams for fruit weighing between 85 grams and 120 grams,
- 30 grams for fruit weighing 120 grams or more.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *'Extra' class*

5 % by number or weight of kiwifruit not satisfying the requirements of the class but meeting those of class I, or, exceptionally, coming within the tolerances for that class.

(ii) *Class I*

10 % by number or weight of kiwifruit not satisfying the requirements of the class but meeting those of class II, or, exceptionally, coming within the tolerances for that class.

(iii) *Class II*

10 % by number or weight of kiwifruit satisfying neither the requirements for the class nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances

For all classes :

10 % by number or weight of kiwifruit not satisfying the requirements as regards the minimum weight and/or the size range specified.

However, the fruit must be of a size immediately below or above the size indicated or, in the case of the smallest size, they must not weigh less than 85 grams in 'extra' class, 67 grams in class I and 62 grams in class II.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and consist exclusively of kiwifruit of the same origin, variety and quality.

The visible part of the contents of each package must be representative of the entire contents.

B. Packaging

The kiwifruit must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials and particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with a non-toxic ink or glue.

The packages must be free from foreign matter.

In 'extra' class the fruit must be presented separately from one another, and be regularly arranged on one layer.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside :

A. Identification

Packer and/or dispatcher	}	Name and address or officially issued or accepted code mark.
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B. Nature of produce

- 'kiwifruit' and/or 'Actinidia', where the contents are not visible from the outside,
- Name of the variety (optional).

C. Origin of produce

Country of origin and optionally, district where grown or national, regional or local place name.

D. Commercial specifications

- Class,
- Size expressed by minimum and maximum weight of the fruit, if not packed in rows,
- Number of fruits, if packed in rows.

E. Official control mark

(optional).

COMMISSION REGULATION (EEC) No 411/90

of 16 February 1990

determining, for the period 1 February to 30 June 1990, the quantities of raw sugar produced in the French overseas departments benefiting from the refining aid referred to in Council Regulation (EEC) No 2225/86 and amending Regulation (EEC) No 2089/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar⁽³⁾, and in particular the second subparagraph of Article 3 (2) thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 provides for the granting of an aid for raw sugar produced in the French overseas departments and refined in a refinery situated in the European regions of the Community within the limits of the quantities to be determined according to the regions of destination in question and separately according to origin; whereas those quantities must be determined on the basis of a Community supply balance sheet for raw sugar; whereas in a first stage quantities were fixed by Commission Regulation (EEC) No 2089/89⁽⁴⁾ on the basis of a forward estimate covering the period 1 July 1989 to 31 January 1990;

Whereas the final production of the French overseas department of Réunion and the quantities available for refining are now known; whereas the latter quantities which may qualify for this refining aid are accordingly to be determined for the remainder of the 1989/90 marketing year; whereas by virtue of the severe cyclone and

drought experienced by Réunion in 1989, the production of raw sugar and the quantities available for refining have been significantly reduced; whereas, in order to rectify the supplies to the various Community refineries, the quantities determined for the period 1 July 1989 to 31 January 1990 by Regulation (EEC) No 2089/89 should consequently be revised;

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 quantities of sugar referred to in Article 3 (2) of Regulation (EEC) No 2225/86 shall be fixed for the period 1 February to 30 June 1990 in accordance with Annex I hereto.

Article 2

The Annex to Regulation (EEC) No 2089/89 shall be replaced by the Annex II hereto.

Article 3

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

It shall apply with effect from 1 February 1990.

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

Done at Brussels, 16 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 194, 17. 7. 1986, p. 7.

⁽⁴⁾ OJ No L 199, 13. 7. 1989, p. 11.

ANNEX I

Quantities of raw cane sugar, expressed as tonnes of white sugar :

Period from 1 February to 30 June 1990

Originating from the French overseas departments	For refining			
	In metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	0	0	0	0
2. Guadeloupe and Martinique	43	10	15	0

*ANNEX II*** ANNEX*

Quantities of raw cane sugar, expressed as tonnes of white sugar :

Period from 1 July 1989 to 31 January 1990

Originating from the French overseas departments	For refining			
	In metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	146	0	0	0
2. Guadeloupe and Martinique	32	0	0	0

COMMISSION REGULATION (EEC) No 412/90

of 16 February 1990

introducing a corrective amount on the import of fresh lemons 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 implementing 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 3814/89⁽²⁾ fixed, for the 1990 marketing year, the Community offer price for fresh lemons 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 fresh lemons, the offer price for the Spanish product as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has

remained 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 last 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 fresh lemons (CN ex 0805 30 10) from Spain (except the Canary Islands) a corrective amount of ECU 0,84 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 20 February 1990.

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

Done at Brussels, 16 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 371, 20. 12. 1989, p. 26.

⁽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 413/90

of 16 February 1990

introducing a corrective amount on the import of artichokes 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 3814/89 ⁽²⁾
fixed, for the 1990 marketing year, the Community offer
price for artichokes 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 artichokes, 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 last
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 artichokes (CN
code 0709 10 00) from Spain (except the Canary Islands) a
corrective amount of ECU 1,08 per 100 kilograms net
shall be levied.*Article 2*This Regulation shall enter into force on 20 February
1990.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 16 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 371, 20. 12. 1989, p. 26.⁽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 414/90

of 16 February 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 201/90⁽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 217/90⁽⁷⁾, as last amended by Regulation (EEC) No 332/90⁽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:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.
⁽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 22, 27. 1. 1990, p. 48.
⁽⁸⁾ OJ No L 36, 8. 2. 1990, p. 21.
⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

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

Whereas these exchange rates being those recorded on 15 February 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 217/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 17 February 1990.

⁽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, 16 February 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 16 February 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)
1103 19 10	112,98	234,22	240,26
1103 29 10	112,98	234,22	240,26
1104 19 30	112,98	234,22	240,26
1104 29 15	82,04	173,06	176,08
1104 29 35	98,08	208,19	211,21
1104 29 95	63,62	132,72	135,74

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 February 1990

amending, for the fourth time, Decision 88/303/EEC recognizing certain parts of the territory of the Community as being either officially swine-fever free or swine-fever free

(90/63/EEC)

THE COUNCIL 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 89/662/EEC⁽²⁾, and in particular Article 4b (1) (c) thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 89/662/EEC, and in particular Article 13a (2) thereof,

Having regard to the proposal from the Commission,

Whereas Decision 88/303/EEC⁽⁴⁾, as last amended by Decision 89/578/EEC⁽⁵⁾, recognizes certain parts of the territory of Belgium, the Federal Republic of Germany, France, Greece, the Netherlands and Spain as being officially swine-fever free and certain parts of Belgium, the Federal Republic of Germany, France, Italy and Greece as being swine-fever free;

Whereas, in a certain part of the territory of Belgium, swine fever has not been detected for more than a year; whereas vaccination against swine fever has not been authorized for at least the preceeding 12 months; whereas the holdings concerned contain no pigs which have been vaccinated against swine fever during the previous 12 months; whereas, consequently, this part of the territory

fulfils the requirements for being recognized as officially swine-fever free for the purpose of intra-Community trade;

Whereas, within the framework of an eradication plan, the Commission, by Decision 90/3/EEC⁽⁶⁾, recognized certain regions in Belgium as being officially swine-fever free;

Whereas, in certain parts of Italy, swine fever has not been detected for more than one year; whereas therefore these parts of the territory fulfil the requirements for being recognized as swine-fever free for the purpose of intra-Community trade in fresh meat,

HAS ADOPTED THIS DECISION:

Article 1

Decision 88/303/EEC is hereby amended as follows:

1. in Chapter 5 of Annex I, the following is added after the last indent:

— East Flanders';

2. in Chapter 4 of Annex II, the following is added after the last indent:

— Arezzo, Florence, Lucca, Pistoia and Massa Carrara (Toscana region),

— Agrigento, Caltanissetta, Catania, Enna, Messina, Palermo, Ragusa, Siracusa and Trapani (Sicilia region).'

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

⁽²⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 132, 28. 5. 1988, p. 76.

⁽⁵⁾ OJ No L 322, 7. 11. 1989, p. 22.

⁽⁶⁾ OJ No L 2, 5. 1. 1990, p. 29.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 February 1990.

For the Council

The President

J. WALSH

COMMISSION

COMMISSION DECISION

of 6 February 1990

concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider programme)

(Only the Italian text is authentic)

(90/64/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 328/88 of 2 February 1988 instituting a Community programme to assist the conversion of steel areas (Resider programme), and in particular Article 3 (2) thereof,

Whereas the said Article 3 (2) stipulates that the Community programme shall apply to areas which satisfy the criteria specified in Article 3 (1) and the thresholds laid down by Article 4 (1) of that Regulation;

Whereas the Member State concerned must submit an application for approval of the areas to which the Community programme is to apply; whereas Italy has submitted such an application to the Commission in respect of the following areas: the province of Livorno, and the areas of Genoa, Terni-Spoleto and Sebino-Val Camonica-Val Cavallina;

Whereas these areas satisfy the abovementioned criteria,

HAS ADOPTED THIS DECISION:

Article 1

The following areas in Italy are hereby found to satisfy the criteria in Article 3 (1) and the thresholds in Article 4 (1) of Council Regulation (EEC) No 328/88:

- the province of Livorno,
- the area of Genoa comprising the following 40 municipalities in the province of Genoa: Arenzano, Avegno, Bargagli, Busalla, Camogli, Campo Ligure, Campomorone, Carasco, Casarza, Ligure, Casella, Castiglione Chiavarese, Ceranesi, Chiavari, Cicagna, Cogoleto, Cogorno, Davagna, Genova (in part, i.e.: GZU Ponente, GZU Polcevera, Sampierdarena, GZU Bisagno with the exception of S. Fruttuoso, Valle

Sturia, San Martino, Sturia-Quarto, Porto), Isola del Cantone, Lavagna, Leivi, Masone, Mele, Mezzanago, Mignanago, Moconesi, Montoggio, Orero, Rapallo, Recco, Ronco Scrivia, Rossiglione, S. Colombano Certenoli, S. Margherita Ligure, Sant'Olcese, Savignone, Serra Riccò, Sestri Levante, Sori, Tribogna,

- the area of Terni — Spoleto comprising the province of Terni and the adjacent municipality of Spoleto,
- the area of Sebino — Val Camonica — Val Cavallina comprising the following 68 municipalities in the Province of Brescia: Angolo Terme, Artogne, Berzo Demo, Berzo Inferiore, Berzo San Fermo, Bianzano, Bienno, Borgo di Terzo, Borno, Bossico, Braone, Breno, Capo di Ponte, Casazza, Castro, Cedegolo, Cenate Sopra, Cérveno, Ceto, Cevo, Cimbergo, Cividate Camuno, Corteno Golgi, Costa Volpino, Darfo Boario Terme, Edolo, Endine Gaiano, Entratico, Esine, Fonteno, Gaverina Terme, Gianico, Grone, Incudine, Losine, Lovere, Lozio, Luzzana, Malegno, Malonno, Monasterolo del Castello, Monno, Niardo, Ono San Pietro, Ossimo, Paisco Loveni, Paspardo, Pian Camuno, Piancogno, Pianico, Pisogne, Ponte di Legno, Prestine, Ranzanico, Riva di Solto, Rogno, Saviore dell'Adamello, Sello, Solto Collina, Sonico, Sovere, Spinone al Lago, Temù, Trescore Balneario, Vezza d'Oglio, Vigano San Martino, Vione, Zandobbio.

The Community programme instituted by Regulation (EEC) No 328/88 shall therefore apply to those areas.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 6 February 1990.

For the Commission ...

Bruce MILLAN

Member of the Commission

COMMISSION DECISION

of 7 February 1990

approving the draft measures presented by Denmark for implementation 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

(Only the Danish text is authentic)

(90/65/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

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 provision stipulates that Member States are to notify to the Commission 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 Denmark on 3 January 1990 should be approved,

Article 1

The draft measures for implementation in Denmark of Article 3b of Regulation (EEC) No 857/84, which provide for assignment of additional or special reference quantities to producers who are new entrants, to young producers investing in new animal housing and to producers affected by exceptional events, are hereby approved.

Article 2

This Decision is addressed to the Kingdom of Denmark.

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.

COMMISSION DECISION

of 7 February 1990

approving the draft measures presented by Ireland for implementation 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

(Only the English text is authentic)

(90/66/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

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 provision stipulates that Member States are to notify to the Commission 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 Ireland on 11 January 1990, as amended by telex 64 604 of 23 January 1990, should be approved,

Article 1

The national measures for implementation in Ireland of Article 3b of Regulation (EEC) No 857/84, which provide for assignment of additional or special reference quantities to producers as mentioned in Articles 3 and 4 (1) (b) of that Regulation, to producers who are new entrants and to producers whose individual reference quantity is not more than 60 000 kilograms, are hereby approved.

Article 2

This Decision is addressed to Ireland.

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 Council Regulation (EEC) No 3380/89 of 6 November 1989 opening and providing for the administration of Community tariff quotas bound in GATT for certain agricultural and industrial products**

(Official Journal of the European Communities No L 326 of 11 November 1989)

On page 5, Annex :

Opposite Order No 09.0006, Taric codes '11' and '12' are replaced by '14' and '16'.

Opposite Order No 09.0007 and CN code 0305 51 10, Taric code '90' is deleted.

Opposite Order No 09.0039 and CN code 0805 30 10, Taric code '91' is added.

Corrigendum to Council Regulation (EEC) No 3424/89 of 6 November 1989 opening and providing for the administration of a Community tariff quota for certain hand made products (1990)

(Official Journal of the European Communities No L 335 of 18 November 1989)

On page 36, Annex IV :

Codes '6302 31 10 *10' and '6302 31 90 *10' are deleted,

Code '6301 20 81 *10' is replaced by '6301 20 91 *10'.

Corrigendum to Council Regulation (EEC) No 3706/89 of 27 November 1989 opening and providing for the administration of Community tariff quotas for certain agricultural and fishery products originating in certain EFTA countries

(Official Journal of the European Communities No L 366 of 15 December 1989)

On page 37, Annex ; first column :

Order No 09.0701, Taric code :

for: '1504 30 19 *90'

read: '1504 30 19 *10'.

Order No 09.0901 :

the following Taric code is inserted in fourth position : '0809 20 90 *33'.

Corrigendum to Council Regulation (EEC) No 4043/89 of 19 December 1989 opening and providing for the administration of autonomous Community tariff quotas for certain fishery products (1990)

(Official Journal of the European Communities No L 388 of 30 December 1989)

On page 15, Annex:

For Series No 09.2771 read as follows:

'09.277 ex 0305 30 90 '13'.

For Series No 09.2789 read as follows:

'09.2789 ex 0302 21 10 '10'
 ex 0302 31 10 '10'.

Corrigendum to Council Regulation (EEC) No 4044/89 of 19 December 1989 partially and temporarily suspending the autonomous duties of the Common Customs Tariff on certain fish fillets

(Official Journal of the European Communities No L 388 of 30 December 1989)

On page 17, Annex:

Add the following code:

'ex 0304 90 47 ' 30'.

Corrigendum to Commission Regulation (EEC) No 379/90 of 14 February 1990 fixing the import levies on milk and milk products

(Official Journal of the European Communities No L 41 of 15 February 1990)

On page 13, Annex, in the column headed 'Import Levy', against CN code 0403 10 11:

for: '24,41',

read: '24,61'.
