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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 540/90**of 2 March 1990****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 201/90⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1915/89⁽⁵⁾ and subsequent amending Regulations;

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

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

Whereas these exchange rates being those recorded on 1 March 1990;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas Council Regulation (EEC) No 486/85⁽⁶⁾, as last amended by Regulation (EEC) No 3530/89⁽⁷⁾, lays down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories; whereas the Council has not yet been able formally to adopt the Regulation intended to replace Regulation (EEC) No 486/85; whereas, in order to avoid discontinuity in the arrangements applying, the application of the arrangements laid down in Regulation (EEC) No 486/85 should be contained as a precaution and without prejudice to the definitive arrangements to be adopted subsequently by the Council;

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 3 March 1990.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 1.

⁽⁶⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁷⁾ OJ No L 347, 28. 11. 1989, p. 3.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 2 March 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	35,37	134,49 ⁽²⁾ ⁽³⁾
0712 90 19	35,37	134,49 ⁽²⁾ ⁽³⁾
1001 10 10	43,59	183,02 ⁽¹⁾ ⁽³⁾
1001 10 90	43,59	183,02 ⁽¹⁾ ⁽³⁾
1001 90 91	36,15	143,13
1001 90 99	36,15	143,13
1002 00 00	61,28	131,51 ⁽⁴⁾
1003 00 10	52,45	116,45
1003 00 90	52,45	116,45
1004 00 10	43,85	122,91
1004 00 90	43,85	122,91
1005 10 90	35,37	134,49 ⁽²⁾ ⁽³⁾
1005 90 00	35,37	134,49 ⁽²⁾ ⁽³⁾
1007 00 90	52,45	139,37 ⁽⁴⁾
1008 10 00	52,45	27,97
1008 20 00	52,45	86,46 ⁽⁴⁾
1008 30 00	52,45	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	52,45	0,00
1101 00 00	64,78	214,55
1102 10 00	99,96	197,75
1103 11 10	82,30	298,41
1103 11 90	68,70	230,45

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

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

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 541/90

of 2 March 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 201/90 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1916/89 ⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 1 March 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 3 March 1990.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 2 March 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	2,21	2,19	2,21
1001 10 90	0	2,21	2,19	2,21
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	4,35	4,30	7,32
1003 00 90	0	4,35	4,30	7,32
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	1,58	1,58	1,58
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	7,74	7,65	13,03	13,03
1107 10 99	0	5,79	5,72	9,74	9,74
1107 20 00	0	6,74	6,67	11,35	11,35

COMMISSION REGULATION (EEC) No 542/90

of 1 March 1990

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 323/90⁽²⁾, and in particular Article 9 thereof,

Whereas, in order to ensure uniform application of the combined nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation ;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods ;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified within the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The goods described in column 1 of the annexed table are now classified in the combined nomenclature within the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st day after 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, 1 March 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 36, 8. 2. 1990, p. 7.

ANNEX

Description	CN code	Reasons
(1)	(2)	(3)
1. Aqueous emulsion based on carnauba wax used as a release agent on sheets of plastic and similar materials	3823 90 98	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 3823, 3823 90 and 3823 90 98. This product does not have the characteristics of goods falling within CN codes 3405 and 3809
2. Chloroprene (clorobutadiene) rubber in one of the forms mentioned in Note 3 (b) to Chapter 40 containing very small amounts of talc. This is added to the surface as an anti-tacking agent	4002 49 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and of Note 5 (b) (1) to Chapter 40, and by the texts of CN codes 4002 and 4002 49 00

COMMISSION REGULATION (EEC) No 543/90

of 2 March 1990

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 2396/89⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or:

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3327/89⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for the other currencies, a conversion rate based on the arithmetic mean of the spot market rates for the currency, as recorded over a given period, against the Community currencies referred to in the preceding indent, and the abovementioned factor;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 2396/89 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 6 March 1990.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 227, 4. 8. 1989, p. 9.

⁽⁴⁾ OJ No L 321, 4. 11. 1989, p. 41.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ 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, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 544/90

of 2 March 1990

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of large-flowered roses originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 2396/89⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3327/89⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- for the other currencies, a conversion rate based on the arithmetic mean of the spot market rates for the currency, as recorded over a given period, against the Community currencies referred to in the preceding indent, and the abovementioned factor;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for large-flowered roses originating in Morocco; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Morocco, the preferential customs duty fixed by Council Regulation (EEC) No 2396/89 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 6 March 1990.

⁽¹⁾ OJ No L 321, 4. 11. 1989, p. 41.

⁽²⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽³⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 227, 4. 8. 1989, p. 9.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 545/90

of 2 March 1990

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

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to the People's Republic of China 6 636 of skimmed-milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the 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, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOTS A, B, C, D, E, F, G, H, I, K, and L

1. **Operation Nos** ⁽¹⁾: 114 to 124/90 — Protocol of 1. 3. 1988
2. **Programme**: 1989
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** ⁽²⁾: Ministry of Agriculture, CPIG Dairy Development Project Office, 11 Nong Zhan Guan, Nanli Beijing CN, People's Republic of China (telex 22233 MAGR CN)
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾: see OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.1 and I.1.A.2)
8. **Total quantity**: 6 636 tonnes
9. **Number of lots**: 11 (see Annex II)
10. **Packaging and marking**: 25 kilograms ⁽⁷⁾ ⁽⁸⁾ and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.3).
Supplementary marking on packaging: see Annex II and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient** ⁽⁹⁾: Lots A and B: Huangpu (Guangzhou); Lots C and D: Mawei (Fuzhou); Lots E, F and G: Shanghai; Lots H and I: Xingang (Tianjin); Lots K and L: Dalian
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see Annex II
17. **Period for making the goods available at the port of shipment, where the supply is awarded at the port of shipment stage**:
 - Lots A, B, C, and D: 23. 4 — 4. 5. 1990;
 - Lots E, F, G, H and I: 1 — 11. 5. 1990;
 - Lots K and L: 7 — 18. 5. 1990
18. **Deadline for the supply**:
 - Lots A, B, C, and D: 8. 6. 1990
 - Lots E, F, and G: 15. 6. 1990
 - Lots H and I: 22. 6. 1990
 - Lots K and L: 29. 6. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 19. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 2. 4. 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:
 - Lots A, B, C, and D: 7 — 18. 5. 1990;
 - Lots E, F, G, H and I: 15 — 25. 5. 1990;
 - Lots K and L: 21. 5 — 1. 6. 1990
 - (c) deadline for the supply:
 - Lots A, B, C, and D: 22. 6. 1990
 - Lots E, F, and G: 29. 6. 1990
 - Lots H and I: 6. 7. 1990
 - Lots K and L: 13. 7. 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,
Attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Bruxelles
(telex AGREC 22037 B or 25670 B)
25. Refund payable on request by the successful tenderer⁽⁵⁾: refund applicable on 26. 1. 1990, fixed by Commission Regulation (EEC) No 176/90 (OJ No L 21, 26. 1. 1990, p. 8)

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (3) Commission delegate to be contacted by the successful tenderer: EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing (tel. 532 44 43; telex 222690 ECDEL CN; telefax 532 43 42).
- (4) 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 Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (5) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (7) The bags must be placed in 20-foot containers.
The free holding period for containers must be at least 15 days.
- (8) New, dry and intact packaging of a net content of 25 kilograms made up as follows: (combination of requirements in I (b) and (c) of Annex II to Commission Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19)):
- one kraft paper bag of a strength of at least 70 g/m²,
 - one kraft paper bag with a polyethylene lining, of a strength of at least 80 + 15 g/m²,
 - three kraft bags of a strength of at least 70 g/m²,
 - one polythylene inner bag at least 0,12 mm thick, welded or double bond.
- (9) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable CHINSPECT, telex 210076 SACI CN.
CCIC may be designated as representative by the successful tenderer.

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtager-land Bestimmungs-land Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmings-land País destinatário	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Dirección del almacén Adresse på lageret Anschrift des Lagers Διεύθυνση της αποθήκης Address of the warehouse Adresse du magasin Indirizzo del magazzino Adres van de opslagplaats Endereço do armazém	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	900	People's Republic of China	China	114/90	Number 2 Dairy Plant, Panionggang, Shahe	Operation No 114/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
B	225	People's Republic of China	China	115/90	Number 2 Dairy Plant, Panionggang, Shahe	Operation No 115/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
C	562	People's Republic of China	China	116/90	Kangle Dairy Plant, Wuli-ting Fuma Road	Operation No 116/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
D	450	People's Republic of China	China	117/90	Kangle Dairy Plant, Wuli-ting Fuma Road	Operation No 117/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
E	900	People's Republic of China	China	118/90	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing	Operation No 118/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
F	562	People's Republic of China	China	119/90	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing	Operation No 119/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
G	450	People's Republic of China	China	120/90	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixinjing	Operation No 120/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
H	900	People's Republic of China	China	121/90	Refrigeration Plant, Dairy Company-xing-fudao Jiaokou, Hong-xing Road, Hebei District	Operation No 121/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtager-land Bestimmungs-land Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmings-land País destinatário	Acción nº Aktion nr. Maßnahme Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Dirección del almacén Adresse på lageret Anschrift des Lagers Διεύθυνση της αποθήκης Address of the warehouse Adresse du magasin Indirizzo del magazzino Adres van de opslagplaats Endereço do armazém	Inscripción en el embalaje Emballagens påtegnig Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
I	562	People's Republic of China	China	122/90	Refrigeration Plant, Dairy Company-xing-fudao Jiaokou, Hongxing Road, Hebei District	Operation No 122/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
K	900	People's Republic of China	China	123/90	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang	Operation No 123/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination
L	225	People's Republic of China	China	124/90	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang	Operation No 124/90 / EEC Dairy Development project / 1990 / Utilization programme / 14 cities / Gift of the European Economic Community / For recombination

COMMISSION REGULATION (EEC) No 546/90
of 2 March 1990
on the supply of various lots of butteroil as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 2 273 tonnes of butteroil;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community as Community food aid, for supply to the recipients listed in the 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, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOT A

1. **Operation Nos 100 to 103/90** ⁽¹⁾ — Commission Decision of 3. 3. 1989
2. **Programme** : 1989
3. **Recipient** : Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** ⁽²⁾ : see OJ No C 103, 16. 4. 1987
5. **Place or country of destination** : see Annex II
6. **Product to be mobilized** : butteroil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾ : see OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2)
8. **Total quantity** : 60 tonnes
9. **Number of lots** : one
10. **Packaging and marking** : 5 kg ⁽⁸⁾ ⁽⁹⁾ and OJ No C 216, 14. 8. 1987, p. 7 (under I.3.3)
Supplementary markings on the packaging : see Annex II and OJ No C 216, 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization** : the Community market
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** : 1 — 15. 4. 1990
18. **Deadline for the supply** :
19. **Procedure for determining the costs of supply** : invitation to tender
20. **In the case of invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽¹⁾ : 19 March 1990, at 12 noon
21. **In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders : 2. 4. 1990, at 12 noon
 - (b) period for making the goods available at the port of shipment : 15 — 29. 4. 1990 ;
 - (c) deadline for the supply : —
22. **Amount of the tendering security** : ECU 20 per tonne
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus
24. **Address for submission of tenders** :

Bureau de l'aide alimentaire,
A 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** ⁽¹⁾ : refund applicable on 22. 2. 1990, fixed by Commission Regulation (EEC) No 442/90 (OJ No L 46, 22. 2. 1990, p. 17)

LOTS B, C, D, E, and F

1. **Operation No** ⁽¹⁾: 125 to 129/90 — Commission Decision of 1. 3. 1988
2. **Programme**: 1989
3. **Recipient**: People's Republic of China
4. **Representative of the recipient** ⁽¹⁰⁾ ⁽¹¹⁾: Ministry of Agriculture, CPIG Dairy Development Project Office, 11 Nong Zhan Guan, Nanli Beijing CN, People's Republic of China (telex 22233 MAGR CN)
5. **Place or country of destination**: People's Republic of China
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁷⁾: see OJ No C 216, 14. 8. 1987, p. 7 (under I.3.1 and I.3.2)
8. **Total quantity**: 2 213 tonnes
9. **Number of lots**: five (Lot B: 375 tonnes; Lot C: 338 tonnes; Lot D: 637 tonnes; Lot E: 488 tonnes; Lot F: 375 tonnes)
10. **Packaging and marking**: 200 kilograms ⁽¹²⁾ ⁽¹³⁾ and OJ No C 216, 14. 8. 1987, p. 3 (under I.1.3.3).
Supplementary marking on packaging:
'ACTION No ... + EEC DAIRY DEVELOPMENT PROJECT / 1990 UTILIZATION PROGRAMME / 14 CITIES / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR RECOMBINATION'
and OJ no C 216, 14. 8. 1987, p. 8 (under I.3.4)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see note ⁽¹⁴⁾
17. **Period for making the goods available at the port of shipment, where the supply is awarded at the port of shipment stage**:

— Lot B — 125/90	}	1 — 11. 5. 1990
— Lot C — 126/90		
— Lot D — 127/90		
— Lot E — 128/90	}	7 — 18. 5. 1990
— Lot F — 129/90		
18. **Deadline for the supply**:
 - Lots B and C: 15. 6. 1990
 - Lot D: 22. 6. 1990
 - Lots E and F: 29. 6. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 19. 3. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 2. 4. 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:
 - Lots B, C, and D: 15 — 26. 5. 1990
 - Lots E and F: 21 — 31. 5. 1990
 - (c) deadline for the supply:
 - Lots B and C: 29. 6. 1990
 - Lot D: 7. 7. 1990
 - Lots E and F: 14. 7. 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,
Attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Bruxelles
(telex AGREC 22037 B or 25670 B)
25. Refund payable on request by the successful tenderer (°) : refund applicable on 22. 2. 1990, fixed by Commission Regulation (EEC) No 442/90 (OJ No L 46, 22. 2. 1990, p. 17)

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.
- (⁸) The supplier should send a duplicate of the original invoice to:
- MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 KB Rotterdam.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of boxes belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.
- (⁹) 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 subparagraph, of Regulation (EEC) No 2200/87 shall not apply.
- (¹⁰) Commission delegate to be contacted by the successful tenderer: EEC Delegation, Ta Yuan Diplomatic Offices Building, Apartment No 2-6-1, Liang Ma He Nan Lu 14, Beijing (tel. 532 44 43; telex 222690 ECDEL CN; telefax 532 43 42).
- (¹¹) The successful tenderer must nominate a representative at the port of landing. He must so inform the undertaking responsible for checks referred to in Article 10 of Regulation (EEC) No 2200/87 and the China National Import and Export Inspection Corporation (CCIC), cable CHINSPECT, telex 210076 SACI CN.
- CCIC may be designated as representative by the successful tenderer.
- (¹²) In 20-foot containers.
- The free holding period for containers must be at least 15 days.
- (¹³) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.

(¹⁴)

Operation No	Quantities (in tonnes)	Port of landing	Destination/Address of the warehouse
125/90	375	Huangpu (Guangzhou)	No 2 Dairy Plant, Panlonggang, Shahe
126/90	338	Mawei (Fuzhou)	Kangle Dairy Plant, Wuliting Fuma Road
127/90	637	Shanghai	The Warehouse of the Dairy Development Project, No 780 Beizhai Road, Beixingjing
128/90	488	Xingang (Tianjin)	Refrigeration Plant, Dairy Company Xingfudao Jiaokou, Hongxing Road, Hebei District
129/90	375	Dalian	The Warehouse of the Dairy Development Project, No 141 Dongbei Road, Xigang

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

Designación del lote Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation du lot Designazione della partita Aanduiding van de partij Designação do lote	Cantidad total del lote (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale du lot (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	País destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	60	15	Prosalus	Bénin	Action n° 100/90 / Prosalus / 95520 / Tanguieta via Cotonou / Pour distribution gratuite
		15	Prosalus	Bénin	Action n° 101/90 / Prosalus / 95521 / Zagnado via Cotonou / Pour distribution gratuite
		15	Prosalus	Liberia	Action No 102/90 / Prosalus / 95530 / Ganta via Monrovia / For free distribution
		15	ICR	Uganda	Action No 103/90 / ICR / 94607 / Kampala via Mombasa / For free distribution

COMMISSION REGULATION (EEC) No 547/90

of 2 March 1990

imposing a provisional anti-dumping duty on imports of certain glutamic acid and its salts originating in Indonesia, the Republic of Korea, Taiwan and Thailand, and accepting undertakings in connection with imports of certain glutamic acid and its salts originating in these countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. PROCEDURE

- (1) Following the receipt by the Commission of a complaint lodged by the Confédération Européenne des Fédérations des Industries Chimiques (CEFIC) on behalf of manufacturers representing all the Community production of the product concerned, containing sufficient evidence of dumping and material injury to justify the initiation of a proceeding, the Commission announced by a notice in the *Official Journal of the European Communities*⁽²⁾ the initiation of an anti-dumping proceeding concerning imports of glutamic acid and its salts originating in Indonesia, the Republic of Korea, Taiwan and Thailand and began an investigation.

The product concerned is glutamic acid and its salts used mainly as a flavour enhancer in food products, such as soups and preserved fish and meat, falling within CN code 2922 42 00.

- (2) The Commission officially notified the exporters and importers known to be concerned, the representatives of the exporting countries and the Community producers, and gave the parties directly concerned the opportunity to make known their views in writing.
- (3) The Commission sought all information it deemed necessary from the following interested parties and verified it, where appropriate, by carrying out investigations at the premises of those parties :

(a) *Community producers*

Orsan S.A., Paris,
Biacor S.A., Padua,
Peniberica S.A., Pamplona.

(b) *Producers/exporters to the Community*

Indonesia :

— P.T. Ajinomoto Indonesia, Jakarta,
— P.T. Sasa, Jakarta,
— P.T. Miwon Indonesia, Jakarta.

Korea :

— Cheil Sugar Co. Ltd, Seoul,
— Seoul Miwon Co. Ltd, Seoul.

Taiwan :

— Tung Hai Fermentation Industry Corporation, Taichung,
— Ve Wong Corporation, Taipei,
— Wei-Chuan Foods Corporation, Taipei.

Thailand :

— Thai Fermentation Industry Co., Bangkok,
— S.C.T. Company, Bangkok.

(c) *Importers in the Community*

Denmark :

— K. Dirach Aps, Roskilde.

France :

— SAPA, Ezanville.

Germany :

— Henry Lamotte, Bremen,
— Tesco Chemie, Düsseldorf.

Greece :

— Boukaouris, Piraeus.

Italy :

— Olimpo, Milan,
— Ygmar, Milan.

Netherlands :

— Chemimpo BV, s'Hertogenbosch,
— DCT Chemie, Zwijndrecht,
— Leduc Chemie BV, Vught.

Spain :

— Preparados Alimenticios, S.A., Barcelona,
— Gallina Blanca, S.A., Barcelona,
— Sumex, S.A., Barcelona.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 147, 4. 6. 1988, p. 3.

United Kingdom :

- Unilever, London,
- Albright and Wilson, Warley,
- Protan Ltd, Alton.

- (4) Several exporters and producers in the exporting countries and most importers failed to take advantage of the opportunity offered to them to defend their interests by providing the information requested in the questionnaires addressed to these parties and cooperating in the verification of the information.
- (5) No submissions were made on behalf of Community consumers of glutamic acid and its salts.
- (6) The period in which the extent of any dumping was investigated was 1 April 1987 to 31 March 1988.
- (7) Owing mainly to the number of exporting countries involved, the investigation has exceeded the normal time for the completion of investigations.

B. DEFINITION OF THE PRODUCT

- (8) The investigation showed that there is only very limited production and trade of glutamic acid and no exports were made to the Community in the investigation period. Instead, almost all production and trade is of monosodium glutamate, which is a sodium salt in the form of crystals or crystalline powder. As the only monosodium glutamate produced in the Community is in the form of medium and small crystals for industrial use, the investigation was confined to these grades. It is therefore appropriate to terminate the proceeding with regard to imports of glutamic acid and its salts, other than monosodium glutamate.

C. DUMPING

- (9) For imports from the Republic of Korea and Taiwan, the normal value was provisionally established on the basis of the comparable prices actually paid or payable in the ordinary course of trade for the like product intended for consumption in those countries, adjustments being made, where appropriate, for discounts and rebates directly linked to the sales under consideration. Moreover, in order to effect a fair comparison, the sales considered were restricted to those made in bulk or in bags of 25 kg or over, since almost all the exports were made in bags of this size.

As regards imports from Indonesia and Thailand, it has been provisionally established that the prices of the sales of the producers and exporters for consumption in those countries were less than their cost of production, as defined in Article 2 (3) (ii) of Regulation (EEC) No 2423/88, and that such sales were made in substantial quantities, at prices

which did not permit the recovery of all costs reasonably allocated during the investigation period. The normal values for the producers were therefore based on their own cost of production and selling, administrative and other expenses plus a reasonable profit rate of 6 % which was considered reasonable in the light of the profit rates normally realised in the same business sectors in these countries. Moreover, one exporter in Thailand neither produced nor sold monosodium glutamate on the domestic market in Thailand and the normal value for this exporter was therefore based on the costs of his supplier in accordance with Article 2 (3) (c) of Regulation (EEC) No 2423/88.

Export price

- (10) In each case, the export price was based on the price actually paid or payable for export to the Community of 25 kg bags of the product under consideration, since almost all of the exports were made in bags of this size.

D. COMPARISON

- (11) When comparing the normal value with the export price, due allowance was made for the differences affecting price comparability where the interested party could prove that his claim was justified; adjustments being made for this purpose in respect of transport, insurance, handling, loading and ancillary costs, packing costs, credit and salesmen's salaries.

E. DUMPING MARGIN

- (12) The preliminary investigation of the facts revealed the existence of dumping, the dumping margins being equal to the difference between the normal value and the export price, duly adjusted. For those producers and exporters who cooperated in the investigation the resulting weighted average margins, expressed as a percentage of the price free Community frontier, were as follows :

Indonesia

- P.T. Sasa, Jakarta : 47,0 %

Republic of Korea

- Cheil Sugar Co. Ltd, Seoul : 12,1 %
- Seoul Miwon Co. Ltd, Seoul : 16,8 %

Taiwan

- Tung Hai Fermentation Industry Corporation, Taichung : 42,6 %
- Ve Wong Corporation, Taipei : 54,3 %

Thailand

- Thai Fermentation Industry Co., Bangkok : 34,3 %
- S.C.T. Company, Bangkok : 34,7 %

For those exporters who did not make themselves known, or did not cooperate in the investigation, the provisional dumping margin was determined on the basis of the highest dumping margin found in respect of those exporters who did cooperate, the provisional dumping margin being determined separately for each exporting country.

F. INJURY

Volume and price of imports

- (13) The volume of imports of monosodium glutamate from the four countries concerned increased from 2 797 tonnes in 1984 to 5 141 tonnes in 1987 and 5 506 tonnes in the first six months of 1988. This represented an increase in the share of these imports of the Community market for monosodium glutamate from 7,1 % in 1984 to 23,1 % in the first half of 1988.
- (14) The prices of the imports into the Community from the countries concerned increased on average by 2,6 % between 1984 and 1985, though they fell substantially in 1986 and the fall continued up to and during the first six months of 1988. As a result, the average price of these imports in the Community in the first six months of 1988 was 29,1 % lower than the average for 1984, the decrease in the average price of imports from the individual countries concerned ranging from 22,6 % to 36 %.

Impact on the Community industry

- (15) The share of the Community market held by Community producers fell from 91,2 % in 1984 to 74,9 % in the first six months of 1988, a reduction of 16,3 % in the period. This compares with an increase of 16,0 % of the share held by the imports.
- (16) Although there was an increase in demand for monosodium glutamate in the Community between 1984 and the first six months of 1988, Community producers were compelled to reduce their prices in the period in an attempt to retain market share at a time when the average price of the dumped products decreased substantially when sold on the Community market. Due to this factor, the average price of the Community producers declined by 25,8 % throughout the period to a level which did not cover costs, the price depression being most significant from 1986 onwards.
- (17) In spite of an increasing demand for monosodium glutamate in the Community, production by Community producers remained fairly stable in the period 1984 to 1987 at annual rates of between 53 000 and 55 000 tonnes. It fell to an annual rate of 42 000 tonnes in the first half of 1988, however,

and though the decrease was due mainly to the temporary closure of the works of one of the Community producers, there was also a fall in production at the works of the other producers.

- (18) The temporary closure of the works of one of the Community producers, referred to in recital 17, was due to the combined effect of loss of market share and depression of prices. This led to the closure of the works in June 1987 and the works were still closed at the end of the investigation period, i.e. 31 March 1988.
- (19) Whereas the Community industry as a whole was in an overall profitable situation in 1984 and 1985, financial losses were incurred by all Community producers in 1986 and these became more, severe in 1987.

Cumulation

- (20) In order to determine whether or not to cumulate the imports from all the countries concerned by the investigation, account was taken of the comparability of the imported products in terms of physical characteristics, the volumes imported, the level of prices and the degree to which they competed with the product produced in the Community. On this basis it was concluded that cumulation of the imports for injury purposes was justified.

Causality and other factors

- (21) The evidence available shows that the loss of market share experienced by Community producers occurred at the same time as the imports were gaining increased market share. In addition, the price depression suffered by Community producers coincided with the decrease in the prices of the imports.

The Commission has also examined whether the injury suffered by the Community producers was due to other factors, such as imports originating in other third countries. In doing so, it took account of the fact that imports from Austria or Switzerland originated in the countries concerned in the investigation and were minimal. It also found that the imports from other third countries had a market share of only 1 % or less from 1984 to the first half of 1988 and no evidence was supplied to show that these imports had been made at dumped prices.

Conclusions

- (22) In view of the circumstances outlined in recitals 12 to 20, the Commission has concluded that the effect of dumped imports originating in the countries concerned by the investigation has caused material injury to Community producers of monosodium glutamate.

G. COMMUNITY INTEREST

- (23) In view of the serious financial losses being encountered by Community producers of monosodium glutamate, failure to adopt measures which would eliminate the injurious effect of the dumped imports would put at risk the industry's survival with the resulting adverse consequences on employment. The Commission has therefore concluded that it is in the Community's interest to prevent further injury being caused during the proceeding and that it is appropriate to impose a provisional anti-dumping duty.

In coming to this conclusion, the Commission took account of the fact that the cost of monosodium glutamate has only a minor impact on the cost of the foods in which it is used. The effect of the measure would therefore have no significant effect on the price of the foods to consumers.

H. PROVISIONAL DUTY

- (24) When establishing the appropriate amount of the provisional duty, the Commission took account of the dumping margins provisionally established and the level of duty necessary to eliminate the injury. The injury threshold used for this purpose was based on the costs of the most efficient Community producer plus a reasonable rate of profit which, on a non-confidential basis, is less than 10 %. The appropriate amount of duty was then established by comparing the export prices with the injury threshold, the duty at cif level being equivalent either to the margin of dumping provisionally established or the difference between the injury threshold and the export price, whichever was less.
- (25) In order to ensure the efficiency of the protective measures and to facilitate the task of customs clearance, the Commission has decided that the provisional duty should be in the form of a specific duty expressed in terms of ecus per kilogramme.

I. UNDERTAKINGS

- (26) Following the disclosure of the Commission's provisional findings to those exporters and producers who cooperated in the investigation, undertakings were offered by them in respect of their direct exports to the Community, the effect of which would be to raise prices by an amount which in no case exceeds the dumping margins provisionally established and is sufficient to eliminate the injurious effects of the dumping. As the Commission considers that it is administratively feasible to monitor the undertakings efficiently, it has concluded that they should be accepted.

No objection was raised within the Advisory Committee to the acceptance of the undertakings.

J. FINAL RECITAL

- (27) In the interests of sound administration, a reasonable period should be allowed for those parties who have cooperated in the investigation to make known their views of the Commission's provisional findings contained in this Regulation and to request a hearing.

HAS ADOPTED THIS REGULATION:

Article 1

The price undertakings offered by:

- P.T. Sasa, Jakarta,
- Cheil Sugar Co. Ltd, Seoul,
- Seoul Miwon Co. Ltd, Seoul,
- Tung Hai Fermentation Industry Corporation, Taichung,
- Ve Wong Corporation, Taipei,
- Thai Fermentation Industry Co., Bangkok,
- S.C.T. Compans, Bangkok,

are hereby accepted and the investigation concerning imports from these exporters is now terminated.

Article 2

1. A provisional anti-dumping duty is imposed on imports of monosodium glutamate falling within CN code 2922 42 00, originating in Indonesia, the Republic of Korea, Taiwan and Thailand (Taric additional code: 8400).
2. The amount of the duty shall be:
 - ECU 0,510 per kg for imports originating in Indonesia.
Direct imports from P.T. Sasa, Jakarta, shall be excluded from the duty (Taric additional code: 8401).
 - ECU 0,189 per kg for imports originating in the Republic of Korea (Taric additional code: 8402).
Direct imports from Cheil Sugar Co. Ltd, Seoul, and Seoul Miwon Co. Ltd, Seoul, shall be excluded from the duty (Taric additional code: 8403).
 - ECU 0,653 per kg for imports originating in Taiwan (Taric additional code: 8404).
Direct imports from Tung Hai Fermentation Industry Corporation, Taichung, and Ve Wong Corporation, Taipei, shall be excluded from the duty (Taric additional code: 8405).
 - ECU 0,407 per kg for imports originating in Thailand (Taric additional code: 8406).
Direct imports from the Thai Fermentation Industry Co., Bangkok, and S.C.T. Company Bangkok, shall be excluded from the duty (Taric additional code: 8407).
3. The provisions in force concerning customs duties shall apply.

4. Release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

Article 3

The proceeding concerning imports of glutamic acid and its salts, other than monosodium glutamate, is hereby terminated.

Article 4

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 2423/88, the parties concerned may make representations in writing and apply for a hearing by the

Commission within one month from the entry into force of this Regulation.

Article 5

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

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 2423/88, Article 2 of this Regulation shall apply for a period of four months or until the Council adopts definitive measures before the end of that period.

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

Done at Brussels, 2 March 1990.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 548/90
of 2 March 1990
amending Annex I to Regulation (EEC) No 3771/89 laying down detailed rules
for the production aid for high-quality flint maize

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 201/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1835/89 of 19 June 1989 setting general rules on the production aid for high-quality flint maize ⁽³⁾, and in particular Article 3 (2) thereof,

Whereas Article 1 of Council Regulation (EEC) No 202/90 of 22 January 1990 on the application in Portugal of the aid scheme for the production of certain varieties of flint maize ⁽⁴⁾ provides that the aid scheme for the production of high-quality flint maize provided for in Article 10a of Regulation (EEC) No 2727/75 is also to apply in Portugal;

Whereas Annex I to Commission Regulation (EEC) No 3771/89 of 14 December 1989 laying down detailed rules for the production aid for high-quality flint maize ⁽⁵⁾ lists the areas deemed most suitable for this crop; whereas,

since the aid is to be granted in Portugal, the most suitable areas in that country should also be listed in Annex I to that Regulation;

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 following is hereby added to Annex I to Regulation (EEC) No 3771/89:

'PORTUGAL

Regions: Alentejo, Algarve, Ribatejo, Castelo Branco, Setubal.'

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, 2 March 1990.

For the Commission...

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 180, 27. 6. 1989, p. 3.

⁽⁴⁾ OJ No L 22, 27. 1. 1990, p. 9.

⁽⁵⁾ OJ No L 365, 15. 12. 1989, p. 41.

COMMISSION REGULATION (EEC) No 549/90**of 2 March 1990****laying down definitive measures of the issuing of STM licences for beef and veal**

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 ⁽¹⁾, as last amended by Regulation (EEC) No 3296/88 ⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 4026/89 ⁽³⁾ sets the indicative ceiling for imports into Spain of certain beef and veal products for 1990;

Whereas applications for STM licences lodged in the week 22 to 26 January 1990 for live animals are for quantities for higher than the fraction of the indicative ceiling applying for the first quarter of 1990;

Whereas the Commission accordingly adopted by an emergency procedure appropriate interim protective measures by Regulation (EEC) No 302/90 ⁽⁴⁾; whereas definitive measures must be adopted; whereas, in view of the situation of the market in Spain, an increase in the indicative ceiling cannot be contemplated;

Whereas, as a definitive measure as mentioned in Article 85 (3) of the Act, suspension of the issuing of STM licences provided for in Article 1 (2) of Regulation (EEC) No 302/90 should be extended 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 Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

1. The issuing of STM licences for the beef and veal products referred to in Regulation (EEC) No 302/90 is hereby suspended until 31 March 1990 inclusive.
2. Applications for STM licences may be reintroduced from 19 March.

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, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 55, 1. 3. 1986, p. 106.

⁽²⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽³⁾ OJ No L 382, 30. 12. 1989, p. 62.

⁽⁴⁾ OJ No L 32, 3. 2. 1990, p. 16.

COMMISSION REGULATION (EEC) No 550/90**of 2 March 1990****correcting Regulation (EEC) No 515/90, fixing the import levies on live cattle and on beef and veal other than frozen**

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/89 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 3912/89 ⁽³⁾, as last amended by Regulation (EEC) No 515/90 ⁽⁴⁾;

Whereas a check has shown that an error was made in the Annex to that Regulation, whereas the Regulation should therefore be corrected,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 515/90 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 5 March 1990.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 375, 23. 12. 1989, p. 23.

⁽⁴⁾ OJ No L 53, 1. 3. 1990, p. 62.

ANNEX

ANNEX

to the Commission Regulation of 28 February 1990 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	13,500	123,302
0102 90 31	21,632	13,500	123,302
0102 90 33	—	13,500	123,302
0102 90 35	21,632	13,500	123,302
0102 90 37	21,632	13,500	123,302
— Net weight —			
0201 10 10	—	25,650	234,275
0201 10 90	41,101	25,650	234,275
0201 20 21	—	25,650	234,275
0201 20 29	41,101	25,650	234,275
0201 20 31	—	20,520	187,419
0201 20 39	32,881	20,520	187,419
0201 20 51	49,321	30,780	281,130
0201 20 59	49,321	30,780	281,130
0201 20 90	—	38,475	351,412
0201 30 00	—	44,010	401,966
0206 10 95	—	44,010	401,966
0210 20 10	—	38,475	351,412
0210 20 90	—	44,010	401,966
0210 90 41	—	44,010	401,966
0210 90 90	—	44,010	401,966
1602 50 10	—	44,010	401,966
1602 90 61	—	44,010	401,966

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

⁽²⁾ This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 551/90

of 2 March 1990

abolishing 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 ⁽¹⁾, and in particular Article 4
(2) thereof,

Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;

Whereas Regulation (EEC) No 3709/89 of the Council
lays down general rules for applying the said compensa-
tory mechanism and Commission Regulation (EEC) No
3815/89 ⁽²⁾ lays down detailed rules for applying the said
compensatory mechanism;

Whereas Commission Regulation (EEC) No 413/90 ⁽³⁾, as
amended by Regulation (EEC) No 472/90 ⁽⁴⁾, 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 abolished; adjusted; whereas the said
conditions require abolition of the corrective amount on
imports of artichokes into the Community of Ten from
Spain (except the Canary Islands),

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 413/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 3 March 1990.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.
⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 43, 17. 2. 1990, p. 29.
⁽⁴⁾ OJ No L 48, 24. 2. 1990, p. 42.

COMMISSION REGULATION (EEC) No 552/90**of 2 March 1990****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 529/90 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1920/89 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 March 1990.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.⁽⁴⁾ OJ No L 53, 1. 3. 1990, p. 91.

ANNEX

to the Commission Regulation of 2 March 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	30,65 ⁽¹⁾
1701 11 90	30,65 ⁽¹⁾
1701 12 10	30,65 ⁽¹⁾
1701 12 90	30,65 ⁽¹⁾
1701 91 00	34,18
1701 99 10	34,18
1701 99 90	34,18 ⁽²⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 553/90
of 2 March 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⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 448/90⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee, Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 339/90⁽⁷⁾, as last amended by Regulation (EEC) No 508/90⁽⁸⁾;

Whereas, in the absence of the target price for the 1990/91 marketing year for colza 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⁽⁹⁾ are as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹⁰⁾ is as set out in Annex III for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is as set out in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza, and rape seed will be confirmed or replaced as from 3 March 1990 to take into account the target price, and where appropriate, the effects for the 1990/91 marketing year of the application of the system of maximum guaranteed quantities for colza and rape seed for this marketing year.

Article 2

This Regulation shall enter into force on 3 March 1990.

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

Done at Brussels, 2 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 47, 23. 2. 1990, p. 8.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 37, 9. 2. 1990, p. 14.

⁽⁸⁾ OJ No L 53, 1. 3. 1990, p. 41.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,170	1,170	1,770	1,770
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	25,864	25,942	25,701	22,938	21,921	22,204
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	61,33	61,52	60,96	54,54	52,12	52,98
— Netherlands (Fl)	68,23	68,43	67,80	60,51	57,82	58,78
— BLEU (Bfrs/Lfrs)	1 248,89	1 252,66	1 241,02	1 107,61	1 058,50	1 072,16
— France (FF)	197,05	197,63	195,70	174,00	166,28	168,50
— Denmark (Dkr)	230,97	231,66	229,51	204,84	195,76	198,07
— Ireland (£ Irl)	21,932	21,996	21,781	19,366	18,506	18,754
— United Kingdom (£)	16,717	16,753	16,514	14,216	13,786	13,926
— Italy (Lit)	43 282	43 406	42 971	38 128	37 800	38 191
— Greece (Dr)	4 599,96	4 609,08	4 522,60	3 882,33	4 368,25	4 335,02
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	178,89	178,89	270,63	270,63
— in another Member State (Pta)	3 656,55	3 668,89	3 630,80	3 206,66	3 141,51	3 162,28
(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)	5 379,33	5 394,08	5 332,00	4 743,79	4 747,12	4 750,67

(1) 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 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)
Gross aids (ECU):						
— Spain	3,670	3,670	3,670	3,670	4,270	4,270
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	28,364	28,442	28,201	25,438	24,421	24,704
Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	67,24	67,42	66,86	60,44	58,02	58,88
— Netherlands (Fl)	74,82	75,03	74,39	67,10	64,42	65,37
— BLEU (Bfrs/Lfrs)	1 369,61	1 373,38	1 361,74	1 228,32	1 179,22	1 192,88
— France (FF)	216,30	216,87	214,94	193,25	185,52	187,74
— Denmark (Dkr)	253,29	253,99	251,84	227,16	218,08	220,39
— Ireland (£ Irl)	24,073	24,137	23,923	21,508	20,648	20,896
— United Kingdom (£)	18,478	18,514	18,275	15,977	15,561	15,701
— Italy (Lit)	47 532	47 656	47 221	42 378	42 140	42 531
— Greece (Dr)	5 079,89	5 089,02	5 002,54	4 362,26	4 892,03	4 858,80
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	561,13	561,13	652,87	652,87
— in another Member State (Pta)	4 038,79	4 051,13	4 013,04	3 588,90	3 523,75	3 544,52
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	499,40	499,40	499,40	512,33	512,33
— in another Member State (Esc)	5 878,73	5 893,48	5 831,40	5 243,19	5 259,45	5 263,00

(1) 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 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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	35,269	35,459	34,906	32,427	32,427
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	83,55	84,00	82,71	76,95	76,95
— Netherlands (Fl)	93,03	93,54	92,08	85,54	85,54
— BLEU (Bfrs/Lfrs)	1 703,03	1 712,21	1 685,50	1 565,80	1 565,80
— France (FF)	269,37	270,82	266,43	246,97	246,97
— Denmark (Dkr)	314,95	316,65	311,71	289,58	289,58
— Ireland (£ Irl)	29,981	30,142	29,654	27,487	27,487
— United Kingdom (£)	23,284	23,407	22,906	20,839	20,839
— Italy (Lit)	59 244	59 562	58 578	54 233	54 233
— Greece (Dr)	6 391,51	6 423,90	6 266,10	5 687,85	5 687,85
(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)	4 397,03	4 426,32	4 341,18	3 959,28	3 959,28
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	7 868,40	7 906,69	7 777,20	7 235,29	7 235,29
— in another Member State (Esc)	7 696,42	7 733,87	7 607,21	7 077,15	7 077,15
3. Compensatory aids:					
— in Spain (Pta)	4 367,54	4 397,24	4 312,11	3 930,20	3 930,20
4. Special aid:					
— in Portugal (Esc)	7 696,42	7 733,87	7 607,21	7 077,15	7 077,15

(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 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
DM	2,045660	2,041480	2,037160	2,033150	2,033150	2,022470
Fl	2,304220	2,300870	2,297190	2,293070	2,293070	2,281230
Bfrs/Lfrs	42,618200	42,603100	42,581800	42,553300	42,553300	42,491100
FF	6,929620	6,928250	6,926580	6,926710	6,926710	6,925560
Dkr	7,869760	7,878530	7,887010	7,894460	7,894460	7,921050
£Irl	0,770436	0,770424	0,770642	0,770544	0,770544	0,772189
£	0,715508	0,717888	0,720214	0,722473	0,722473	0,728405
Lit	1 512,70	1 515,39	1 518,09	1 520,44	1 520,44	1 526,28
Dr	193,24800	194,31500	196,25700	197,96400	197,96400	203,61600
Esc	179,87300	180,54700	181,52300	182,60500	182,60500	185,70800
Pta	131,81800	132,19100	132,62500	133,03600	133,03600	134,22400

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 465/90 of 23 February 1990 on the supply of various lots of skimmed-milk powder as food aid

(Official Journal of the European Communities No L 48 of 24 February 1990)

On pages 26 and 27, Annex II, columns headed 'Lot' and 'Partial quantities':

for: 'D', 'E' and 'F',

read: 'C', 'D' and 'E', respectively.
