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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 625/90

of 12 March 1990

establishing, for the period from 1 March to 30 June 1990, certain measures for the conservation and management of fishery resources applicable to vessels flying the Japanese flag in waters falling under the sovereignty or jurisdiction of Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Regulation (EEC) No 170/83 requires the Council to formulate the conservation measures necessary to achieve the aims set out in Article 1 of the Regulation in the light of available scientific advice;

Whereas the Agreement which linked Portugal and Japan since 3 March 1980 expired on 2 March 1986; whereas thereafter Japanese fishing activities have been temporarily maintained in the framework of cooperation with Japan to the benefit of local people who are greatly dependent on fisheries in view of the need for balanced economic and social development of the Portuguese coastal regions;

Whereas it is in the Community's interest to ensure that this system continues in a more limited fashion for the 1990 fishing season;

Whereas fishing by Japanese vessels in waters falling under the sovereignty or jurisdiction of Portugal is subject to Community fisheries Regulations; whereas such fishing should be supplemented by certain technical and supervisory measures,

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the Japanese flag, fishing exclusively with long lines, shall be authorized, for the fishing period 1

March to 30 June 1990, to fish as their principal catch, bluefin tuna (*Thunnus thynnus thynnus*) in waters under the sovereignty or jurisdiction of Portugal that lie beyond 12 miles from the baselines, with the exception of the zones listed in Annex I, subject to the conditions laid down in this Regulation.

Article 2

1. The maximum number of long-liners referred to in Article 1 shall be 10; no vessel may exceed 500 GRT.
2. The total catch of all the long-liners may not exceed 80 tonnes of bluefin tuna.
3. Other tuna species caught when fishing for bluefin tuna may not exceed 25 % of the total catch per vessel.

Article 3

1. The catch of bluefin tuna (*Thunnus thynnus thynnus*) of a unitary weight of less than 6,4 kilograms shall be prohibited.
2. The catch of yellowfin tuna (*Thunnus albacares*) of a unitary weight of less than 3,2 kilograms shall be prohibited.
3. The catch of bigeye tuna (*Thunnus obesus*) of a unitary weight of less than 3,2 kilograms shall be prohibited.

Article 4

1. Fishing by long-liners referred to in Article 1 in zones referred to in the same Article shall be subject to the possession on board of a licence, issued by the Commission on behalf of the Community, and to the

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

observance of the conditions set out in that licence and the supervisory measures and other provisions regulating fishing activities in those zones.

2. The master of each vessel in possession of a licence must observe the special conditions set out in Annex II, and in particular the obligation to forward the information specified in the said Annex via the radio stations indicated therein. These conditions shall form part of the licence.

3. Each licence shall be valid for a single vessel and not be transferable. However, the Japanese authorities may request the Commission, by telex, to authorize the transfer of the licence for a vessel which is prevented from fishing during the set period for reasons of *force majeure* to a replacement vessel whose technical characteristics do not exceed those of the vessel to be replaced. The request shall provide all the information referred to in Article 7, in respect of this replacement vessel. The Commission shall notify any transfer authorization, without delay and by telex, to the Japanese authorities and to the competent supervisory authorities. The replacement vessel can carry out fishing activities only after the date indicated by the Commission in its notification.

4. All licences referred to in paragraph 1 shall cease to be valid once the Commission has established that the quota laid down in Article 2 has been used up.

Article 5

The issue of fishing licences referred to in Article 4 shall be conditional on Japan's planning an annual scientific and technical cooperation programme to benefit Portugal's coastal population, which is greatly dependent on fishery activities. Particular attention shall be paid in the programme to training requirements, the improvement of research capacity and the need for economic and social development of the Portuguese coastal regions. The programme shall be submitted to the Commission before 28 February 1990.

Article 6

1. An application for licences shall be submitted by the Japanese authorities no later than 15 working days before the desired date of commencement of validity. The Commission shall issue the licences to the Japanese authorities and shall notify the competent supervisory authorities thereof.

2. The issue of licences to Japanese vessels shall be subject to an undertaking by the owner of the vessel to permit an observer to come on board at the Commission's request.

3. Unused licences may be cancelled with a view to the issuing of new licences. Cancellation shall take effect on the date the new licence is issued by the Commission.

New licences shall be issued in accordance with paragraph 1.

Article 7

The following information shall accompany applications for licences submitted to the Commission:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;
- (h) call sign and radio frequency;
- (i) proposed fishing zone;
- (j) period for which a licence is requested.

Article 8

1. The Portuguese authorities shall take appropriate measures, including the inspection of vessels, to ensure that the obligations under this Regulation are observed.

2. Where an infringement is duly ascertained, the Portuguese authorities shall forthwith, but at the latest within 30 days of the date on which the infringement was established, inform the Commission of the name of the vessel concerned and any action they may have taken.

Article 9

1. A vessel which has failed to comply with the obligations laid down in this Regulation shall have its licence withdrawn; such licence shall not be replaced.

2. If a vessel fishing without a valid licence in the waters referred to in Article 1 is owned or managed by a natural or legal person owning or managing one or more other vessels to which licences have been issued one of those licences may be withdrawn.

Article 10

If, for a period of one month, the Commission receives no communication as laid down in Article 4 (2) for a vessel in possession of a licence referred to in that Article, the licence of that vessel shall be withdrawn.

Article 11

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

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

Done at Brussels, 12 March 1990.

For the Council

The President

A. REYNOLDS

ANNEX I

ZONES REFERRED TO IN ARTICLE 1 WHERE FISHING IS PROHIBITED

1. The 200-mile zone of the Azores.
2. Within the 200-mile zone of mainland Portugal.
3. The zone within a line :
 - starting at $34^{\circ}55' \text{ N}$, $13^{\circ}40' \text{ W}$,
 - continuing north to $35^{\circ}10' \text{ N}$, $13^{\circ}40' \text{ W}$,
 - whence east following the $35^{\circ}10' \text{ N}$ parallel to its intersection with the line marking the limits of the exclusive economic zone, hereinafter referred to as 'EEZ',
 - following the EEZ demarcation line to its intersection with the $34^{\circ}55' \text{ N}$ parallel,
 - whence west along the $34^{\circ}55' \text{ N}$ parallel to the point of departure.
4. The zone within a line :
 - starting at $34^{\circ}35' \text{ N}$, $14^{\circ}25' \text{ W}$,
 - whence west to $34^{\circ}35' \text{ N}$, $14^{\circ}45' \text{ W}$,
 - whence north to $34^{\circ}50' \text{ N}$, $14^{\circ}45' \text{ W}$,
 - whence east to $34^{\circ}50' \text{ N}$, $14^{\circ}25' \text{ W}$,
 - whence south to point of departure.
5. The zone within a line :
 - starting at $33^{\circ}40' \text{ N}$, $14^{\circ}05' \text{ W}$,
 - whence to $33^{\circ}40' \text{ N}$, $14^{\circ}35' \text{ W}$,
 - whence north-west to $34^{\circ}00' \text{ N}$, $14^{\circ}50' \text{ W}$,
 - whence east to $34^{\circ}00' \text{ N}$, $14^{\circ}20' \text{ W}$,
 - whence south-east to the point of departure.
6. The zone within a line :
 - starting at $35^{\circ}00' \text{ N}$, $15^{\circ}05' \text{ W}$,
 - whence west to $35^{\circ}00' \text{ N}$, $16^{\circ}00' \text{ W}$,
 - whence north to $35^{\circ}35' \text{ N}$, $16^{\circ}00' \text{ W}$,
 - whence east to $35^{\circ}35' \text{ N}$, $15^{\circ}05' \text{ W}$,
 - whence south to the point of departure.

ANNEX II

SPECIAL CONDITIONS

1. The fishing licence must be held on board the vessel.
2. The registration letters and numbers of a vessel in possession of a licence must be clearly marked on both sides of the superstructure at the most visible point. The letters and numbers must be painted in a colour that contrasts with the colour of the hull or superstructure and must not be effected, altered, covered or concealed in any other way.
3. A log-book must be kept in which are recorded, after each fishing operation :
 - 3.1. catch by species (in kilograms — live weight);
 - 3.2. the date and the time at which the fishing operating started and the time at which it finished;
 - 3.3. the ICES and CECAF statistical grid where the catch was taken;
 - 3.4. the fishing method used;
 - 3.5. any radio message emitted in accordance with points 4, 5 and 6.
4. Communications transmitted in accordance with the conditions of the licence should give the following information :
 - (a) name of vessel;
 - (b) radio call sign;
 - (c) licence number;
 - (d) chronological number of the transmission for the trip in question;
 - (e) indication of which of the types of transmission, as set out in paragraph 5, is involved;
 - (f) date;
 - (g) time;
 - (h) geographical position;
 - (i) for vessels in possession of a licence, the activity of the vessel during the period (under way, fishing, at anchor, in harbour, unloading, under repair, others);
 - (j) quantity of each species caught during the fishing operation (in kilograms — live weight);
 - (k) quantity of each species caught since the previous transmission of information (in kilograms — live weight);
 - (l) the geographical coordinates of the position where the catches were made;
 - (m) quantities of catches, by species, transferred to other vessels (in kilograms — live weight) since the previous information;
 - (n) the name, call sign and, where applicable, licence number of the vessel to which the catch was transferred;
 - (o) the master's name.
5. The information referred to in paragraph 4 must be communicated by vessels in possession of a licence to the Commission of the European Communities in Brussels (address : telex 24 189 FISEU-B) via a Lisbon radio station (call sign CUL) or Madeira radio station (call sign CUB) at the following times :
 - (a) for information referred to in (a) to (h) :
 - when announcing departure, which announcement must be made at least 48 hours before the planned departure of the vessel from the exclusive economic zone lying off the Portuguese coast, hereinafter referred to as 'EEZ';
 - (b) for information referred to in (a) to (o) :
 - on each entry into the EEZ,
 - whenever leaving the EEZ,
 - whenever entering a port of a Member State,
 - whenever leaving a port of a Member State,
 - every week in respect of the previous week from the date of entry into the EEZ or from the date of leaving a port of a Member State.

6. The following code shall be used in reporting species caught in accordance with point 4:

Code	Scientific name
BFT	<i>Thunnus thynnus thynnus</i>
YFT	<i>Thunnus albacares</i>
ALB	<i>Thunnus alalunga</i>
BET	<i>Thunnus obesus</i>
SKJ	<i>Katsuwonus pelamis</i>
SWO	<i>Xipbias gladius</i>
BIL	Istiophoridae
OTH	Other

COUNCIL REGULATION (EEC) No 626/90
of 12 March 1990

**opening and providing for the administration of Community tariff quotas for
quality wines produced in the specified regions of Jerez, Malaga, Jumilla,
Priorato, Rioja and Valdepeñas (1990/91)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 30 and 75 thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Articles 30 and 75 of the Act of Accession, the duties applicable on the import into the Community, as constituted on 31 December 1985, of the following quality wines from Spain shall be progressively abolished within the limits of Community tariff quotas :

- 358 120 hectolitres quality wines produced in the specified region of Jerez in containers holding two litres or less, falling within CN codes ex 2204 21 41 and ex 2204 21 51,
- 435 000 hectolitres quality wines produced in the specified region of Jerez in containers holding more than two litres falling within CN codes ex 2204 29 41 and ex 2204 29 51,
- 15 000 hectolitres quality wines produced in the specified region of Malaga in containers holding two litres or less, falling within CN codes ex 2204 21 49 and ex 2204 21 59, and
- 22 008 hectolitres quality wines produced in the specified regions of Jumilla, Priorato, Rioja and Valdepeñas, in containers holding two litres or less, falling within CN codes ex 2204 21 21, ex 2204 21 23, ex 2204 21 31, ex 2204 21 33 and ex 2204 21 49 ;

Whereas, however, with regard to the quality wines produced in the specified region of Jerez, in order to fulfil better the requirements of the common market, a single overall tariff quota of 793 120 hectolitres should be opened ;

Whereas these duties are reduced to 37,5 % of the basic duties on 1 January 1990 and to 25 % of the basic duties on 1 January 1991 ; whereas, by way of derogation from Article 30 of the Act of Accession, Regulation (EEC) No 4161/87⁽¹⁾ lays down consequent on the entry into force of the combined nomenclature, the basic duties to be adopted within the Community as constituted on 31 December 1985 for the purpose of calculating the successive reductions provided for in the Act of Accession of Spain and Portugal ;

Whereas, therefore, to establish the duties applicable on the imports of these wines Community tariff quotas should be opened for the period from 1 July 1990 to 30 June 1991 for the abovementioned wines at duties as shown in the list in Article 1 ;

Whereas Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽²⁾ provides for particular rules for the import into Portugal of the products in question coming from Spain ; whereas, consequently, the Community tariff quotas are only applicable in the Community as constituted on 31 December 1985 ;

Whereas equal and continuous access to the quotas should be ensured for all Community importers and the rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted ; whereas they should not be allocated among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they may need, under conditions and according to a procedure laid down in Article 3 ; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used and inform the Member States accordingly ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the contingents may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

From 1 July 1990 to 30 June 1991 the customs duties applicable on the following quality wines produced in the specified regions shall, in the Community as constituted on 31 December 1985, be partially suspended at the levels and within the limits of the Community tariff quotas indicated for each of them :

⁽¹⁾ OJ No L 395, 31. 12. 1987, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 7.

Order No	CN codes ⁽¹⁾	Description	Rate (ECU/hl)		Quota volume (hectolitres)
			from 1 July to 31 December 1990	from 1 January to 30 June 1991	
09.0317	ex 2204 21 41 ex 2204 21 51 ex 2204 29 41 ex 2204 29 51	Sherry	2,4 2,6 2,4 2,7	1,6 1,7 1,6 1,8	793 120
09.0310	ex 2204 21 49 ex 2204 21 59	Wine from Málaga	3,8 4,3	2,5 2,8	15 000
09.0312	ex 2204 21 21 ex 2204 21 23 ex 2204 21 31 ex 2204 21 33 ex 2204 21 49	Wine from Jumilla, Priorato, Rioja, Valdepeñas	3,7 4,4 5,4	2,5 2,9 3,6	22 008

(¹) See Taric codes in Annex.

Article 2

The tariff quotas referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if this declaration is accepted by the customs authorities, the Member States concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of

the Member States concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the corresponding quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a *pro rata* basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volumes so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 12 March 1990.

For the Council

The President

A. REYNOLDS

*ANNEX***Taric codes**

Order No	CN code	Taric code
09.0317	ex 2204 21 41	2204 21 41*10
	ex 2204 21 51	2204 21 51*10
	ex 2204 29 41	2204 29 41*10
	ex 2204 29 51	2204 29 51*10
09.0310	ex 2204 21 49	2204 21 49*12
	ex 2204 21 59	2204 21 59*12
09.0312	ex 2204 21 21	2204 21 21*10
	ex 2204 21 23	2204 21 23*10
	ex 2204 21 31	2204 21 31*10
	ex 2204 21 33	2204 21 33*10
	ex 2204 21 49	2204 21 49*21

COMMISSION REGULATION (EEC) No 627/90

of 15 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 rela-

tion to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 14 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 16 March 1990.

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

Done at Brussels, 15 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. 1.

⁽⁶⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁷⁾ OJ No L 347, 28. 11. 1989, p. 3.

ANNEX

to the Commission Regulation of 15 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	134,84 ⁽²⁾ ⁽³⁾
0712 90 19	35,37	134,84 ⁽²⁾ ⁽³⁾
1001 10 10	43,59	184,15 ⁽¹⁾ ⁽⁵⁾
1001 10 90	43,59	184,15 ⁽¹⁾ ⁽⁵⁾
1001 90 91	36,15	139,12
1001 90 99	36,15	139,12
1002 00 00	61,28	131,51 ⁽⁶⁾
1003 00 10	52,45	116,90
1003 00 90	52,45	116,90
1004 00 10	43,85	122,91
1004 00 90	43,85	122,91
1005 10 90	35,37	134,84 ⁽²⁾ ⁽³⁾
1005 90 00	35,37	134,84 ⁽²⁾ ⁽³⁾
1007 00 90	52,45	142,53 ⁽⁴⁾
1008 10 00	52,45	27,44
1008 20 00	52,45	93,65 ⁽⁴⁾
1008 30 00	52,45	0,00 ⁽⁷⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	52,45	0,00
1101 00 00	64,78	208,94
1102 10 00	99,96	197,37
1103 11 10	82,30	300,16
1103 11 90	68,70	225,12

⁽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 628/90

of 15 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 14 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 16 March 1990.

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

Done at Brussels, 15 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 15 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	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	5,87
1003 00 90	0	0	0	5,87
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 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	0	0	10,45	10,45
1107 10 99	0	0	0	7,81	7,81
1107 20 00	0	0	0	9,10	9,10

COMMISSION REGULATION (EEC) No 629/90

of 15 March 1990

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2902/89⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 4014/88⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 4015/88⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 4016/88⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 12 and 13 March 1990 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 16 March 1990.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 280, 29. 9. 1989, p. 2.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 358, 27. 12. 1988, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 358, 27. 12. 1988, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 358, 27. 12. 1988, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 15 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 630/90

of 15 March 1990

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1104/88 ⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3870/88 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2904/89 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1989/90 marketing year was fixed by Council Regulation (EEC) No 1246/89 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1247/89 ⁽⁸⁾;

Whereas, since there are no valid activating threshold or guide prices for the 1990/91 marketing year for peas, field beans and sweet lupins, the amount of the subsidy in the case of advance fixing for this marketing year for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the prices valid for the 1989/90 marketing year; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1990/91 marketing year are known, and notably those concerning the application of the guaranteed maximum quantities;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price is adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products in the case of field beans intended for animal feed;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82 ⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹³⁾,

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 345, 14. 12. 1988, p. 21.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 280, 29. 9. 1989, p. 4.

⁽⁷⁾ OJ No L 129, 11. 5. 1989, p. 7.

⁽⁸⁾ OJ No L 129, 11. 5. 1989, p. 9.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries ; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price ;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1938/89⁽¹⁾ ; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year ;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State ;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Regulation (EEC) No 2656/89⁽²⁾,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.
2. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 16 March 1990 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1990/91 marketing year and, particularly those concerning the application of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 16 March 1990.

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

Done at Brussels, 15 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 187, 1. 7. 1989, p. 68.

⁽²⁾ OJ No L 255, 1. 9. 1989, p. 71.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)	6th period 9 (1)
Peas used :							
— in Spain	6,738	6,896	6,896	6,896	5,632	5,632	5,790
— in Portugal	6,770	6,928	6,928	6,928	5,664	5,664	5,822
— in another Member State	7,006	7,164	7,164	7,164	5,900	5,900	6,058
Field beans used :							
— in Spain	7,006	7,164	7,164	7,164	5,900	5,900	6,058
— in Portugal	6,770	6,928	6,928	6,928	5,664	5,664	5,822
— in another Member State	7,006	7,164	7,164	7,164	5,900	5,900	6,058

Products used in animal feed :

(ECU per 100 kg)

	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7 (1)	5th period 8 (1)	6th period 9 (1)
A. Peas used :							
— in Spain	11,691	11,848	11,934	11,934	10,674	10,674	10,832
— in Portugal	11,758	11,915	12,001	12,001	10,741	10,741	10,898
— in another Member State	11,758	11,915	12,001	12,001	10,741	10,741	10,898
B. Field beans used :							
— in Spain	11,691	11,848	11,934	11,934	10,674	10,674	10,832
— in Portugal	11,758	11,915	12,001	12,001	10,741	10,741	10,898
— in another Member State	11,758	11,915	12,001	12,001	10,741	10,741	10,898
C. Sweet lupins harvested in Spain and used :							
— in Spain	13,695	13,695	13,810	13,810	13,810	13,810	13,810
— in Portugal	13,785	13,785	13,899	13,899	13,899	13,899	13,899
— in another Member State	13,785	13,785	13,899	13,899	13,899	13,899	13,899
D. Sweet lupins harvested in another Member State and used :							
— in Spain	13,685	13,685	13,800	13,800	13,800	13,800	13,800
— in Portugal	13,775	13,775	13,889	13,889	13,889	13,889	13,889
— in another Member State	13,775	13,775	13,889	13,889	13,889	13,889	13,889

[illegible]

[illegible]

Corrective amount to be added to the Amounts in Annex V

[illegible]

Partial aid

(in national currency per 100 kg)

[illegible]

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products :	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	30,12	0,00	0,00	0,00	0,00	0,00	0,00	41,00
— Denmark (Dkr)	0,00	0,00	0,00	5,57	0,00	0,00	0,00	0,00	0,00	0,00	7,58
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,47	0,00	0,00	0,00	0,00	0,00	0,00	2,00
— Greece (Dr)	0,00	0,00	0,00	132,22	0,00	0,00	0,00	0,00	0,00	0,00	179,97
— Spain (Pta)	0,00	0,00	0,00	96,20	0,00	0,00	0,00	0,00	0,00	0,00	130,94
— France (FF)	0,00	0,00	0,00	4,80	0,00	0,00	0,00	0,00	0,00	0,00	6,54
— Ireland (£ Irl)	0,000	0,000	0,000	0,534	0,000	0,000	0,000	0,000	0,000	0,000	0,727
— Italy (Lit)	0	0	0	1 066	0	0	0	0	0	0	1 451
— Netherlands (Fl)	0,00	0,00	0,00	1,65	0,00	0,00	0,00	0,00	0,00	0,00	2,24
— Portugal (Esc)	0,00	0,00	0,00	124,61	0,00	0,00	0,00	0,00	0,00	0,00	169,61
— United Kingdom (£)	0,000	0,000	0,000	0,504	0,000	0,000	0,000	0,000	0,000	0,000	0,686

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,1679	7,79845	2,04446	193,487	131,012	6,85684	0,763159	1 529,70	2,30358	178,906	0,736420

(¹) Subject, in cases of advance fixing for the 1990/91 marketing year, to application of the provisions to be adopted on prices, related measures and maximum guaranteed quantity arrangements for that marketing year.

**COMMISSION REGULATION (EEC) No 631/90
of 15 March 1990**

adjusting the agricultural conversion rates for the pigmeat sector in Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

as to avoid the creation of new monetary compensatory amounts ;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, as amended by Regulation (EEC) No 3063/89⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so

Whereas the movement of the market rate for the Greek drachma during the reference period 7 to 13 March 1990 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁵⁾, as last amended by Commission Regulation (EEC) No 448/90⁽⁶⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁷⁾, as last amended by Regulation (EEC) No 3672/89⁽⁸⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Greece effective from 19 March 1990 ; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to prevent the creation of these new monetary compensatory amounts having regard to the criteria in Article 7 of Regulation (EEC) No 3578/88,

HAS ADOPTED THIS REGULATION :

Article 1

In Annex IV to Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following :

Products	Agricultural conversion rates			
	ECU 1 = Dr...	Applicable until	ECU 1 = Dr...	Applicable from
Pigmeat	213,206	18 March 1990	215,259	19 March 1990

Article 2

This Regulation shall enter into force on 19 March 1990.

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

Done at Brussels, 15 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽²⁾ OJ No L 293, 12. 10. 1989, p. 34.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 47, 23. 2. 1990, p. 8.

⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁸⁾ OJ No L 358, 8. 12. 1989, p. 28.

COMMISSION REGULATION (EEC) No 632/90
of 15 March 1990
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3879/89 ⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

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

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾;

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

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

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

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88, laid down

additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 March 1990.

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

Done at Brussels, 15 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

ANNEX

to the Commission Regulation of 15 March 1990 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund
0401 10 10 000		4,55
0401 10 90 000		4,55
0401 20 11 100		4,55
0401 20 11 500		7,63
0401 20 19 100		4,55
0401 20 19 500		7,63
0401 20 91 100		10,51
0401 20 91 500		12,44
0401 20 99 100		10,51
0401 20 99 500		12,44
0401 30 11 100		16,29
0401 30 11 400		25,72
0401 30 11 700		39,20
0401 30 19 100		16,29
0401 30 19 400		25,72
0401 30 19 700		39,20
0401 30 31 100		46,90
0401 30 31 400		73,85
0401 30 31 700		81,55
0401 30 39 100		46,90
0401 30 39 400		73,85
0401 30 39 700		81,55
0401 30 91 100		93,10
0401 30 91 400		137,37
0401 30 91 700		160,47
0401 30 99 100		93,10
0401 30 99 400		137,37
0401 30 99 700		160,47
0402 10 11 000		50,00
0402 10 19 000		50,00
0402 10 91 000		0,5000
0402 10 99 000		0,5000
0402 21 11 200		50,00
0402 21 11 300		86,71
0402 21 11 500		92,17
0402 21 11 900		100,00
0402 21 17 000		50,00
0402 21 19 300		86,71
0402 21 19 500		92,17
0402 21 19 900		100,00
0402 21 91 100		100,83
0402 21 91 200		101,62
0402 21 91 300		103,07
0402 21 91 400		111,43
0402 21 91 500		114,29
0402 21 91 600		125,18
0402 21 91 700		131,75
0402 21 91 900		139,03
0402 21 99 100		100,83

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

Product code	Destination (*)	Amount of refund
0402 21 99 200		101,62
0402 21 99 300		103,07
0402 21 99 400		111,43
0402 21 99 500		114,29
0402 21 99 600		125,18
0402 21 99 700		131,75
0402 21 99 900		139,03
0402 29 15 200		0,5000
0402 29 15 300		0,8671
0402 29 15 500		0,9217
0402 29 15 900		1,0000
0402 29 19 200		0,5000
0402 29 19 300		0,8671
0402 29 19 500		0,9217
0402 29 19 900		1,0000
0402 29 91 100		1,0083
0402 29 91 500		1,1143
0402 29 99 100		1,0083
0402 29 99 500		1,1143
0402 91 11 110		4,55
0402 91 11 120		10,51
0402 91 11 310		17,83
0402 91 11 350		22,30
0402 91 11 370		27,65
0402 91 19 110		4,55
0402 91 19 120		10,51
0402 91 19 310		17,83
0402 91 19 350		22,30
0402 91 19 370		27,65
0402 91 31 100		21,87
0402 91 31 300		32,67
0402 91 39 100		21,87
0402 91 39 300		32,67
0402 91 51 000		25,72
0402 91 59 000		25,72
0402 91 91 000		93,10
0402 91 99 000		93,10
0402 99 11 110		0,0455
0402 99 11 130		0,1051
0402 99 11 150		0,1796
0402 99 11 310		20,57
0402 99 11 330		25,13
0402 99 11 350		34,08
0402 99 19 110		0,0455
0402 99 19 130		0,1051
0402 99 19 150		0,1796
0402 99 19 310		20,57
0402 99 19 330		25,13
0402 99 19 350		34,08
0402 99 31 110		0,2380
0402 99 31 150		35,55
0402 99 31 300		0,4690
0402 99 31 500		0,8155
0402 99 39 110		0,2380
0402 99 39 150		35,55
0402 99 39 300		0,4690

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

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,8155
0402 99 91 000		0,9310
0402 99 99 000		0,9310
0403 10 11 100		4,55
0403 10 11 300		7,63
0403 10 13 000		10,51
0403 10 19 000		16,29
0403 10 31 100		0,0455
0403 10 31 300		0,0763
0403 10 33 000		0,1051
0403 10 39 000		0,1629
0403 90 11 000		50,00
0403 90 13 000		50,00
0403 90 19 000		100,83
0403 90 31 000		0,5000
0403 90 33 000		0,5000
0403 90 39 000		1,0083
0403 90 51 100		4,55
0403 90 51 300		7,63
0403 90 53 000		10,51
0403 90 59 110		16,29
0403 90 59 140		25,72
0403 90 59 170		39,20
0403 90 59 310		46,90
0403 90 59 340		73,85
0403 90 59 370		81,55
0403 90 59 510		93,10
0403 90 59 540		137,37
0403 90 59 570		160,47
0403 90 61 100		0,0455
0403 90 61 300		0,0763
0403 90 63 000		0,1051
0403 90 69 000		0,1629
0404 90 11 100		50,00
0404 90 11 910		4,55
0404 90 11 950		17,83
0404 90 13 120		50,00
0404 90 13 130		86,71
0404 90 13 140		92,17
0404 90 13 150		100,00
0404 90 13 911		4,55
0404 90 13 913		10,51
0404 90 13 915		16,29
0404 90 13 917		25,72
0404 90 13 919		39,20
0404 90 13 931		17,83
0404 90 13 933		22,30
0404 90 13 935		27,65
0404 90 13 937		32,67
0404 90 13 939		34,19
0404 90 19 110		100,83
0404 90 19 115		101,62
0404 90 19 120		103,07
0404 90 19 130		111,43
0404 90 19 135		114,29

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

Product code	Destination (*)	Amount of refund
0404 90 19 150		125,18
0404 90 19 160		131,75
0404 90 19 180		139,03
0404 90 19 900		—
0404 90 31 100		50,00
0404 90 31 910		4,55
0404 90 31 950		17,83
0404 90 33 120		50,00
0404 90 33 130		86,71
0404 90 33 140		92,17
0404 90 33 150		100,00
0404 90 33 911		4,55
0404 90 33 913		10,51
0404 90 33 915		16,29
0404 90 33 917		25,72
0404 90 33 919		39,20
0404 90 33 931		17,83
0404 90 33 933		22,30
0404 90 33 935		27,65
0404 90 33 937		32,67
0404 90 33 939		34,19
0404 90 39 110		100,83
0404 90 39 115		101,62
0404 90 39 120		103,07
0404 90 39 130		111,43
0404 90 39 150		114,29
0404 90 39 900		—
0404 90 51 100		0,5000
0404 90 51 910		0,0455
0404 90 51 950		20,57
0404 90 53 110		0,5000
0404 90 53 130		0,8671
0404 90 53 150		0,9217
0404 90 53 170		1,0000
0404 90 53 911		0,0455
0404 90 53 913		0,1051
0404 90 53 915		0,1629
0404 90 53 917		0,2572
0404 90 53 919		0,3920
0404 90 53 931		20,57
0404 90 53 933		25,13
0404 90 53 935		34,08
0404 90 53 937		35,55
0404 90 53 939		—
0404 90 59 130		1,0083
0404 90 59 150		1,1143
0404 90 59 930		0,5652
0404 90 59 950		0,8155
0404 90 59 990		0,9310
0404 90 91 100		0,5000
0404 90 91 910		0,0455
0404 90 91 950		20,57
0404 90 93 110		0,5000
0404 90 93 130		0,8671
0404 90 93 150		0,9217

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

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,0000
0404 90 93 911		0,0455
0404 90 93 913		0,1051
0404 90 93 915		0,1629
0404 90 93 917		0,2572
0404 90 93 919		0,3920
0404 90 93 931		20,57
0404 90 93 933		25,13
0404 90 93 935		34,08
0404 90 93 937		35,55
0404 90 93 939		—
0404 90 99 130		1,0083
0404 90 99 150		1,1143
0404 90 99 930		0,5652
0404 90 99 950		0,8155
0404 90 99 990		0,9310
0405 00 10 100		—
0405 00 10 200		128,54
0405 00 10 300		161,71
0405 00 10 500		165,85
0405 00 10 700		170,00
0405 00 90 100		170,00
0405 00 90 900		215,00
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	87,74
	404	—
	...	84,94
0406 20 90 915	028	—
	032	—
	400	116,99
	404	—
	...	113,25
0406 20 90 917	028	—
	032	—
	400	124,30
	404	—
	...	120,33
0406 20 90 919	028	—
	032	—
	400	138,92
	404	—
	...	134,49
0406 20 90 990		—
0406 30 10 100		—
0406 30 10 150	028	—
	032	—
	036	—
	038	—
	400	20,03
	404	—
	...	22,83

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 633/90
of 13 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 managements ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 1 174 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 13 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, 20. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOTS A and B

1. **Operation No** ⁽¹⁾: A: 17/90; B: 69/90 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex 626675 I WFP
4. **Representative of the recipient** ⁽²⁾: see OJ No 103, 16. 4. 1987
5. **Place or country of destination**: Pakistan
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 216, 14. 8. 1987, p. 7 (I.3.1 and I.3.2)
8. **Total quantity**: 760 tonnes
9. **Number of lots**: two (lot A: 160 tonnes; lot B: 600 tonnes)
10. **Packaging and marking**: 5 kilograms and OJ No C 216, 14. 8. 1987, p. 7 (I.3.3)
Supplementary marking on packaging:
 - lot A:
'ACTION No 17/90 / PAKISTAN 0243501 / BUTTEROIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / KARACHI'
 - lot B:
'ACTION No 69/90 / PAKISTAN 0223702 / BUTTEROIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / KARACHI'and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4)
11. **Method of mobilization of product**: on 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 — 10. 5. 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 the submission of tenders** ⁽⁴⁾: 12 noon on 2. 4. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 23. 4. 1990
 - (b) period for making the goods available at the port of shipment: 15 — 31. 5. 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 tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 Rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 22. 2. 1990, fixed by Commission Regulation (EEC) No 442/90 (OJ No L 46, 22. 2. 1990, p. 17)

LOT C

1. **Operation No** (1): 130/90 — Commission Decision of 29. 5. 1989
2. **Programme**: 1989
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; telex: 626675 I WFP
4. **Representative of the recipient** (2): see OJ No 103, 16. 4. 1987
5. **Place or country of destination**: Mauritania
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (3) (4) (5): see OJ No C 216, 14. 8. 1987, p. 7 (I.3.1 and I.3.2)
8. **Total quantity**: 414 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 5 kilograms and OJ No C 216, 14. 8. 1987, p. 7 (I.3.3)
Supplementary marking on packaging:
'ACTION N° 130/90 / MAURITANIE 0409301 / BUTTER OIL / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / NOUAKCHOTT'
and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4)
11. **Method of mobilization of product**: on 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 — 10. 5. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (6): 12 noon on 2. 4. 1990
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 23. 4. 1990
 - (b) period for making the goods available at the port of shipment: 15 — 31. 5. 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 tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200 Rue de la Loi, B-1049 Bruxelles; telex AGREC 22037 B or 25670 B
25. **Refund payable on request by the successful tenderer** (7): refund applicable on 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 be contacted by the successful tenderer: See list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- by porter at the office referred to in point 24 of the Annex, or
 - by telecopier on one of the following numbers in Brussels:
 - 235 01 32,
 - 236 10 97,
 - 235 01 30,
 - 236 20 05.
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of the Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative a health certificate at the time of delivery.
- (⁷) The successful tenderer shall give the beneficiaries' representative a certificate of origin at the time of delivery.
- (⁸) The successful tenderer shall give the beneficiaries' representative a certificate in English at the time of delivery, stating that the butteroil does not contain any pork fat.
-

COMMISSION REGULATION (EEC) No 634/90**of 15 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 622/90 ⁽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 16 March 1990.

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

Done at Brussels, 15 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 67, 15. 3. 1990, p. 36.

ANNEX

to the Commission Regulation of 15 March 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	28,33 ⁽¹⁾
1701 11 90	28,33 ⁽¹⁾
1701 12 10	28,33 ⁽¹⁾
1701 12 90	28,33 ⁽¹⁾
1701 91 00	32,92
1701 99 10	32,92
1701 99 90	32,92 ⁽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 635/90
of 15 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 588/90⁽⁷⁾;

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 588/90 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⁽⁸⁾ 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⁽⁹⁾ 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⁽¹⁰⁾ 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 16 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 16 March 1990.

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

Done at Brussels, 15 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 59, 8. 3. 1990, p. 39.

⁽⁸⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁹⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹⁰⁾ 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	25,909	25,987	25,844	23,081	21,500	21,500
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	61,44	61,63	61,30	54,88	51,14	51,34
— Netherlands (Fl)	68,34	68,55	68,17	60,88	56,71	56,94
— BLEU (Bfrs/Lfrs)	1 251,07	1 254,83	1 247,93	1 114,51	1 038,17	1 038,17
— France (FF)	197,40	197,98	196,82	175,12	162,97	162,97
— Denmark (Dkr)	231,37	232,07	230,79	206,11	192,00	191,79
— Ireland (£ Irl)	21,971	22,035	21,906	19,491	18,139	18,139
— United Kingdom (£)	16,408	16,440	16,264	13,890	13,001	12,891
— Italy (Lit)	43 361	43 485	43 222	38 382	37 066	36 958
— Greece (Dr)	4 581,83	4 591,88	4 523,40	3 874,39	4 234,12	4 137,05
(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)	3 668,47	3 680,87	3 656,69	3 232,91	3 082,52	3 058,63
(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)	5 388,55	5 403,29	5 361,61	4 773,47	4 660,09	4 596,50

⁽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)
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	28,409	28,487	28,344	25,581	24,000	24,000
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	67,34	67,53	67,20	60,78	57,04	57,25
— Netherlands (Fl)	74,94	75,14	74,77	67,48	63,31	63,53
— BLEU (Bfrs/Lfrs)	1 371,78	1 375,55	1 368,65	1 235,23	1 158,89	1 158,89
— France (FF)	216,65	217,22	216,06	194,37	182,22	182,22
— Denmark (Dkr)	253,69	254,39	253,11	228,44	214,32	214,12
— Ireland (£ Irl)	24,113	24,177	24,048	21,633	20,281	20,281
— United Kingdom (£)	18,168	18,201	18,025	15,651	14,776	14,666
— Italy (Lit)	47 611	47 735	47 472	42 632	41 406	41 298
— Greece (Dr)	5 061,77	5 071,82	5 003,33	4 354,33	4 757,90	4 660,83
(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)	4 050,71	4 063,11	4 038,93	3 615,15	3 464,76	3 440,87
(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)	5 887,95	5 902,70	5 861,01	5 272,88	5 172,42	5 108,83

(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	35,462	35,459	35,176	35,176	32,697
2. Final aids:					
(a) Seed harvested and processed in ⁽¹⁾ :					
— Federal Republic of Germany (DM)	84,00	84,00	83,34	83,39	77,59
— Netherlands (Fl)	93,54	93,54	92,79	92,79	86,25
— BLEU (Bfrs/Lfrs)	1 712,35	1 712,21	1 698,54	1 698,54	1 578,84
— France (FF)	270,89	270,82	268,55	268,55	249,09
— Denmark (Dkr)	316,68	316,65	314,12	314,12	291,99
— Ireland (£ Irl)	30,149	30,142	29,890	29,890	27,723
— United Kingdom (£)	23,086	23,043	22,743	22,708	20,608
— Italy (Lit)	59 582	59 562	59 051	59 051	54 709
— Greece (Dr)	6 405,10	6 395,83	6 293,52	6 266,54	5 707,32
(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)	4 431,57	4 431,95	4 386,59	4 378,76	4 004,99
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	7 908,82	7 906,69	7 834,18	7 816,85	7 292,50
— in another Member State (Esc)	7 735,96	7 733,87	7 662,95	7 646,00	7 133,11
3. Compensatory aids:					
— in Spain (Pta)	4 402,50	4 402,88	4 357,92	4 350,10	3 976,32
4. Special aid:					
— in Portugal (Esc)	7 735,96	7 733,87	7 662,95	7 646,00	7 133,11

⁽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	2,039680	2,035060	2,031060	2,026880	2,026880	2,016250
Fl	2,296380	2,292570	2,288780	2,284910	2,284910	2,273160
Bfrs/Lfrs	42,398300	42,384600	42,369200	42,345600	42,345600	42,279700
FF	6,897550	6,895750	6,894460	6,894060	6,894060	6,887140
Dkr	7,821580	7,833770	7,840010	7,848310	7,848310	7,871670
£Irl	0,766311	0,766242	0,766682	0,766821	0,766821	0,768927
£	0,736518	0,739422	0,741803	0,744317	0,744317	0,751266
Lit	1 505,72	1 508,06	1 510,38	1 512,46	1 512,46	1 518,96
Dr	193,20400	194,17600	196,33800	198,21400	198,21400	203,65600
Esc	180,08000	180,89700	181,71900	182,81000	182,81000	186,24500
Pta	131,07000	131,55700	131,93400	132,37100	132,37100	133,60100

COMMISSION REGULATION (EEC) No 636/90**of 15 March 1990****fixing the aid for soya beans**

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 2217/88 ⁽²⁾, and in particular Article 2(7) thereof,

Having regard to Council Regulation 2286/88 of 19 July 1988 providing for the granting of special aid for soya beans produced and processed in Portugal ⁽³⁾,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 268/90 ⁽⁴⁾, as last amended by Regulation (EEC) No 511/90 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 268/90 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid provided for in Regulation (EEC) No 1491/85 and the amount of the special aid provided for in Article 1 of Regulation (EEC) No 2286/88 in the case of Portugal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 March 1990.

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

Done at Brussels, 15 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 201, 27. 7. 1988, p. 2.

⁽⁴⁾ OJ No L 30, 1. 2. 1990, p. 37.

⁽⁵⁾ OJ No L 53, 1. 3. 1990, p. 55.

ANNEX

to the Commission Regulation of 15 March 1990 fixing the aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in current period			
— Spain	0,000	27,753	27,753
— Portugal	19,826	27,753 (*)	27,753
— another Member State	19,826	27,753	27,753
Seed processed in first period			
— Spain	0,000	27,738	27,738
— Portugal	19,811	27,738 (*)	27,738
— another Member State	19,811	27,738	27,738
Seed processed in second period			
— Spain	0,000	28,374	28,374
— Portugal	20,447	28,374 (*)	28,374
— another Member State	20,447	28,374	28,374
Seed processed in third period			
— Spain	0,000	28,184	28,184
— Portugal	20,257	28,184 (*)	28,184
— another Member State	20,257	28,184	28,184
Seed processed in fourth period			
— Spain	0,000	28,184	28,184
— Portugal	20,257	28,184 (*)	28,184
— another Member State	20,257	28,184	28,184
Seed processed in fifth period			
— Spain	0,000	27,976	27,976
— Portugal	20,049	27,976 (*)	27,976
— another Member State	20,049	27,976	27,976

(*) Special aid.

COMMISSION REGULATION (EEC) No 637/90

of 15 March 1990

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 201/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

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

Article 2

This Regulation shall enter into force on 16 March 1990.

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

Done at Brussels, 15 March 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 15 March 1990 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
Product code	Destination (*)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	—	—
1001 10 90 000	01	10,00
1001 90 91 000	—	—
1001 90 99 000	04	56,00
	05	56,00
	02	10,00
1002 00 00 000	03	60,00
	05	60,00
	02	10,00
1003 00 10 000	06	68,00
	02	0
1003 00 90 000	04	60,00
	02	10,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	72,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	93,00
1101 00 00 120	01	93,00
1101 00 00 130	01	86,00
1101 00 00 150	01	83,00
1101 00 00 170	01	81,00
1101 00 00 180	01	77,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	93,00
1102 10 00 200	01	93,00
1102 10 00 300	01	93,00
1102 10 00 500	01	93,00
1102 10 00 900	—	—
1103 11 10 100	01	210,00
1103 11 10 200	01	199,00
1103 11 10 500	01	177,00
1103 11 10 900	01	167,00
1103 11 90 100	01	93,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone II (b),
- 06 Hungary, Poland and the USSR,
- 07 Switzerland.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 January 1990

concerning the conclusion of exchanges of letters adjusting the Agreement between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb

(90/114/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has taken measures to stabilize the market in sheepmeat and goatmeat; whereas it intends to bring about better integration of that market;

Whereas, in the context of those adjustments to the common organization of the market, it would be opportune to make adjustments to the voluntary restraint agreements concluded in the sector with certain third countries, in order to stabilize imports and improve import prices;

Whereas the Commission has held negotiations on the matter with Uruguay with a view to adjusting the Agreement concluded with that country in 1980⁽¹⁾; whereas the said negotiations have led to an agreement with Uruguay,

Article 1

The Agreement in the form of exchanges of letters adjusting the Agreement between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb is hereby approved on behalf of the European Economic Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 22 January 1990.

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 275, 18. 10. 1980, p. 37.

AGREEMENT

in the form of exchanges of letters adjusting the Agreement between the European Economic Community and the Eastern Republic of Uruguay on trade in mutton and lamb

A

Letter No 1

Sir,

I have the honour to refer to the exchange of letters of 14 October 1980 constituting an Agreement between the European Community and Uruguay establishing provisions relating to import of mutton and lamb into the Community from Uruguay and to negotiations held between our respective delegations for the purpose of establishing temporary derogations from certain of those provisions concurrent with the implementation of measures to stabilize the European Community sheepmeat sector in order to achieve a unified Community sheepmeat market. Accordingly, they have agreed on the following derogations from the Principal Agreement which shall remain in force for the duration of this Agreement.

Clause 1

A. Access and quantity

In clause 2 of the Principal Agreement, as modified by clause 6 of the Principal Agreement, the ceiling figure of 5 800 tonnes shall be replaced by the figure of 5 220 tonnes. This ceiling shall include a maximum in 1989 of 2 000 metric tonnes of lamb imported into the European Community from Uruguay in a form which has never been frozen, a maximum of 2 200 metric tonnes in 1990, a maximum of 2 400 metric tonnes in 1991, and a maximum of 2 600 metric tonnes in 1992.

B. Tariff

In clause 5 of the Principal Agreement, the words 'a maximum amount of 10 %, *ad valorem*' shall be deemed to be replaced by the word 'zero'.

C. Price surveillance

With a view to improved sheepmeat prices within the European Community, prices for lamb imported from Uruguay will be monitored in accordance with the procedures contained in the Annex to this Agreement.

Clause 2

Consultation

Notwithstanding clause 1 (C) of this Agreement, either Party may request consultations concerning the operation of this Agreement at any time.

Clause 3

GATT obligations

The provisions of this Agreement shall be agreed without prejudice to the rights of Uruguay and the European Community under GATT.

Clause 4

This Agreement shall enter into force on 1 January 1989 and shall remain in force until 31 December 1992.

Clause 5

Within six months prior to expiration of this Agreement, its provisions shall be reviewed.

I have the honour to propose that, if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute an Agreement between the European Economic Community and Uruguay on the matter.

Please accept, Sir, the assurance of my highest consideration.

For the
Council of the European Communities
Rolf MOEHLER

ANNEX

Price surveillance procedure

1. The European Community will monitor the prices in each Member State for imported frozen lamb carcasses from Uruguay on the basis of the average prices over each monthly period.
2. The relationship between the prices for imported frozen lamb carcasses from Uruguay in each Member State and the market prices for Community-produced lamb in each such Member State will be compared with the benchmark level specified below for each such Member State. If this comparison indicates that the price relationship has, in two Member States in the same month, moved below the benchmark levels for those Member States, technical consultations will take place at the request of either Party to determine factors causing the downward movement. The factors that will be taken into account by the Parties in such consultations shall include traditional and seasonal price relationships and fluctuations, the prices of cuts, the impact of prices of other meats, and other exceptional factors.

Member States by region	Benchmark levels for the relationship between prices of imported frozen lamb carcasses and prices of domestically produced lamb
Northern Member States (Belgium, Denmark, Federal Republic of Germany, France, Ireland, Luxembourg, Netherlands, United Kingdom)	55 %
Southern Member States (Greece, Italy, Portugal, Spain)	45 %

3. Should the downward movement of the relationship between prices for Uruguayan frozen lamb carcasses and Community-produced lamb below the benchmark levels in the particular Member States under consideration pose a problem, the Parties shall consider any recommendations arising out of the technical consultations for the resolution of the problem. If the problem identified is attributable to the prices at which Uruguayan frozen lamb carcasses are being sold in those Member States by Uruguayan exporters, then Uruguay shall take whatever action is available to it to restore the price relationship between frozen lamb carcasses and Community-produced lamb in those Member States to the benchmark levels.
4. Should the Parties in the technical consultations fail to reach agreement on appropriate measures to resolve the problem, the Consultative Committee established under cause 10 of the Principal Agreement may be convened at a senior policy level at the request of either Party to give the matter urgent consideration.

If agreement cannot be reached at official level, the matter may be referred by either party to the EC Commissioner for Agriculture and the Uruguayan Minister of Agriculture for resolution.
5. Uruguay and the European Community shall adopt as targets for achievement by the end of 1992 an improvement in the previously defined benchmark levels for Northern Member States by five percentage points and for Southern Member States by eight percentage points.

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'I have a honour to refer to the exchange of letters of 14 October 1980 constituting an Agreement between the European Community and Uruguay establishing provisions relating to import of mutton and lamb into the Community from Uruguay and to negotiations held between our respective delegations for the purpose of establishing temporary derogations from certain of those provisions concurrent with the implementation of measures to stabilize the European Community sheepmeat sector in order to achieve a unified Community sheepmeat market. Accordingly, they have agreed on the following derogations from the Principal Agreement which shall remain in force for the duration of this Agreement.

*Clause 1***A. Access and quantity**

In clause 2 of the Principal Agreement, as modified by clause 6 of the Principal Agreement, the ceiling figure of 5 800 tonnes shall be replaced by the figure of 5 220 tonnes. This ceiling shall include a maximum in 1989 of 2 000 metric tonnes of lamb imported into the European Community from Uruguay in a form which has never been frozen, a maximum of 2 200 metric tonnes in 1990, a maximum of 2 400 metric tonnes in 1991, and a maximum of 2 600 metric tonnes in 1992.

B. Tariff

In clause 5 of the Principal Agreement, the words 'a maximum amount of 10 %, *ad valorem*' shall be deemed to be replaced by the word 'zero'.

C. Price surveillance

With a view to improved sheepmeat prices within the European Community, prices for lamb imported from Uruguay will be monitored in accordance with the procedures contained in the Annex to this Agreement.

*Clause 2***Consultation**

Notwithstanding clause 1 (C) of this Agreement, either Party may request consultations concerning the operation of this Agreement at any time.

*Clause 3***GATT obligations**

The provisions of this Agreement shall be agreed without prejudice to the rights of Uruguay and the European Community under GATT.

Clause 4

This Agreement shall enter into force on 1 January 1989 and shall remain in force until 31 December 1992.

Clause 5

Within six months prior to expiration of this Agreement, its provisions shall be reviewed.

I have the honour to propose that, if the foregoing is acceptable to your Government, this letter and your confirmatory reply shall together constitute an Agreement between the European Economic Community and Uruguay on the matter.'

I have the honour to confirm the foregoing is acceptable to my Government and that your letter together with this reply shall constitute an Agreement in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Uruguay

José María ARANEO

ANNEX

Price surveillance procedure

1. The European Community will monitor the prices in each Member State for imported frozen lamb carcasses from Uruguay on the basis of the average prices over each monthly period.
2. The relationship between the prices for imported frozen lamb carcasses from Uruguay in each Member State and the market prices for Community-produced lamb in each such Member State will be compared with the benchmark level specified below for each Member State. If this comparison indicates that the price relationship has, in two Member States in the same month, moved below the benchmark levels for those Member States, technical consultations will take place at the request of either Party to determine factors causing the downward movement. The factors that will be taken into account by the Parties in such consultations shall include traditional and seasonal price relationships and fluctuations, the prices of cuts, the impact of prices of other meats, and other exceptional factors.

Member States by region	Benchmark levels for the relationship between prices of imported frozen lamb carcasses and prices of domestically produced lamb
Northern Member States (Belgium, Denmark, Federal Republic of Germany, France, Ireland, Luxembourg, Netherlands, United Kingdom)	55 %
Southern Member States (Greece, Italy, Portugal, Spain)	45 %

3. Should the downward movement of the relationship between prices for Uruguayan frozen lamb carcasses and Community-produced lamb below the benchmark levels in the particular Member States under consideration pose a problem, the Parties shall consider any recommendations arising out of the technical consultations for the resolution of the problem. If the problem identified is attributable to the prices at which Uruguayan frozen lamb carcasses are being sold in those Member States by Uruguayan exporters, then Uruguay shall take whatever action is available to it to restore the price relationship between frozen lamb carcasses and Community-produced lamb in those Member States to the benchmark levels.
4. Should the Parties in the technical consultations fail to reach agreement on appropriate measures to resolve the problem, the Consultative Committee established under clause 10 of the Principal Agreement may be convened at a senior policy level at the request of either Party to give the matter urgent consideration.

If agreement cannot be reached at official level, the matter may be referred by either party to the EC Commissioner for Agriculture and the Uruguayan Minister of Agriculture for resolution.

5. Uruguay and the European Community shall adopt as targets for achievement by the end of 1992 an improvement in the previously defined benchmark levels for Northern Member States by five percentage points and for Southern Member States by eight percentage points.

B

Letter No 1

Brussels, 23 February 1990

Sir,

I have the honour to refer to clause 1 of the exchange of letters dated 23 February 1990 relating to the 1980 Agreement between the European Community and Uruguay on trade in mutton and lamb.

I also have the honour to confirm that before 31 December 1990, in addition to the ceiling of 5 220 metric tonnes, a quantity of 1 700 tonnes may be delivered. This additional volume shall be deemed to include a maximum of 500 metric tonnes of lamb imported into the European Community from Uruguay in a form which has never been frozen.

I should be obliged if you would kindly acknowledge receipt of this letter.

Please accept, Sir, the assurance of my highest consideration.

For the
Council of the European Communities
Rolf MOEHLER

Letter No 2

Brussels, 23 February 1990

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'I have the honour to refer to clause 1 of the exchange of letters dated 23 February 1990 relating to the 1980 Agreement between the European Community and Uruguay on trade in mutton and lamb.

I also have the honour to confirm that before 31 December 1990, in addition to the ceiling of 5 220 metric tonnes, a quantity of 1 700 tonnes may be delivered. This additional volume shall be deemed to include a maximum of 500 metric tonnes of lamb imported into the European Community from Uruguay in a form which has never been frozen.

I should be obliged if you would kindly acknowledge receipt of this letter.'

Please accept, Sir, the assurance of my highest consideration.

For the Government of Uruguay
José María ARANEO

COUNCIL DECISION**of 12 February 1990****on the conclusion of an Agreement in the form of an exchange of letters
suspending the application of Article 12 (1) of the Agreement between the
European Economic Community and the Polish People's Republic on trade and
commercial and economic cooperation**

(90/115/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas the conclusion of the Agreement in the form of
an exchange of letters suspending the application of
Article 12 (1) of the Agreement between the European
Economic Community and the Polish People's Republic
on trade and commercial and economic cooperation (1)
should be approved,

HAS DECIDED AS FOLLOWS:

*Article 1*The Agreement in the form of an exchange of letters
suspending the application of Article 12 (1) of the Agree-
ment between the European Economic Community and
the Polish People's Republic on trade and commercialand economic cooperation is hereby approved on behalf
of the Community.

The text of the Agreement is annexed to this Decision.

*Article 2*The President of the Council is hereby authorized to
designate the person empowered to sign the Agreement
in the form of an exchange of letters in order to bind the
Community.*Article 3*This Regulation shall enter into force on the day
following its publication in the *Official Journal of the
European Communities*.

Done at Brussels, 12 February 1990.

*For the Council**The President*

A. REYNOLDS

(1) OJ No L 339, 22. 11. 1989, p. 1.

AGREEMENT

in the form of an exchange of letters suspending the application of Article 12 (1) of the Agreement between the European Economic Community and the Polish People's Republic on trade and commercial and economic cooperation

Letter No 1

Sir,

In discussions which took place between representatives of the European Economic Community and the Polish People's Republic after the signature of the Agreement on trade and commercial and economic cooperation, it was agreed that the obligations of each party contained in Article 12 (1) to accord the agricultural trade concessions referred to in Annexes IV and V to the Agreement as from 1 January 1990 should be suspended in view of the fact that the Community has autonomously granted to the Polish People's Republic wider concessions within the framework of its Generalized System of Preferences in accordance with Regulations (EEC) No 3898/89 and (EEC) No 3899/89. This suspension shall apply from 1 January 1990 and continue throughout the period of application of the said Regulations and of any Regulation which might be substituted for one or both of them.

I should be grateful for confirmation of your Government's agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of
the Council of the European Communities*

Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'In discussions which took place between representatives of the European Economic Community and the Polish People's Republic after the signature of the Agreement on trade and commercial and economic cooperation, it was agreed that the obligations of each party contained in Article 12 (1) to accord the agricultural trade concessions referred to in Annexes IV and V to the Agreement as from 1 January 1990 should be suspended in view of the fact that the Community has autonomously granted to the Polish People's Republic wider concessions within the framework of its Generalized System of Preferences in accordance with Regulations (EEC) No 3898/89 and (EEC) No 3899/89. This suspension shall apply from 1 January 1990 and continue throughout the period of application of the said Regulations and of any Regulation which might be substituted for one or both of them.

I should be grateful for confirmation of your Government's agreement with the contents of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For
the Government of the Polish People's Republic*