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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 456/90**

**of 22 February 1990**

**on a second emergency action for the supply of certain agricultural products to Romania**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas agricultural products should be made available to Romania to improve the food supply to the population; whereas the Community has agricultural products in storage as a result of intervention measures and these should be used in priority for the abovementioned action; whereas, for certain of these products, the necessary measures can, under the rules in force, be adopted by the Commission;

Whereas the action proposed is essentially humanitarian in its aim and should therefore also be based upon Article 235 of the Treaty;

Whereas the cost of the operation should ultimately be met from the appropriations allocated for cooperation with non-member countries;

Whereas it is a matter for the Commission to set detailed rules for application of the emergency action,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community shall, on the terms set out below, take emergency action, for the second time, to supply Romania with certain agricultural products...

<sup>(1)</sup> Opinion delivered on 16 February 1990 (not yet published in the Official Journal).

*Article 2*

For implementation of the emergency action:

1. the Community shall transfer free of charge to Romania products available as a result of intervention measures, up to the limits set in the Annex;
2. Romania shall take over the products at the places and on the terms to be indicated by the Commission.  
The costs and risks of transport shall be the responsibility of Romania;
3. no export refunds shall be granted for products supplied pursuant to this Regulation and the monetary compensatory amount arrangements shall not apply.

*Article 3*

The value of the products transferred to Romania that is to be entered in the accounts shall be determined using the procedure laid down in Article 13 of Regulation (EEC) No 729/70<sup>(2)</sup>, as last amended by Regulation (EEC) No 2048/88<sup>(3)</sup>.

*Article 4*

1. The Commission shall be responsible for execution of the emergency action.
2. Detailed rules for application of this Regulation shall be adopted, as necessary, using the procedure laid down in Article 26 of Regulation (EEC) No 2727/75<sup>(4)</sup>, as last amended by Regulation (EEC) No 201/90<sup>(5)</sup>, or, as appropriate, the corresponding Articles of the other regulations in question on common organization of markets.

*Article 5*

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

<sup>(2)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(3)</sup> OJ No L 185, 15. 7. 1988, p. 1.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(5)</sup> OJ No L 22, 27. 1. 1990, p. 7.

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

Done at Brussels, 22 February 1990.

*For the Council*

*The President*

D. J. O'MALLEY

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*ANNEX*

**Quantities for supply to Romania**

|               | <i>(tonnes)</i> |
|---------------|-----------------|
| Maize         | 62 500          |
| Rye           | 62 500          |
| Butter        | 2 500           |
| Olive oil     | 2 500           |
| Beef and veal | 10 000          |

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**COUNCIL REGULATION (EEC) No 457/90**  
**of 22 February 1990**  
**on emergency action for the supply of certain agricultural products to Poland**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Whereas agricultural products should be made available to Poland to improve the food supply to the population; whereas the Community has agricultural products in storage as a result of intervention measures and these should be used in priority for the abovementioned action; whereas, for certain of these products, the necessary measures can, under the rules in force, be adopted by the Commission;

Whereas the action proposed is essentially humanitarian in its aim and should therefore also be based upon Article 235 of the Treaty;

Whereas the cost of the operation should ultimately be met from the appropriations allocated for cooperation with non-member countries;

Whereas it is a matter for the Commission to set detailed rules for application of the emergency action,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community shall, on the terms set out below, take emergency action to supply Poland with certain cereals.

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

Done at Brussels, 22 February 1990.

*Article 2*

For implementation of the emergency action:

1. the Community shall transfer free of charge to Poland a maximum of 300 000 tonnes of common wheat of bread-making quality available as a result of intervention measures;
2. delivery costs shall be met by the Community and shall be determined by tendering procedure;
3. no export refunds shall be granted for products supplied pursuant to this Regulation and the monetary compensatory amount arrangements shall not apply.

*Article 3*

The value of the products transferred to Poland that is to be entered in the accounts shall be determined using the procedure laid down in Article 13 of Regulation (EEC) No 729/70<sup>(2)</sup>, as last amended by Regulation (EEC) No 2048/88<sup>(3)</sup>.

*Article 4*

1. The Commission shall be responsible for execution of the emergency action.
2. Detailed rules for application of this Regulation shall be adopted, as necessary, using the procedure laid down in Article 26 of Regulation (EEC) No 2727/75<sup>(4)</sup>, as last amended by Regulation (EEC) No 201/90<sup>(5)</sup>.

*Article 5*

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

*For the Council*

*The President*

D. J. O'MALLEY

<sup>(2)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(3)</sup> OJ No L 185, 15. 7. 1988, p. 1.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(5)</sup> OJ No L 22, 27. 1. 1990, p. 7.

<sup>(1)</sup> Opinion delivered on 16 February 1990 (not yet published in the Official Journal).

## COMMISSION REGULATION (EEC) No 458/90

of 23 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 201/90 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(4)</sup>, 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 <sup>(5)</sup> 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 22 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 24 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 22, 27. 1. 1990, p. 7.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.<sup>(5)</sup> OJ No L 187, 1. 7. 1989, p. 1.

## ANNEX

to the Commission Regulation of 23 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    | 134,06 <sup>(2)</sup> <sup>(3)</sup> |
| 0712 90 19 | 34,06    | 134,06 <sup>(2)</sup> <sup>(3)</sup> |
| 1001 10 10 | 41,81    | 183,88 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 41,81    | 183,88 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 34,84    | 143,87                               |
| 1001 90 99 | 34,84    | 143,87                               |
| 1002 00 00 | 59,97    | 131,51 <sup>(4)</sup>                |
| 1003 00 10 | 51,14    | 116,45                               |
| 1003 00 90 | 51,14    | 116,45                               |
| 1004 00 10 | 42,54    | 122,91                               |
| 1004 00 90 | 42,54    | 122,91                               |
| 1005 10 90 | 34,06    | 134,06 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 34,06    | 134,06 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 51,14    | 140,07 <sup>(5)</sup>                |
| 1008 10 00 | 51,14    | 31,01                                |
| 1008 20 00 | 51,14    | 87,95 <sup>(6)</sup>                 |
| 1008 30 00 | 51,14    | 0,00 <sup>(7)</sup>                  |
| 1008 90 10 | (7)      | (7)                                  |
| 1008 90 90 | 51,14    | 0,00                                 |
| 1101 00 00 | 62,80    | 216,31                               |
| 1102 10 00 | 97,98    | 198,14                               |
| 1103 11 10 | 79,49    | 299,69                               |
| 1103 11 90 | 66,72    | 232,51                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

<sup>(2)</sup> 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'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

<sup>(7)</sup> 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 459/90

of 23 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 201/90<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> 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 22 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 24 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.<sup>(2)</sup> OJ No L 22, 27. 1. 1990, p. 7.<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.<sup>(5)</sup> OJ No L 187, 1. 7. 1989, p. 4.

## ANNEX

to the Commission Regulation of 23 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<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 |
| 0709 90 60 | 0            | 0               | 0               | 0,60            |
| 0712 90 19 | 0            | 0               | 0               | 0,60            |
| 1001 10 10 | 0            | 0               | 0               | 2,19            |
| 1001 10 90 | 0            | 0               | 0               | 2,19            |
| 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               | 0,60            |
| 1005 90 00 | 0            | 0               | 0               | 0,60            |
| 1007 00 90 | 0            | 0               | 0               | 1,15            |
| 1008 10 00 | 0            | 0               | 0               | 0               |
| 1008 20 00 | 0            | 0               | 0               | 0               |
| 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<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>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 460/90**  
**of 23 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(2)</sup>, 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<sup>(3)</sup>, as amended by Regulation (EEC) No 1546/87<sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2637/89<sup>(5)</sup>, as last amended by Regulation (EEC) No 403/90<sup>(6)</sup>;

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 26 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 144, 4. 6. 1987, p. 10.

<sup>(5)</sup> OJ No L 255, 1. 9. 1989, p. 8.

<sup>(6)</sup> OJ No L 43, 17. 2. 1990, p. 5.

## ANNEX

to the Commission Regulation of 23 February 1990 fixing the import levies on rice and broken rice

| (ECU/tonne) |          |                                                  |                                                     |                                                              |
|-------------|----------|--------------------------------------------------|-----------------------------------------------------|--------------------------------------------------------------|
| CN code     | Portugal | Arrangement<br>in Regulation (EEC)<br>No 3877/86 | ACP or OCT<br>( <sup>(1)</sup> ) ( <sup>(2)</sup> ) | Third countries<br>(except ACP or OCT)<br>( <sup>(3)</sup> ) |
| 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                                                       |

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

(<sup>(2)</sup>) 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'.

(<sup>(3)</sup>) 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 461/90****of 23 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 404/90 <sup>(4)</sup>;

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 26 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.<sup>(3)</sup> OJ No L 255, 1. 9. 1989, p. 11.<sup>(4)</sup> OJ No L 43, 17. 2. 1990, p. 7.

## ANNEX

to the Commission Regulation of 23 February 1990 fixing the premiums to be added to the import levies on rice and broken rice

| CN code    | (ECU/tonne)  |                 |                 |                 |
|------------|--------------|-----------------|-----------------|-----------------|
|            | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>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 462/90

of 23 February 1990

fixing the corrective amount applicable to the refund on 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 <sup>(1)</sup>, as last amended by Council Regulation (EEC) No 201/90 <sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds <sup>(3)</sup>,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice <sup>(4)</sup>, as last amended by Regulation (EEC) No 1906/87 <sup>(5)</sup>, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 <sup>(6)</sup> laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(7)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(8)</sup>,
- 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 preceding indent, and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 March 1990.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 22, 27. 1. 1990, p. 7.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 182, 3. 7. 1987, p. 49.

<sup>(6)</sup> OJ No L 131, 22. 5. 1975, p. 15.

<sup>(7)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(8)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

# **ANNEX**

to the Commission Regulation of 23 February 1990 fixing the corrective amount applicable to the refund on malt

| Product code   | (ECU/tonne)  |                 |                 |                 |                 |                 |
|----------------|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                | Current<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 | 4th period<br>7 | 5th period<br>8 |
| 1107 10 11 000 | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 10 19 000 | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 10 91 000 | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 10 99 000 | 0            | 0               | 0               | 0               | 0               | 0               |
| 1107 20 00 000 | 0            | 0               | 0               | 0               | 0               | 0               |

| Product code   | (ECU/tonne)     |                  |                  |                  |                  |                  |
|----------------|-----------------|------------------|------------------|------------------|------------------|------------------|
|                | 6th period<br>9 | 7th period<br>10 | 8th period<br>11 | 9th period<br>12 | 10th period<br>1 | 11th period<br>2 |
| 1107 10 11 000 | 0               | 0                | 0                | 0                | 0                | 0                |
| 1107 10 19 000 | 0               | 0                | 0                | 0                | 0                | 0                |
| 1107 10 91 000 | 0               | 0                | 0                | 0                | 0                | 0                |
| 1107 10 99 000 | 0               | 0                | 0                | 0                | 0                | 0                |
| 1107 20 00 000 | 0               | 0                | 0                | 0                | 0                | 0                |

**COMMISSION REGULATION (EEC) No 463/90**  
**of 23 February 1990**  
**fixing the export refunds 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89 <sup>(2)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds <sup>(3)</sup>, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 <sup>(4)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 <sup>(5)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(6)</sup>;
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(4)</sup> OJ No L 154, 15. 6. 1976, p. 11.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION :

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

*Article 2*

This Regulation shall enter into force on 1 March 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 23 February 1990 fixing the export refunds on rice and broken rice

| Product code   | Destination (1) | Amount<br>of refunds<br>(ECU/tonne) |
|----------------|-----------------|-------------------------------------|
| 1006 20 11 000 | —               | —                                   |
| 1006 20 13 000 | 01              | 157,21                              |
| 1006 20 15 000 | 01              | 157,21                              |
| 1006 20 17 000 | —               | —                                   |
| 1006 20 92 000 | —               | —                                   |
| 1006 20 94 000 | 01              | 157,21                              |
| 1006 20 96 000 | 01              | 157,21                              |
| 1006 20 98 000 | —               | —                                   |
| 1006 30 21 000 | —               | —                                   |
| 1006 30 23 000 | 01              | 157,21                              |
| 1006 30 25 000 | 01              | 157,21                              |
| 1006 30 27 000 | —               | —                                   |
| 1006 30 42 000 | —               | —                                   |
| 1006 30 44 000 | 01              | 157,21                              |
| 1006 30 46 000 | 01              | 157,21                              |
| 1006 30 48 000 | —               | —                                   |
| 1006 30 61 000 | —               | —                                   |
| 1006 30 63 100 | 01              | 196,51                              |
|                | 03              | 202,51                              |
|                | 05              | 202,51                              |
|                | 06              | 207,51                              |
|                | 07              | 207,51                              |
|                | 08              | 202,51                              |
|                | 09              | 202,51                              |
|                | 10              | 207,51                              |
|                | 11              | 207,51                              |
|                | 12              | 207,51                              |
|                | 13              | 196,51                              |
|                | 14              | 207,51                              |
|                | 01              | 196,51                              |
|                | 13              | 196,51                              |
| 1006 30 65 100 | 01              | 196,51                              |
|                | 03              | 202,51                              |
|                | 05              | 202,51                              |
|                | 06              | 207,51                              |
|                | 07              | 207,51                              |
|                | 08              | 202,51                              |
|                | 09              | 202,51                              |
|                | 10              | 207,51                              |
|                | 11              | 207,51                              |
|                | 12              | 207,51                              |
|                | 13              | 196,51                              |
|                | 14              | 207,51                              |
|                | 01              | 196,51                              |
|                | 13              | 196,51                              |
| 1006 30 65 900 | 01              | 196,51                              |
| 1006 30 67 100 | —               | —                                   |
| 1006 30 67 900 | —               | —                                   |
| 1006 30 92 000 | —               | —                                   |

| (ECU / tonne)  |                 |                   |
|----------------|-----------------|-------------------|
| Product code   | Destination (1) | Amount of refunds |
| 1006 30 94 100 | 01              | 196,51            |
|                | 03              | 202,51            |
|                | 05              | 202,51            |
|                | 06              | 207,51            |
|                | 07              | 207,51            |
|                | 08              | 202,51            |
|                | 09              | 202,51            |
|                | 10              | 207,51            |
|                | 11              | 207,51            |
|                | 12              | 207,51            |
|                | 13              | 196,51            |
|                | 14              | 207,51            |
| 1006 30 94 900 | 01              | 196,51            |
|                | 13              | 196,51            |
| 1006 30 96 100 | 01              | 196,51            |
|                | 03              | 202,51            |
|                | 05              | 202,51            |
|                | 06              | 207,51            |
|                | 07              | 207,51            |
|                | 08              | 202,51            |
|                | 09              | 202,51            |
|                | 10              | 207,51            |
|                | 11              | 207,51            |
|                | 12              | 207,51            |
|                | 13              | 196,51            |
|                | 14              | 207,51            |
| 1006 30 96 900 | 01              | 196,51            |
|                | 13              | 196,51            |
| 1006 30 98 100 | —               | —                 |
| 1006 30 98 900 | —               | —                 |
| 1006 40 00 000 | —               | —                 |

(1) The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zone II b),
- 06 Zone IV a),
- 07 Zone IV b),
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

The export refunds 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), as amended.

## COMMISSION REGULATION (EEC) No 464/90

of 23 February 1990

fixing the corrective amount applicable to the refund 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1806/89<sup>(2)</sup>, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Commission Regulation No 474/67/EEC<sup>(3)</sup>, as amended by Regulation (EEC) No 1397/68<sup>(4)</sup>, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance

with Article 3 (2) of Council Regulation (EEC) No 1428/76<sup>(5)</sup>, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85<sup>(6)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(7)</sup>,
- 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 it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 March 1990.

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 177, 24. 6. 1989, p. 1.

<sup>(3)</sup> OJ No 204, 24. 8. 1967, p. 20.

<sup>(4)</sup> OJ No L 222, 10. 9. 1968, p. 6.

<sup>(5)</sup> OJ No L 166, 25. 6. 1976, p. 30.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(7)</sup> OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 23 February 1990 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

| Product code   | Current<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 |
|----------------|--------------|-----------------|-----------------|-----------------|
| 1006 20 11 000 | —            | —               | —               | —               |
| 1006 20 13 000 | 0            | 0               | 0               | 0               |
| 1006 20 15 000 | 0            | 0               | 0               | 0               |
| 1006 20 17 000 | —            | —               | —               | —               |
| 1006 20 92 000 | —            | —               | —               | —               |
| 1006 20 94 000 | 0            | 0               | 0               | 0               |
| 1006 20 96 000 | 0            | 0               | 0               | 0               |
| 1006 20 98 000 | —            | —               | —               | —               |
| 1006 30 21 000 | —            | —               | —               | —               |
| 1006 30 23 000 | 0            | 0               | 0               | 0               |
| 1006 30 25 000 | 0            | 0               | 0               | 0               |
| 1006 30 27 000 | —            | —               | —               | —               |
| 1006 30 42 000 | —            | —               | —               | —               |
| 1006 30 44 000 | 0            | 0               | 0               | 0               |
| 1006 30 46 000 | 0            | 0               | 0               | 0               |
| 1006 30 48 000 | —            | —               | —               | —               |
| 1006 30 61 000 | —            | —               | —               | —               |
| 1006 30 63 100 | 0            | 0               | 0               | 0               |
| 1006 30 63 900 | 0            | 0               | 0               | 0               |
| 1006 30 65 100 | 0            | 0               | 0               | 0               |
| 1006 30 65 900 | 0            | 0               | 0               | 0               |
| 1006 30 67 100 | —            | —               | —               | —               |
| 1006 30 67 900 | —            | —               | —               | —               |
| 1006 30 92 000 | —            | —               | —               | —               |
| 1006 30 94 100 | 0            | 0               | 0               | 0               |
| 1006 30 94 900 | 0            | 0               | 0               | 0               |
| 1006 30 96 100 | 0            | 0               | 0               | 0               |
| 1006 30 96 900 | 0            | 0               | 0               | 0               |
| 1006 30 98 100 | —            | —               | —               | —               |
| 1006 30 98 900 | —            | —               | —               | —               |
| 1006 40 00 000 | —            | —               | —               | —               |

**COMMISSION REGULATION (EEC) No 465/90**  
**of 23 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1750/89 <sup>(2)</sup>, 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 <sup>(3)</sup> 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 1 905 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 <sup>(4)</sup>; 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 Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. 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, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 370, 30. 12. 1986, p. 1.

<sup>(2)</sup> OJ No L 172, 21. 6. 1989, p. 1.

<sup>(3)</sup> OJ No L 136, 26. 5. 1987, p. 1.

<sup>(4)</sup> OJ No L 204, 25. 7. 1987, p. 1.

## ANNEX I

## LOTS A and B

1. **Operation Nos** (1): 22 and 23/90 — 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 General Artega n° 130, Casilla Postal 1437, Arica, Chili (tel.: 527 80; telex: 221043).
5. **Place or country of destination**: Bolivia
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (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**: 750 tonnes
9. **Number of lots**: two (A: 500 tonnes; B: 250 tonnes)
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:  
— Lot A: 'ACCIÓN 22/90 /  
— Lot B: 'ACCIÓN 23/90 / LECHE EN POLVO DESCREMADA ENRIQUECIDA CON VITAMINAS A Y D / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A BOLIVIA / DISTRIBUCIÓN GRATUITA'  
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization**: 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 destination  
Lot A: La Paz; Lot B: Oruro.
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Arica
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —  
Lot A: OFINAAL, Sr. Angel Castro Ganabria, Jefe Almacenes OFINAAL, Prolongación Cordero n° 223 (San Jorge), La Paz (tel.: 36 40 51);  
Lot B: OFINAAL, Sr. Alberto Arrazola, Jefe regional OFINAAL, Barrio servicio nacional de caminos n° 76, Oruro (tel.: 401 90)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 20. 4. 1990
18. **Deadline for the supply**: 1. 6. 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** (8): 12. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:  
(a) deadline for the submission of tenders: 26. 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: 19. 4 — 5. 5. 1990  
(c) deadline for the supply: 16. 6. 1990
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus...
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
Attention Mr 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** (9): refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

## LOTS C, D and E

1. **Operation Nos** <sup>(1)</sup>: see Annex II — Commission Decision of 3. 3. 1989
2. **Programme**: 1989
3. **Recipient**: Euronaid, P. O. Box 77, NL-2340 AB Oestgeest
4. **Representative of the recipient** <sup>(1)</sup>: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: See Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** <sup>(2)</sup> <sup>(3)</sup> <sup>(10)</sup> <sup>(11)</sup>: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 1 155 tonnes
9. **Number of lots**: three (C: 285 tonnes; D: 465 tonnes; E: 405 tonnes)
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:  
See Annex II and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization** <sup>(12)</sup> <sup>(13)</sup>: 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**: 5 — 20. 4. 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** <sup>(4)</sup>: 12. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 26. 3. 1990, at 12 noon
  - (b) period for making the goods available at the port of shipment: 19. 4 — 5. 5. 1990;
  - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders**:  
Bureau de l'aide alimentaire,  
Attention Mr 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** <sup>(5)</sup>: refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

## LOT F

1. **Operation** No (1): 12/90 — Commission Decision of 19. 4. 1989
2. **Programme**: 1989
3. **Recipient** (16): League of Red Cross and Red Crescent Societies, Logistic Service, PO Box 372, CH-1211 Geneva 19, telex 22555 LRCS CH; tel. 734 55 80; telefax 733 03 95
4. **Representative of the recipient** (3): Croissant Rouge Tunisien, 19 rue d'Angleterre, Tunis 1000 (tel. 240 630/245 572, telex 14 524 HILAL TN)
5. **Place or country of destination**: Tunisia
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**: 200 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kilograms and OJ No C 216, 14. 8. 1987, pp. 4 and 5 (under I.1.B.4 and I.1.B.4.2)  
Supplementary markings on packaging :  
'ACTION N° 12/90 / A red crescent with the points towards the right / LAIT ÉCRÉMÉ EN POUDRE VITAMINÉ / ACTION DE LA LIGUE DES SOCIÉTÉS DE LA CROIX ROUGE ET DU CROISSANT ROUGE (LICROSS) / POUR DISTRIBUTION GRATUITE / TUNIS'  
and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization** (17) (18): 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 landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Tunis
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**: 20 — 25. 3. 1990
18. **Deadline for the supply**: 20. 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** (9): 12. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
  - (a) deadline for the submission of tenders: 26. 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: 3 — 8. 4. 1990
  - (c) deadline for the supply: 3. 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 :

- (<sup>1</sup>) The operation number is to be quoted in all correspondence.
- (<sup>2</sup>) 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.
- (<sup>3</sup>) Commission delegate to be contacted by the successful tenderer : Mr Boselli, Delegación CEE, Calle Orinoco-Las Mercedes, Ap. 67076, Las Americas 1061 A, — Caracas, Venezuela, — telex 27298 VC.
- (<sup>4</sup>) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this 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 this Annex,
  - or
  - by telecopier on one of the following numbers in Bruxelles :
    - 235 01 32,
    - 236 10 97,
    - 235 01 30,
    - 236 20 05,
- (<sup>5</sup>) 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.
- (<sup>6</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (<sup>7</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (<sup>8</sup>) At the request of the beneficiary the successful tenderer shall deliver, for each action number/shipping number, 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.
- (<sup>9</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.
- (<sup>10</sup>) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.
- (<sup>11</sup>) Radiation certificate must be issued by official authorities and be legalized for following countries : Egypt.
- (<sup>12</sup>) Shipment to take place in 20-foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2) second paragraph, of Regulation 2200/87 shall not apply.
- (<sup>13</sup>) The supplier should send a duplicate of the original invoice to :  
MM De Keyzer & Schütz BV,  
Postbus 1438,  
Blaak 16,  
NL-3000 BK Rotterdam.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer, the number of which is to be provided to the beneficiary's forwarder.
- (<sup>14</sup>) Shipment to take place in 20-foot containers ; conditions FCL/LCL Shippers-count-load and stowage (cls).
- (<sup>15</sup>) 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.
- (<sup>16</sup>) The successful tenderer is to contact the recipient as soon as possible to establish what consignment documents are required and how they are to be distributed.
- (<sup>17</sup>) Packaging certificate giving net weight per package and total weight of packaging.
- (<sup>18</sup>) All the documents must be legalized by the diplomatic representative in the country of origin of the product.

**ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II**

| Designación de la partida<br>Parti<br>Bezeichnung der Partie<br>Χαρακτηρισμός της παρτίδας<br>Lot<br>Désignation de la partie<br>Designazione della partita<br>Aanduiding van de partij<br>Designação da parte | Cantidad total de la partida (en toneladas)<br>Totalmængde (i tons)<br>Gesamtmenge der Partie (in Tonnen)<br>Συνολική ποσότητα της παρτίδας (σε τόνους)<br>Total quantity (in tonnes)<br>Quantité totale de la partie (en tonnes)<br>Quantità totale della partita (in tonnellate)<br>Totale hoeveelheid van de partij (in ton)<br>Quantidade total (em toneladas) | Cantidades parciales (en toneladas)<br>Deilmængde (i tons)<br>Teilmengen (in Tonnen)<br>Μερικές ποσότητες (σε τόνους)<br>Partial quantities (in tonnes)<br>Quantités partielles (en tonnes)<br>Quantitativi parziali (in tonnellate)<br>Deelhoeveelheden (in ton)<br>Quantidades parciais (em toneladas) | Beneficiario<br>Modtager<br>Empfänger<br>Δικαιούχος<br>Beneficiary<br>Bénéficiaire<br>Beneficiario<br>Begunstigde<br>Beneficiário | País destinatario<br>Modtagerland<br>Bestimmungsland<br>Χώρα προορισμού<br>Recipient country<br>Pays destinataire<br>Paese destinatario<br>Bestemmingsland<br>País destinatário | Acción nº<br>Aktion nr.<br>Maßnahmen Nr.<br>Δράση αριθ.<br>Operation No<br>Action nº<br>Azione n.<br>Maatregel nr.<br>Acção nº | Inscripción en el embalaje<br>Emballagens påtegning<br>Aufschrift auf der Verpackung<br>Ένδειξη επί της συσκευασίας<br>Markings on the packaging<br>Inscription sur l'emballage<br>Iscrizione sull'imballaggio<br>Aanduiding op de verpakking<br>Inscrição na embalagem |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| D                                                                                                                                                                                                              | 285                                                                                                                                                                                                                                                                                                                                                                | D1 : 15                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | Perú                                                                                                                                                                            | 38/90                                                                                                                          | Acción nº 38/90 / Leche en polvo / Prosalus / 95538 / Chachapoyas vía Callao / Destinado a distribución gratuita                                                                                                                                                        |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | D2 : 15                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | Paraguay                                                                                                                                                                        | 39/90                                                                                                                          | Acción nº 39/90 / Leche en polvo / Caritas Bélgica / 90253 / Asunción / Destinado a distribución gratuita                                                                                                                                                               |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | D3 : 240                                                                                                                                                                                                                                                                                                 | Euronaïd                                                                                                                          | Haïti                                                                                                                                                                           | 40/90                                                                                                                          | Action nº 40/90 / Lait en poudre / Caritas Neerlandica / 90333 / Port-au-Prince / Pour distribution gratuite                                                                                                                                                            |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | D4 : 15                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | República Dominicana                                                                                                                                                            | 41/90                                                                                                                          | Acción nº 41/90 / Leche en polvo / Prosalus / 95525 / Ysura Azua vía Santo Domingo / Destinado a distribución gratuita                                                                                                                                                  |
| E                                                                                                                                                                                                              | 465                                                                                                                                                                                                                                                                                                                                                                | E1 : 150                                                                                                                                                                                                                                                                                                 | Euronaïd                                                                                                                          | Egypt                                                                                                                                                                           | 42/90                                                                                                                          | Action No 42/90 / Milk powder / Caritas Germany / 90968 / Alexandria / For free distribution                                                                                                                                                                            |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | E2 : 30                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | Bénin                                                                                                                                                                           | 43/90                                                                                                                          | Action nº 43/90 / Lait en poudre / Prosalus / 95522 / Tangueta via Cotonou / Pour distribution gratuite                                                                                                                                                                 |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | E3 : 15                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | Bénin                                                                                                                                                                           | 44/90                                                                                                                          | Action nº 44/90 / Lait en poudre / Prosalus / 95523 / Zagnanado via Cotonou / Pour distribution gratuite                                                                                                                                                                |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | E4 : 15                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | Liberia                                                                                                                                                                         | 45/90                                                                                                                          | Action No 45/90 / Milk powder / Prosalus / 95528 / For free distribution                                                                                                                                                                                                |
|                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                    | E5 : 45                                                                                                                                                                                                                                                                                                  | Euronaïd                                                                                                                          | République Centrafricaine                                                                                                                                                       | 46/90                                                                                                                          | Action nº 46/90 / Lait en poudre / AATM / 91764 / Bangui via Douala / Pour distribution gratuite                                                                                                                                                                        |

| Designación de la partida  | Cantidad total de la partida (en toneladas)   | Cantidades parciales (en toneladas)   | Beneficiario | País destinatario  | Acción n°     | Inscripción en el embalaje                                                                                |
|----------------------------|-----------------------------------------------|---------------------------------------|--------------|--------------------|---------------|-----------------------------------------------------------------------------------------------------------|
| Parti                      | Totalmængde (i tons)                          | Delmængde (i tons)                    | Modtager     | Modtagerland       | Aktion nr.    | Emballagens påtegning                                                                                     |
| Bezeichnung der Partie     | Gesamtmenge der Partie (in Tonnen)            | Teilmengen (in Tonnen)                | Empfänger    | Bestimmungsland    | Maßnahmen Nr. | Aufschrift auf der Verpackung                                                                             |
| Χαρακτηρισμός της παρτίδας | Συνολική ποσότητα της παρτίδας (σε τόνους)    | Μερικές ποσότητες (σε τόνους)         | Δικαιούχος   | Χώρα προορισμού    | Δράση αριθ.   | Ένδειξη επί της συσκευασίας                                                                               |
| Lot                        | Total quantity (in tonnes)                    | Partial quantities (in tonnes)        | Beneficiary  | Recipient country  | Operation No  | Markings on the packaging                                                                                 |
| Désignation de la partie   | Quantité totale de la partie (en tonnes)      | Quantités partielles (en tonnes)      | Bénéficiaire | Pays destinataire  | Action n°     | Inscription sur l'emballage                                                                               |
| Designazione della partita | Quantità totale della partita (in tonnellate) | Quantitativi parziali (in tonnellate) | Beneficiario | Paese destinatario | Azione n.     | Iscrizione sull'imballaggio                                                                               |
| Aanduiding van de partij   | Totale hoeveelheid van de partij (in ton)     | Deelhoeveelheden (in ton)             | Begunstigde  | Bestemmingsland    | Maatregel nr. | Aanduiding op de verpakking                                                                               |
| Designação da parte        | Quantidade total (em toneladas)               | Quantidades parciais (em toneladas)   | Beneficiário | País destinatário  | Acção n°      | Inscrição na embalagem                                                                                    |
|                            |                                               | E6 : 15                               | Euronaïd     | Tchad              | 47/90         | Action n° 47/90 / Lait en poudre / Caritas France / 90512 / Sarh via Douala / Pour distribution gratuite  |
|                            |                                               | E7 : 60                               | Euronaïd     | Madagascar         | 48/90         | Action n° 48/90 / Lait en poudre / CAM / 92052 / Abatondrazaka via Toamasina / Pour distribution gratuite |
|                            |                                               | E8 : 45                               | Euronaïd     | Moçambique         | 49/90         | Acção n° 49/90 / Leite em pó / Prosalus / 95532 / Beira / Destinado a distribuição gratuita               |
|                            |                                               | E9 : 45                               | Euronaïd     | Uganda             | 50/90         | Action No 50/90 / Milk powder / SCF / 92204 / Kampala via Mombasa / For free distribution                 |
|                            |                                               | E10 : 45                              | Euronaïd     | Uganda             | 51/90         | Action No 51/90 / Milk powder / ICR / 94609 / Namalu via Mombasa / For free distribution                  |
| F                          | 405                                           | F1 : 135                              | Euronaïd     | India              | 52/90         | Action No 52/90 / Milk powder / Cathwel / 90137 / Madras / For free distribution                          |
|                            |                                               | F2 : 270                              | Euronaïd     | India              | 53/90         | Action No 53/90 / Milk powder / ACA / 91607 / Calcutta / For free distribution                            |

## COMMISSION REGULATION (EEC) No 466/90

of 23 February 1990

opening invitations to tender for the fixing of aid for the private storage of  
carcasses and half-carcasses of lamb

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

Having regard to Council Regulation (EEC) No 3013/89  
of 25 September 1989 on the common organization of  
the market in sheepmeat and goatmeat<sup>(1)</sup>, and in parti-  
cular Article 7 (5) thereof;

Whereas Commission Regulation (EEC) No 2659/80 of  
17 October 1980 laying down detailed rules for granting  
private storage aid for sheepmeat and goatmeat  
products<sup>(2)</sup>, as amended by Regulation (EEC) No  
3496/88<sup>(3)</sup>, provides in particular for detailed rules on the  
invitation to tender;

Whereas Commission Regulation (EEC) No 287/90 of 1  
February 1990 setting out some detailed rules for private  
storage aid for lamb in the period 1 January to 30 April  
1990<sup>(4)</sup> provides in particular the list of products eligible  
and the minimum quantities in respect of which a tender  
may be submitted;

Whereas the application of Article 7 (3) of Regulation  
(EEC) No 3013/89 results in the opening of invitations to  
tender for private storage aid;

Whereas that Article provides for the application of these  
measures on the basis of the situation of each quotation  
zone; whereas it is appropriate consequently to open  
tenders separately for each of the zones where the condi-  
tions are fulfilled;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Separate invitations to tender are opened in Denmark,  
France, Ireland, Northern Ireland, Germany, the Nether-  
lands and Portugal for aid to private storage for carcasses  
and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 287/90  
tenders may be made to the intervention agencies of the  
Member States concerned.

*Article 2*

Tenders must be submitted not later than 14.00 on  
Tuesday, 6 March 1990, to the relevant intervention  
agency.

*Article 3*

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, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 276, 20. 10. 1980, p. 12.

<sup>(3)</sup> OJ No L 306, 11. 11. 1988, p. 28.

<sup>(4)</sup> OJ No L 31, 2. 2. 1990, p. 11.

## COMMISSION REGULATION (EEC) No 467/90

of 23 February 1990

amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

*Article 1*

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine<sup>(1)</sup>, as last amended by Regulation (EEC) No 388/90<sup>(2)</sup>, and in particular Article 39 (9) thereof,

Regulation (EEC) No 441/88 is hereby amended as follows:

Whereas certain provisions of Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers<sup>(3)</sup>, as last amended by Regulation (EEC) No 418/86<sup>(4)</sup>, were repealed by Commission Regulation (EEC) No 986/89<sup>(5)</sup>, as amended by Regulation (EEC) No 2600/89<sup>(6)</sup>; whereas the references to the old Regulation must be replaced by references to the new text;

1. (a) in the third subparagraph of Article 6 (1), 'in Article 14 of Commission Regulation (EEC) No 1153/75 (1)' is replaced by 'in Title II of Commission Regulation (EEC) No 986/89 (1)' and footnote '(1) OJ No L 113, 1. 5. 1975, p. 1.' is replaced by '(1) OJ No L 106, 18. 4. 1989, p. 1.'

- (b) in Article 6 (3), 'in Article 14 of Regulation (EEC) No 1153/75' is replaced by 'in Title II of Regulation (EEC) No 986/89'.

2. Article 14 (2) is replaced by the following:

'2. The provisions of this Regulation relating to a given type of table wine shall also apply to:

- wine suitable for yielding that type of wine,
- table wine that is in a close economic relationship with that type of table wine. For the purposes of this Regulation, the following shall be considered as being in a close economic relationship with table wine of type:
  - A I, white table wine that is not of type A I, A II or A III,
  - R I, red table wine with an actual alcoholic strength of less than 12,5 % vol that is not of type R I or R III,
  - R II, red table wine with an actual alcoholic strength of less than 15 % vol that is not of type R II or R III.'

Whereas, when Regulation (EEC) No 822/87 was amended by Council Regulation (EEC) No 1236/89<sup>(7)</sup>, distillation of table wine as provided for in Article 39 of Regulation (EEC) No 822/87 was extended to wine suitable for yielding table wine; whereas, with a view to simplification and clarification, it should be stipulated that in the case of distillation as referred to above, any reference to table wine is to be understood as referring also to wine suitable for yielding table wine;

Whereas the derogation provided for in the first subparagraph of Article 39 (10) of Regulation (EEC) No 822/87 was extended for one wine year by Regulation (EEC) No 388/90; whereas the detailed rules relating thereto must be extended for the same period;

Whereas Commission Regulation (EEC) No 441/88<sup>(8)</sup>, as last amended by Regulation (EEC) No 2351/89<sup>(9)</sup>, should be amended;

3. In Article 21, 'and 1988/89' is replaced by 'to 1989/90'.

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

*Article 2*

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

It shall apply from the 1989/90 wine year.

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 42, 16. 2. 1990, p. 9.

<sup>(3)</sup> OJ No L 113, 1. 5. 1975, p. 1.

<sup>(4)</sup> OJ No L 48, 26. 2. 1986, p. 8.

<sup>(5)</sup> OJ No L 106, 18. 4. 1989, p. 1.

<sup>(6)</sup> OJ No L 251, 29. 8. 1989, p. 5.

<sup>(7)</sup> OJ No L 128, 11. 5. 1989, p. 31.

<sup>(8)</sup> OJ No L 45, 18. 2. 1988, p. 15.

<sup>(9)</sup> OJ No L 222, 1. 8. 1989, p. 52.

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

Done at Brussels, 23 February 1990.

*For the Commission*  
Ray MAC SHARRY  
*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 468/90

of 23 February 1990

fixing the quotas for 1990 to be opened by Portugal for certain wine-sector products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic,

Having regard to Council Regulation (EEC) No 3797/85 of 20 December 1985 laying down detailed rules concerning quantitative restrictions on imports into Portugal from third countries of certain agricultural products subject to the system of transition by stages <sup>(1)</sup>, as last amended by Regulation (EEC) No 222/88 <sup>(2)</sup>, and in particular Article 3 (1) thereof,

Whereas Article 1 of Regulation (EEC) No 3797/85, provides for the application by Portugal of quantitative restrictions for certain wine-sector products in the form of annual quotas to imports from third countries; whereas the quotas should be fixed for 1990 taking account of the progressive increase in quotas in previous years and in trade recorded; whereas an increase of 10% in the quota fixed by Commission Regulation (EEC) No 1047/89 <sup>(3)</sup> seems adequate for 1989;

Whereas provision should be made for the Commission to be notified of imports of the said products into Portugal under the quotas fixed for 1990 and of the measures adopted by that Member State to apply those quotas;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quotas to be opened by Portugal for wine-sector products from third countries for the period 1 January to 31 December 1989 are hereby fixed as follows:

| CN code       | Description                                                                                                                                                                                                                                                                                        | (hectolitres)<br>Quota<br>for 1990 |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 2204          | Wine of fresh grapes, including fortified wines; grape must other than that of CN code 2009:<br>— Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:                                                                                                       | (Total)<br>12 430                  |
| 2204 21       | — — In containers holding two litres or less:                                                                                                                                                                                                                                                      |                                    |
| ex 2204 21 10 | — — — Wine other than that referred to in CN code 2204 10 in bottles with 'mushroom' stoppers held in place by ties or fastenings: wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C: |                                    |

<sup>(1)</sup> OJ No L 367, 31. 12. 1985, p. 23.

<sup>(2)</sup> OJ No L 28, 1. 2. 1988, p. 1.

<sup>(3)</sup> OJ No L 111, 22. 4. 1989, p. 21.

| CN code       | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | (hectolitres)<br>Quota<br>for 1990 |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| ex 2204 21 10 | - - - - Wine put up otherwise than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C :<br><br>- - - - Other :<br>- - - - - Of actual alcoholic strength by volume not exceeding 13% vol :<br>- - - - - Quality wines produced in specified regions :                                                                                                                                                                                                                                                                                                                        |                                    |
| 2204 21 21    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 21 23    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
|               | - - - - - Other :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |
| 2204 21 25    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 21 29    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
|               | - - - - - Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15% vol :<br>- - - - - Quality wines produced in specified regions :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |
| 2204 21 31    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 21 33    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
|               | - - - - - Other :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |
| 2204 21 35    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 21 39    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 29       | - - - Other :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                    |
| ex 2204 29 10 | - - - - Wine other than that referred to in CN code 2204 10 in bottles with 'mushroom' stoppers held in place by ties or fastenings : wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C :<br><br>- - - - - Wine put up otherwise than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C :<br><br>- - - - - Other : :<br>- - - - - Of an actual alcoholic strength by volume not exceeding 13% vol :<br>- - - - - Quality wines produced in specified regions : |                                    |
| 2204 29 21    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 29 23    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
|               | - - - - - Other :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |
| 2204 29 25    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 29 29    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
|               | - - - - - Of an actual alcoholic strength by volume exceeding 13% vol but not exceeding 15% vol :<br>- - - - - Quality wines produced in specified regions :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                    |
| 2204 29 31    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 29 33    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
|               | - - - - - Other :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                    |
| 2204 29 35    | - - - - - White                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |
| 2204 29 39    | - - - - - Other                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                    |

*Article 2*

The Portuguese authorities shall notify the Commission of the measures they have adopted for the application of Article 1.

Every six months they shall forward to the Commission information on the quantities imported during that period.

*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 January 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 469/90**  
**of 23 February 1990**  
**concerning certain applications for STM licences for 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, and in particular Article 85 (3) thereof,

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

Whereas Commission Regulation (EEC) No 606/86 <sup>(3)</sup>, as last amended by Regulation (EEC) No 280/90 <sup>(4)</sup>, fixes the indicative ceiling for imports into Spain of certain milk products for 1990;

Whereas applications for STM licences lodged in the first weeks of February 1990 for butter and cheese are for quantities far higher than the indicative ceilings for the whole of 1990;

Whereas by an emergency procedure by Regulation (EEC) No 356/90 <sup>(5)</sup>, the Commission accordingly adopted the appropriate interim protective measures; whereas provision should be made once more for the possibility of

lodging STM licences from 26 February 1990 as a definitive measure as mentioned in Article 85 (3) of the Act of Accession in order to prevent any disturbance on the Spanish market;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

No award shall be made in respect of applications for STM licences for milk products covered by CN codes 0405 and ex 0406 referred to in Regulation (EEC) No 606/86 lodged between 6 and 25 February 1990. New applications may be lodged from 26 February 1990.

*Article 2*

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

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 55, 1. 3. 1986, p. 106.  
<sup>(2)</sup> OJ No L 293, 27. 10. 1988, p. 7.  
<sup>(3)</sup> OJ No L 58, 1. 3. 1986, p. 28.  
<sup>(4)</sup> OJ No L 30, 1. 2. 1990, p. 63.  
<sup>(5)</sup> OJ No L 38, 10. 2. 1990, p. 38.

## COMMISSION REGULATION (EEC) No 470/90

of 23 February 1990

amending Regulation (EEC) No 2316/89 as regards the minimum import price and the countervailing charges to be levied where the minimum import price applicable to dried grapes is not met

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EEC) No 1125/89 <sup>(2)</sup>, and in particular Article 9 (6) thereof,

Whereas Commission Regulation (EEC) No 2316/89 <sup>(3)</sup> fixes the minimum import price and the countervailing charges to be levied where the minimum import price applicable to dried grapes is not met;

Whereas Commission Regulation (EEC) No 2886/89 <sup>(4)</sup> amends from 1 January 1990 Annex I to Council Regulation (EEC) No 2658/87 <sup>(5)</sup>, as regards specifically the tariff classification for dried grapes; whereas account should be taken of those amendments in the framework of the relevant provisions in the application of the regime in question;

Whereas Article 2 (2) of Council Regulation (EEC) No 2089/85 of 23 July 1985 establishing general rules relating to the system of minimum import prices for dried grapes <sup>(6)</sup> provides that the maximum countervailing

charge is to be determined on the basis of the most favourable prices applying on the world market for significant quantities by the most representative third countries; whereas, on the basis of the prices applying on the world market, which are now known, the countervailing charges currently in force should be adjusted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I headed 'minimum import prices', and 'Annex II' headed 'countervailing charges', to Regulation (EEC) No 2316/89, are hereby replaced by Annexes I and II hereto respectively.

*Article 2*

This Regulation shall enter into force on 26 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 29.

<sup>(3)</sup> OJ No L 220, 29. 7. 1989, p. 45.

<sup>(4)</sup> OJ No L 282, 2. 10. 1989, p. 1.

<sup>(5)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(6)</sup> OJ No L 197, 27. 7. 1985, p. 10.

## ANNEX I

## Minimum import prices

| (ECU per tonne) |                                                                 |                      |
|-----------------|-----------------------------------------------------------------|----------------------|
| CN code         | Description                                                     | Minimum import price |
| 0806 20         | — Dried grapes :                                                |                      |
|                 | — — In immediate containers of a net capacity of 2 kg or less : |                      |
| 0806 20 11      | — — — Currants                                                  | 989,03               |
| 0806 20 12      | — — — Sultanas                                                  | 1 034,68             |
| 0806 20 18      | — — — Other                                                     | 1 034,68             |
|                 | — — Other :                                                     |                      |
| 0806 20 91      | — — — Currants                                                  | 855,86               |
| 0806 20 92      | — — — Sultanas                                                  | 895,36               |
| 0806 20 98      | — — — Other                                                     | 895,36               |

## ANNEX II

## Countervailing charges

## 1. Currants falling within CN code 0806 20 11

| (ECU per tonne)      |                   |                                    |
|----------------------|-------------------|------------------------------------|
| Import price applied |                   | Countervailing charge to be levied |
| less than            | but not less than |                                    |
| 989,03               | 979,14            | 9,89                               |
| 979,14               | 959,36            | 29,67                              |
| 959,36               | 929,69            | 59,34                              |
| 929,69               | 900,02            | 89,01                              |
| 900,02               |                   | 138,81                             |

## 2. Currants falling within CN code 0806 20 91

| (ECU per tonne)      |                   |                                    |
|----------------------|-------------------|------------------------------------|
| Import price applied |                   | Countervailing charge to be levied |
| less than            | but not less than |                                    |
| 855,86               | 847,30            | 5,64                               |
| 847,30               | 830,18            | 5,64                               |
| 830,18               | 804,51            | 5,64                               |
| 804,51               | 778,83            | 5,64                               |
| 778,83               |                   | 5,64                               |

## 3. Dried grapes falling within CN codes 0806 20 12 and 0806 20 18

| (ECU per tonne)      |                   |                                    |
|----------------------|-------------------|------------------------------------|
| Import price applied |                   | Countervailing charge to be levied |
| less than            | but not less than |                                    |
| 1 034,68             | 1 024,33          | 10,35                              |
| 1 024,33             | 1 003,64          | 31,04                              |
| 1 003,64             | 972,60            | 62,08                              |
| 972,60               | 941,56            | 93,12                              |
| 941,56               |                   | 184,46                             |

## 4. Dried grapes falling within CN codes 0806 20 92 and 0806 20 98

*(ECU per tonne)*

| Import price applied |                   | Countervailing charge to be levied |
|----------------------|-------------------|------------------------------------|
| less than            | but not less than |                                    |
| 895,36               | 886,41            | 8,95                               |
| 886,41               | 868,50            | 26,86                              |
| 868,50               | 841,64            | 45,14                              |
| 841,64               | 814,78            | 45,14                              |
| 814,78               |                   | 45,14                              |

**COMMISSION REGULATION (EEC) No 471/90**  
**of 23 February 1990**  
**fixing the amount of the subsidy on oil seeds**

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

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture<sup>(3)</sup>, as last amended by Regulation (EEC) No 380/90<sup>(4)</sup>,

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

Having regard to the opinion of the Monetary Committee,  
Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 339/90<sup>(7)</sup>, as amended by Regulation (EEC) No 398/90<sup>(8)</sup>;

Whereas, in the absence of the target price for the 1990/91 marketing year for olza and rape seed, the abatement of the subsidy from the system of maximum guaranteed quantities, the amount of the subsidy in the case of advance fixing for this period for colza and rape seed has been obtainable only provisionally on the basis of the latest proposals from the Commission to the Council on price and abatement; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative

prices and where appropriate, the effects of the application of the system of maximum guaranteed quantities of the 1990/91 marketing year are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 339/90 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amount of the subsidy and the exchange rate referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83<sup>(9)</sup> are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86<sup>(10)</sup> is as set out in Annex III for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87<sup>(11)</sup> for sunflower seed harvested and processed in Portugal is as set out in Annex III.

4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza and rape will be confirmed or replaced as from 24 February 1990 to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

*Article 2*

This Regulation shall enter into force on 24 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 280, 29. 9. 1989, p. 2.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(4)</sup> OJ No L 41, 15. 2. 1990, p. 16.

<sup>(5)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(6)</sup> OJ No L 197, 26. 7. 1988, p. 10.

<sup>(7)</sup> OJ No L 37, 9. 2. 1990, p. 14.

<sup>(8)</sup> OJ No L 42, 16. 2. 1990, p. 50.

<sup>(9)</sup> OJ No L 266, 28. 9. 1983, p. 1.

<sup>(10)</sup> OJ No L 53, 1. 3. 1986, p. 47.

<sup>(11)</sup> OJ No L 183, 3. 7. 1987, p. 18.

## ANNEX I

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

(amounts per 100 kg)

|                                               | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 | 5th period<br>7 <sup>(1)</sup> |
|-----------------------------------------------|--------------|-----------------|-----------------|-----------------|-----------------|--------------------------------|
| 1. Gross aids (ECU):                          |              |                 |                 |                 |                 |                                |
| — Spain                                       | 1,170        | 1,170           | 1,170           | 1,170           | 1,170           | 1,770                          |
| — Portugal                                    | 0,000        | 0,000           | 0,000           | 0,000           | 0,000           | 0,000                          |
| — Other Member States                         | 25,404       | 25,482          | 25,469          | 25,813          | 23,047          | 22,000                         |
| 2. Final aids:                                |              |                 |                 |                 |                 |                                |
| (a) Seed harvested and processed in:          |              |                 |                 |                 |                 |                                |
| — Federal Republic of Germany (DM)            | 60,25        | 60,44           | 60,41           | 61,26           | 54,79           | 52,50                          |
| — Netherlands (Fl)                            | 67,01        | 67,22           | 67,18           | 68,09           | 60,79           | 58,23                          |
| — BLEU (Bfrs/Lfrs)                            | 1 226,68     | 1 230,45        | 1 229,82        | 1 246,43        | 1 112,87        | 1 062,31                       |
| — France (FF)                                 | 193,48       | 194,05          | 193,91          | 196,58          | 174,86          | 166,90                         |
| — Denmark (Dkr)                               | 226,86       | 227,56          | 227,44          | 230,51          | 205,81          | 196,28                         |
| — Ireland (£ Irl)                             | 21,534       | 21,598          | 21,582          | 21,879          | 19,462          | 18,576                         |
| — United Kingdom (£)                          | 16,368       | 16,405          | 16,353          | 16,579          | 14,311          | 13,762                         |
| — Italy (Lit)                                 | 42 489       | 42 613          | 42 577          | 43 168          | 38 322          | 37 856                         |
| — Greece (Dr)                                 | 4 505,65     | 4 513,93        | 4 476,77        | 4 524,49        | 3 907,29        | 4 283,60                       |
| (b) Seed harvested in Spain and processed:    |              |                 |                 |                 |                 |                                |
| — in Spain (Pta)                              | 178,89       | 178,89          | 178,89          | 178,89          | 178,89          | 270,63                         |
| — in another Member State (Pta)               | 3 578,40     | 3 590,64        | 3 587,15        | 3 633,35        | 3 214,05        | 3 122,45                       |
| (c) Seed harvested in Portugal and processed: |              |                 |                 |                 |                 |                                |
| — in Portugal (Esc)                           | 0,00         | 0,00            | 0,00            | 0,00            | 0,00            | 0,00                           |
| — in another Member State (Esc)               | 5 286,33     | 5 301,07        | 5 286,79        | 5 341,02        | 4 769,22        | 4 710,31                       |

<sup>(1)</sup> Subject in the case of advance fixing for the 1990/91 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

## ANNEX II

## Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

|                                               | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 | 5th period<br>7 <sup>(1)</sup> |
|-----------------------------------------------|--------------|-----------------|-----------------|-----------------|-----------------|--------------------------------|
| 1. Gross aids (ECU):                          |              |                 |                 |                 |                 |                                |
| — Spain                                       | 3,670        | 3,670           | 3,670           | 3,670           | 3,670           | 4,270                          |
| — Portugal                                    | 2,500        | 2,500           | 2,500           | 2,500           | 2,500           | 2,500                          |
| — Other Member States                         | 27,904       | 27,982          | 27,969          | 28,313          | 25,547          | 24,500                         |
| 2. Final aids:                                |              |                 |                 |                 |                 |                                |
| (a) Seed harvested and processed in:          |              |                 |                 |                 |                 |                                |
| — Federal Republic of Germany (DM)            | 66,15        | 66,34           | 66,32           | 67,16           | 60,69           | 58,40                          |
| — Netherlands (Fl)                            | 73,61        | 73,81           | 73,78           | 74,69           | 67,39           | 64,83                          |
| — BLEU (Bfrs/Lfrs)                            | 1 347,40     | 1 351,17        | 1 350,54        | 1 367,15        | 1 233,59        | 1 183,03                       |
| — France (FF)                                 | 212,72       | 213,30          | 213,16          | 215,82          | 194,10          | 186,14                         |
| — Denmark (Dkr)                               | 249,18       | 249,88          | 249,76          | 252,84          | 228,14          | 218,61                         |
| — Ireland (£ Irl)                             | 23,676       | 23,740          | 23,724          | 24,021          | 21,603          | 20,717                         |
| — United Kingdom (£)                          | 18,129       | 18,166          | 18,114          | 18,340          | 16,071          | 15,537                         |
| — Italy (Lit)                                 | 46 739       | 46 863          | 46 827          | 47 418          | 42 572          | 42 196                         |
| — Greece (Dr)                                 | 4 985,59     | 4 993,87        | 4 956,70        | 5 004,43        | 4 387,23        | 4 807,38                       |
| (b) Seed harvested in Spain and processed:    |              |                 |                 |                 |                 |                                |
| — in Spain (Pta)                              | 561,13       | 561,13          | 561,13          | 561,13          | 561,13          | 652,87                         |
| — in another Member State (Pta)               | 3 960,64     | 3 972,88        | 3 969,39        | 4 015,59        | 3 596,29        | 3 504,69                       |
| (c) Seed harvested in Portugal and processed: |              |                 |                 |                 |                 |                                |
| — in Portugal (Esc)                           | 499,40       | 499,40          | 499,40          | 499,40          | 499,40          | 512,33                         |
| — in another Member State (Esc)               | 5 785,73     | 5 800,47        | 5 786,19        | 5 840,43        | 5 268,62        | 5 222,64                       |

<sup>(1)</sup> Subject in the case of advance fixing for the 1990/91 marketing year to the adoption of prices and measures and where appropriate, the effects of the application of the system of maximum guaranteed quantities.

## ANNEX III

## Aids to sunflower seed

(amounts per 100 kg)

|                                               | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 |
|-----------------------------------------------|--------------|-----------------|-----------------|-----------------|-----------------|
| 1. Gross aids (ECU):                          |              |                 |                 |                 |                 |
| — Spain                                       | 6,890        | 6,890           | 6,890           | 6,890           | 6,890           |
| — Portugal                                    | 0,000        | 0,000           | 0,000           | 0,000           | 0,000           |
| — Other Member States                         | 34,441       | 34,572          | 34,703          | 34,814          | 28,494          |
| 2. Final aids:                                |              |                 |                 |                 |                 |
| (a) Seed harvested and processed in (1):      |              |                 |                 |                 |                 |
| — Federal Republic of Germany (DM)            | 81,61        | 81,92           | 82,23           | 82,53           | 67,75           |
| — Netherlands (Fl)                            | 90,85        | 91,20           | 91,54           | 91,83           | 75,16           |
| — BLEU (Bfrs/Lfrs)                            | 1 663,05     | 1 669,38        | 1 675,70        | 1 681,06        | 1 375,89        |
| — France (FF)                                 | 262,91       | 263,90          | 264,88          | 265,71          | 216,09          |
| — Denmark (Dkr)                               | 307,56       | 308,73          | 309,90          | 310,89          | 254,45          |
| — Ireland (£ Irl)                             | 29,262       | 29,372          | 29,481          | 29,573          | 24,050          |
| — United Kingdom (£)                          | 22,640       | 22,714          | 22,774          | 22,802          | 17,619          |
| — Italy (Lit)                                 | 57 809       | 58 023          | 58 238          | 58 417          | 47 347          |
| — Greece (Dr)                                 | 6 217,71     | 6 236,22        | 6 227,97        | 6 221,14        | 4 810,91        |
| (b) Seed harvested in Spain and processed:    |              |                 |                 |                 |                 |
| — in Spain (Pta)                              | 1 053,45     | 1 053,45        | 1 053,45        | 1 053,45        | 1 053,45        |
| — in another Member State (Pta)               | 4 262,55     | 4 282,87        | 4 301,03        | 4 311,39        | 3 353,35        |
| (c) Seed harvested in Portugal and processed: |              |                 |                 |                 |                 |
| — in Portugal (Esc)                           | 0,00         | 0,00            | 0,00            | 0,00            | 0,00            |
| — in Spain (Esc)                              | 7 696,48     | 7 722,41        | 7 737,39        | 7 742,77        | 6 407,06        |
| — in another Member State (Esc)               | 7 528,26     | 7 553,63        | 7 568,28        | 7 573,54        | 6 267,02        |
| 3. Compensatory aids:                         |              |                 |                 |                 |                 |
| — in Spain (Pta)                              | 4 232,66     | 4 252,98        | 4 271,14        | 4 281,50        | 3 323,45        |
| 4. Special aid:                               |              |                 |                 |                 |                 |
| — in Portugal (Esc)                           | 7 528,26     | 7 553,63        | 7 568,28        | 7 573,54        | 6 267,02        |

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0223450.

## ANNEX IV

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

(value of ECU 1)

|           | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 | 5th period<br>7 |
|-----------|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| DM        | 2,042380     | 2,038340        | 2,033810        | 2,030040        | 2,030040        | 2,019290        |
| Fl        | 2,300220     | 2,297120        | 2,293080        | 2,289370        | 2,289370        | 2,277770        |
| Bfrs/Lfrs | 42,675200    | 42,663700       | 42,641200       | 42,617600       | 42,617600       | 42,551900       |
| FF        | 6,934730     | 6,934460        | 6,934140        | 6,935510        | 6,935510        | 6,935670        |
| Dkr       | 7,881100     | 7,889470        | 7,899810        | 7,906840        | 7,906840        | 7,930470        |
| £Irl      | 0,769968     | 0,769952        | 0,770015        | 0,769905        | 0,769905        | 0,771407        |
| £         | 0,716705     | 0,718972        | 0,721319        | 0,723351        | 0,723351        | 0,729327        |
| Lit       | 1 514,91     | 1 517,10        | 1 519,92        | 1 521,75        | 1 521,75        | 1 527,18        |
| Dr        | 192,56900    | 193,69300       | 195,68200       | 197,23000       | 197,23000       | 203,16400       |
| Esc       | 180,05200    | 180,69000       | 181,63300       | 182,62900       | 182,62900       | 185,74900       |
| Pta       | 131,92900    | 132,27500       | 132,70900       | 133,08900       | 133,08900       | 134,28100       |

## COMMISSION REGULATION (EEC) No 472/90

of 23 February 1990

adjusting the 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 <sup>(1)</sup>, 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 and  
Commission Regulation (EEC) No 3815/89 <sup>(2)</sup> lays down  
detailed rules for applying the said compensatory  
mechanism;Whereas Commission Regulation (EEC) No 413/90 <sup>(3)</sup>  
introduces a corrective amount on imports of artichokes  
into the Community of Ten from Spain (except the  
Canary Islands);Whereas Article 3 (4) of Regulation (EEC) No 3709/89  
lays down the conditions under which a corrective  
amount introduced pursuant to Article 3 (1) of the said  
Regulation, is to be adjusted; whereas the said conditions  
require that the corrective amount on imports of arti-  
chokes from Spain (except the Canary Islands) into the  
Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 1 of Regulation (EEC) No 413/90, 'ECU 1,08' is  
replaced by 'ECU 9,84'.*Article 2*This Regulation shall enter into force on 24 February  
1990.This Regulation shall be binding in its entirety and directly applicable in all Member  
States.

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*<sup>(1)</sup> OJ No L 363, 13. 12. 1989, p. 3.<sup>(2)</sup> OJ No L 371, 30. 12. 1989, p. 28.<sup>(3)</sup> OJ No L 43, 17. 2. 1990, p. 29.

**COMMISSION REGULATION (EEC) No 473/90****of 23 February 1990****amending Regulation (EEC) No 228/90 introducing a countervailing charge on  
fresh lemons originating in Turkey**

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1119/89<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 228/90<sup>(3)</sup>, as amended by Regulation (EEC) No 425/90<sup>(4)</sup>; introduced a countervailing charge on fresh lemons originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of fresh lemons originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 228/90, 'ECU 15,84' is hereby replaced by 'ECU 23,48'.

*Article 2*

This Regulation shall enter into force on 24 February 1990.

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

Done at Brussels, 23 February 1990.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 118, 29. 4. 1989, p. 12.  
<sup>(3)</sup> OJ No L 22, 27. 1. 1990, p. 72.  
<sup>(4)</sup> OJ No L 44, 20. 2. 1990, p. 29.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION OPINION

of 12 February 1990

addressed to the Portuguese Government concerning the implementation of Council Directive 79/116/EEC concerning minimum requirements for certain tankers entering or leaving Community ports, and Council Directive 79/1034/EEC amending Council Directive 79/116/EEC

(90/76/EEC)

1. By letter of 25 July 1988, the Office of the Permanent Representative of Portugal to the European Communities forwarded to the Commission pursuant to Article 3 of Council Directives 79/116/EEC <sup>(1)</sup> and 79/103/EEC <sup>(2)</sup>, Decreto-Lei No 142/88 of 22 April 1988 concerning the minimum requirements for certain tankers entering or leaving Portuguese ports.
2. The Commission must point out that, despite its obligations under Article 3 of both Directives, the Portuguese Government submitted the text of the Decreto-Lei to the Commission for consultation after it had been adopted and not, as provided for in the Directives, before it was adopted.
3. After having examined the Decreto-Lei, the Commission observes that item C of the model tanker check list does not provide for a classification certificate and that likewise the next under item D does not comply with the Portuguese version of the Directive as regards the wording "Total number of ratings."
4. In view of the fact that the other measures adopted satisfy the requirements of the Directives, subject to the amendment of the points mentioned in (3) above, the Commission hereby delivers a favourable opinion.

Done at Brussels, 12 February 1990.

*For the Commission*

Karel VAN MIERT

*Member of the Commission*

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<sup>(1)</sup> OJ No L 33, 8. 2. 1979, p. 33.

<sup>(2)</sup> OJ No L 315, 11. 12. 1979, p. 16.

## COMMISSION DECISION

of 16 February 1990

derogating from High Authority Recommendation No 1-64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (142nd derogation)

(90/77/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

Having regard to High Authority Recommendation No 1-64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community <sup>(1)</sup>, as last amended by Recommendation 88/27/ECSC <sup>(2)</sup>, and in particular Article 3 thereof,

Whereas certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or produced in insufficient quantities; whereas for a number of years insufficiency has been overcome by duty-free tariff quotas; whereas Community producers are still not in a position to comply with the present quality requirements put forward by the users; whereas duty-free quotas at a level securing the supply of users is consequently required;

Whereas import of these products on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of Recom-

mendation No 1-64, but will help to maintain existing trade flows between Member States and non-member countries;

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of Recommendation No 1-64;

Whereas provision should be made pursuant to the third paragraph of Article 71 of the Treaty, to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-export in the unaltered state to other Member States of the imported iron and steel products will be prevented;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

*Article 1*

1. Member States are hereby authorized to derogate from the obligations arising under Article 1 of High Authority Recommendation No 1-64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within tariff quotas of the amounts indicated for the Member States concerned:

| CN code           | Description                                                                                                      | Member State | Quota (tonnes) | Duty (%) |
|-------------------|------------------------------------------------------------------------------------------------------------------|--------------|----------------|----------|
| (a) ex 7213 50 00 | Special wire rod for the manufacture of valve springs with a diameter of 5,5 mm or more but not exceeding 13 mm: | Germany      | 1 200          | 0        |
|                   |                                                                                                                  | Benelux      | 1 380          | 0        |
|                   |                                                                                                                  | Spain        | 1 430          | 0        |
|                   | of iron or non-alloy steel, containing by weight:                                                                |              |                |          |
|                   | — 0,6 % or more but not more than 0,7 % of carbon                                                                |              |                |          |
|                   | — 0,25 % or less of silicon                                                                                      |              |                |          |
|                   | — 0,5 % or more but not more than 0,9 % of manganese                                                             |              |                |          |
|                   | — 0,02 % or less of sulphur                                                                                      |              |                |          |
|                   | — 0,03 % or less of phosphorus                                                                                   |              |                |          |
|                   | — 0,06 % or less of copper                                                                                       |              |                |          |

<sup>(1)</sup> OJ No 8, 22. 1. 1964, p. 99/64.

<sup>(2)</sup> OJ No L 15, 20. 1. 1988, p. 13.

| CN code           | Description                                                                                                                                                                                                                                                                                                                                                                                     | Member State | Quota (tonnes) | Duty (%) |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------|----------|
| (b) ex 7227 90 90 | of other alloy steel containing by weight :<br>— 0,6 % or more but not more than 0,7 % of carbon<br>— 0,15 % or more but not more than 0,3 % of silicon<br>— 0,6 % or more but not more than 0,9 % of manganese<br>— 0,025 % or less of sulphur<br>— 0,025 % or less of phosphorus<br>— 0,5 % or more but not more than 0,8 % of chrome<br>— 0,1 % or more but not more than 0,25 % of vanadium |              |                |          |
| (c) ex 7227 90 90 | of other alloy steel containing by weight :<br>— 0,5 % or more but not more than 0,6 % of carbon<br>— 1,2 % or more but not more than 1,7 % of silicon<br>— 0,4 % or more but not more than 0,8 % of manganese<br>— 0,025 % or less of sulphur<br>— 0,025 % or less of phosphorus<br>— 0,5 % or more but not more than 0,8 % of chrome                                                          |              |                |          |

2. The abovementioned products must, in addition, comply with the following physical specifications :

(a) *Decarburization*

Depth of decarburization measured without defects :

- wire rod as under (a) and (b) : 0,05 mm maximum,
- wire rod as under (c) : 0,07 mm maximum.

(b) *Surface condition*

Maximum depth of defects (tears, fissures or folds) measured perpendicular to the surface : 0,05 mm.

(c) *Non-metallic inclusions*

Examination to be carried out in accordance with the Afnor standard (ref. A 04/106) of July 1972 and with Stahl-Eisen-Blatt 1570/71.

Typical maximum value figure 1 from the surface to two-thirds of the radius.

Typical maximum value figure 2 beyond two-thirds of the radius to the core.

The values indicated are valid for any type of inclusion.

3. The tariff quota referred to in paragraph 1 shall be in addition to those authorized by Commission Decision 89/477/ECSC<sup>(1)</sup>.

*Article 2*

1. Member States accorded quotas under Article 1 shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.

2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-consigned to other Member States in the unaltered state.

3. Community provisions on the matter shall apply for the purpose of verifying that the products in question are used for the particular purpose prescribed.

*Article 3*

This Decision is addressed to the Member States.

It shall apply from 1 January until 30 June 1990.

Done at Brussels, 16 February 1990.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 234, 11. 8. 1989, p. 46.

## COMMISSION DECISION

of 16 February 1990

derogating from High Authority Recommendation No 1-64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (143rd derogation)

(90/78/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

Having regard to High Authority Recommendation No 1-64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community<sup>(1)</sup>, as last amended by Recommendation 88/27/ECSC<sup>(2)</sup>, and in particular Article 3 thereof,

Whereas certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or produced in insufficient quantities; whereas for a number of years insufficiency has been overcome by duty-free tariff quotas; whereas Community producers are still not in a position to comply with the present quality requirements put forward by the users; whereas duty-free quotas at a level securing the supply of users is consequently required;

Whereas import of these products on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Whereas neither this suspension of duties nor these tariff quotas are likely to jeopardize the objectives of Recom-

mendation No 1-64, but will help to maintain existing trade flows between Member States and non-member countries;

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of Recommendation No 1-64;

Whereas provision should be made pursuant to the third paragraph of Article 71 of the Treaty, to ensure that the quotas granted will be used solely to supply the needs of industries in the importing countries and that re-export in the unaltered state to other Member States of the imported iron and steel products will be prevented;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS REGULATION:

*Article 1*

Member States are hereby authorized to derogate from the obligations arising under Article 1 of High Authority Recommendation No 1-64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within tariff quotas of the amounts indicated for the Member States concerned:

| CN code                        | Description                                                                                                                                                                                                                                                                                                                                                            | Member State                | Quota (tonnes)      | Duty (%)    |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------|-------------|
| ex 7225 10 91<br>ex 7226 10 30 | Cold-rolled, grain-oriented, flat-rolled products of silicon-electrical steel, of a width of more than 500 mm and of 600 mm or more respectively, of a thickness exceeding 0,20 mm but less than 0,30 mm and a nominal magnetic-reversal loss of less than 1 W/kg, determined in accordance with the Epstein method with a current at 50 Hz and an induction of 1,7 T  | Germany<br>Benelux<br>Spain | 1 500<br>300<br>400 | 0<br>0<br>0 |
| ex 7225 10 99                  | Cold-rolled, laser-irradiated, non-grain-oriented, flat-rolled products of silicon-electrical steel, in coils of 840 mm by 0,5 mm and with nominal magnetic-reversal loss, determined in accordance with the Epstein method, of less than 1,04 W/kg with a current of 50 Hz and an induction of 1 T, and of 2,5 W/kg with a current of 50 Hz and an induction of 1,5 T | Spain                       | 300                 | 0           |

<sup>(1)</sup> OJ No 8, 22. 1. 1964, p. 99/64.

<sup>(2)</sup> OJ No L 15, 20. 1. 1988, p. 13.

*Article 2*

1. Member States accorded quotas under Article 1 shall ensure, in liaison with the Commission, that such quotas are apportioned among third countries on a non-discriminatory basis.

2. They shall take all necessary steps to preclude the possibility of iron and steel products imported under the said tariff quotas being re-consigned to other Member States in the unaltered state.

*Article 3*

This Decision is addressed to the Member States.

It shall apply from 1 January until 30 June 1990.

Done at Brussels, 16 February 1990.

*For the Commission*

Frans ANDRIESEN

*Vice-President*