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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1142/90

of 4 May 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 754/90⁽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 3 May 1990;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 754/90 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 5 May 1990.

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

Done at Brussels, 4 May 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 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 4 May 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	39,80	131,12 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	131,12 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	190,23 ⁽¹⁾ ⁽³⁾
1001 10 90	49,77	190,23 ⁽¹⁾ ⁽³⁾
1001 90 91	40,78	138,38
1001 90 99	40,78	138,38
1002 00 00	65,46	135,83 ⁽⁴⁾
1003 00 10	56,71	134,40
1003 00 90	56,71	134,40
1004 00 10	48,11	127,23
1004 00 90	48,11	127,23
1005 10 90	39,80	131,12 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	131,12 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	138,92 ⁽⁴⁾
1008 10 00	56,71	34,15
1008 20 00	56,71	110,04 ⁽⁴⁾
1008 30 00	56,71	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	56,71	0,00
1101 00 00	71,56	207,31
1102 10 00	106,11	204,62
1103 11 10	91,98	309,69
1103 11 90	75,71	222,32

(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 715/90 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 applied in accordance with Regulation (EEC) No 715/90.

(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 1143/90

of 4 May 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 3 May 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 5 May 1990.

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

Done at Brussels, 4 May 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 4 May 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 5	1st period 6	2nd period 7	3rd period 8
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	10,85	10,85	10,85
1001 90 99	0	10,85	10,85	10,85
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
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	15,19	15,19	15,19

B. Malt

CN code	(ECU/tonne)				
	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	19,31	19,31	19,31	19,31
1107 10 19	0	14,43	14,43	14,43	14,43
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1144/90
of 4 May 1990
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 791/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 1060/90 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 791/90 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 May 1990.

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

Done at Brussels, 4 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 10.

⁽⁵⁾ OJ No L 85, 31. 3. 1990, p. 6.

⁽⁶⁾ OJ No L 108, 28. 4. 1990, p. 16.

ANNEX

to the Commission Regulation of 4 May 1990 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT (¹) (²) (³)	Third countries (except ACP or OCT) (³)
1006 10 21	—	—	154,84	316,89
1006 10 23	—	230,69	150,19	307,58
1006 10 25	—	230,69	150,19	307,58
1006 10 27	—	230,69	150,19	307,58
1006 10 92	—	—	154,84	316,89
1006 10 94	—	230,69	150,19	307,58
1006 10 96	—	230,69	150,19	307,58
1006 10 98	—	230,69	150,19	307,58
1006 20 11	—	—	194,45	396,11
1006 20 13	—	288,35	188,63	384,47
1006 20 15	—	288,35	188,63	384,47
1006 20 17	—	288,35	188,63	384,47
1006 20 92	—	—	194,45	396,11
1006 20 94	—	288,35	188,63	384,47
1006 20 96	—	288,35	188,63	384,47
1006 20 98	—	288,35	188,63	384,47
1006 30 21	13,05	—	249,60	523,06
1006 30 23	12,97	453,92	290,72	605,22
1006 30 25	12,97	453,92	290,72	605,22
1006 30 27	12,97	453,92	290,72	605,22
1006 30 42	13,05	—	249,60	523,06
1006 30 44	12,97	453,92	290,72	605,22
1006 30 46	12,97	453,92	290,72	605,22
1006 30 48	12,97	453,92	290,72	605,22
1006 30 61	13,90	—	266,18	557,06
1006 30 63	13,90	486,60	312,05	648,80
1006 30 65	13,90	486,60	312,05	648,80
1006 30 67	13,90	486,60	312,05	648,80
1006 30 92	13,90	—	266,18	557,06
1006 30 94	13,90	486,60	312,05	648,80
1006 30 96	13,90	486,60	312,05	648,80
1006 30 98	13,90	486,60	312,05	648,80
1006 40 00	4,91	—	80,72	167,44

(¹) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(²) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products imported directly into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

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

COMMISSION REGULATION (EEC) No 1145/90

of 4 May 1990

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2638/89 ⁽³⁾, as last amended by Regulation (EEC) No 1061/90 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

Article 1

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

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

Article 2

This Regulation shall enter into force on 7 May 1990.

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

Done at Brussels, 4 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 255, 1. 9. 1989, p. 11.

⁽⁴⁾ OJ No L 108, 28. 4. 1990, p. 18.

ANNEX

to the Commission Regulation of 4 May 1990 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1146/90
of 3 May 1990
on the supply of various butteroil as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 150 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, 3 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No 219/90** (1): Commission Decision of 14 July 1989
2. **Programme**: 1989
3. **Recipient**: Cooperative Republic of Guyana (Ministry of Finance Box 101009, Main & Urquhart St/Georgetown, Guyana)
4. **Representative of the recipient** (2): Embassy of Guyana, Avenue des Arts 21-22, B-1040 Brussels — Tel (02) 230 60 65 — Tlx 26180 GUYIC B.
5. **Place or country of destination**: Guyana
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (2); (see OJ No C 216, 14. 8. 1987, p. 7, I.3.1. and I.3.2.)
8. **Total quantity**: 150 tonnes.
9. **Number of lots**: one
10. **Packaging and marking**: 200 kg (6) and OJ No C 216, 14. 8. 1987, p. 7 (I.3.3.).
Supplementary marking on packaging:
'ACTION NO 219/90/BUTTEROIL/GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'
and OJ No C 216, 14. 8. 1987, p. 8 (I.3.4)
11. **Method of mobilization of product**: Community market.
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Livestock Development Company Storage Bond, East La Penitence, Greater Georgetown
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 — 25. 6. 1990
18. **Deadline for the supply**: 25. 7. 1990
19. **Procedure for determining the costs of supply**: invitation to tender.
20. **In the case of an invitation to tender, date of expiry of the period allowed for the submission of tenders** (4): 12 noon on 21. 5. 1990.
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 28. 5. 1990;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 23. 6 — 2. 7. 1990;
22. **Amount of tendering security**: ECU 20 per tonne.
23. **Amount of delivery security**: 10 % of the tender in ecus.
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 Rue de la Loi,
B-1049 Brussels
(telex: AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer** (5): Refund applicable on 30. 3. 1990, fixed by Commission Regulation (EEC) No 767/90 in OJ No L 83 of 30. 3. 1990, p. 49.

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 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 Annexes.
- (⁶) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.
-

COMMISSION REGULATION (EEC) No 1147/90

of 3 May 1990

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

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 650 tonnes of skimmed-milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 3 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I**Lot A, B and C**

1. **Operation No** (see Annex II)⁽¹⁾: Commission Decision of 19. 4. 89
2. **Programme**: 1989
3. **Recipient**⁽²⁾: League of Red Cross and Red Crescent Societies, Logistic Service, PO Box 372 — CH-1211 Geneva 19 (Telex 22555 LRCS CH; Tel: 734 55 80; Telefax: 733-0395)
4. **Representative of the recipient**:
 - Lot A⁽³⁾: Red Crescent Society of the Yemen Arab Republic, Head Office, Building No 10, Street 26 September, SANA'A, Yemen Arab Republic
 - Lot B⁽³⁾: Croissant Rouge marocain, Palais Mokri — Takaddoum B.P. 189, RABAT, Tel: 508 98/514 95, telex Athilal 319 40 M Rabat
 - Lot C⁽³⁾: The Guyana Red Cross Society, Eve Leary, P.O. Box 10524, Georgetown, tel: 65 174, telexd: Ferna 2226 GY 'For Guyana Red Cross'
5. **Place or country of destination**:
 - Lot A: Arab Republic of Yemen
 - Lot B: Morocco
 - Lot C: Guyana
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods**⁽²⁾⁽⁴⁾⁽⁷⁾: (see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 to I.1.B.3))
8. **Total quantity**: 200 tonnes.
9. **Number of lots**: 3 (Lot A: 50 tonnes; Lot B: 100 tonnes; Lot C: 50 tonnes)
10. **Packaging and marking**: 25 kg
and OJ No C 216, 14. 8. 1987, p. 4 and 5, (I.1.B.4. and I.1.B.4.2.)
Supplementary marking on packaging: See Annex II
and OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5.)
11. **Method of mobilization of product**: Community market.
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender.
12. **Stage of supply**: Lot A: free at port of landing — landed. Lots B and C: free at destination.
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Hodeida; Lot B: Casablanca
16. **Address of the warehouse and, if appropriate, port of landing**: Lot B: Entrepôt du Croissant Rouge, Skhirat; Lot C: Entrepôt de la Croix Rouge, Eve Leary, Georgetown
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 28. 5. — 5. 6. 1990
18. **Deadline for the supply**: 10. 7. 1990
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for the submission of tenders**⁽⁴⁾: 12 noon on 21. 5. 1990.
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 28. 5. 1990;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 4. — 12. 6. 1990;
 - (c) deadline for the supply: 17. 7. 1990
22. **Amount of tendering security**: ECU 20 per tonne.
23. **Amount of delivery security**: 10 % of the tender in ecus.
24. **Address for submission of tenders**:
 - Bureau de l'aide alimentaire,
 - Attention Mr N. Arend,
 - Bâtiment Loi 120, bureau 7/58,
 - 200 rue de la Loi,
 - B-1049 Brussels
 - (telex: AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer**⁽⁵⁾: Refund applicable on 30. 3. 1990, fixed by Commission Regulation (EEC) No 767/90 in OJ No L 83 of 29. 3. 1990, p. 49.

LOT D

1. **Operation No 209/90⁽¹⁾ : Commission Decision of 12. 10. 1989**
2. **Programme : 1989**
3. **Recipient⁽²⁾ : Comores**
4. **Representative of the recipient⁽³⁾ :**
M. Said Ahmed Said Ali, Ministre des Finances, B.P. 324, Moroni (Tel : 21767 — Moroni)
5. **Place or country of destination : Comores**
6. **Product to be mobilized : vitaminized skimmed-milk powder**
7. **Characteristics and quality of the goods⁽⁴⁾ :**
(see OJ No C 216, 14. 8. 1987, p. 4 (I.1.B.1 to I.1.B.3))
8. **Total quantity : 100 tonnes.**
9. **Number of lots : one two parts (D1 : 60 tonnes ; D2 40 tonnes)**
10. **Packaging and marking : 25 kg**
and OJ No C 216, 14. 8. 1987, p. 4 and 6 (I.1.B.4. and I.1.B.4.3)
Supplementary marking on packaging :
'ACTION NO 209/90 / LAIT EN POUDRE VITAMINÉ / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA REPUBLIQUE FÉDÉRALE ISLAMIQUE DES COMORES'
and see OJ No C 216, 14. 8. 1987, p. 6 (I.1.B.5).
11. **Method of mobilization of product : Community market.**
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender.
12. **Stage of supply : free at port of landing — landed.**
13. **Port of shipment : —**
14. **Port of landing specified by the recipient : —**
15. **Port of landing : D1 : Moroni (Grande Comore) ; D2 : Mutsamudu (Anjouan).**
16. **Address of the warehouse and, if appropriate, port of landing : —**
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 4 to 5 June 1990**
18. **Deadline for the supply : 17. 7. 1990.**
19. **Procedure for determining the costs of supply : invitation to tender**
20. **In the case of an invitation to tender, date of expiry of the period allowed for the submission of tenders⁽⁵⁾ : 12 noon on 21. 5. 1990.**
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 28. 5. 1990 ;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : from 11 to 22. 6. 1990 ;
 - (c) deadline for the supply : 24. 7. 1990
22. **Amount of tendering security : ECU 20 per tonne.**
23. **Amount of delivery security : 10 % of the tender in ecus.**
24. **Address for submission of tenders :**
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Brussels
(telex : AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer⁽⁶⁾ : Refund applicable on 30. 3. 1990, fixed by Commission Regulation (EEC) No 767/90 in OJ No L 83 of 29. 3. 1990, p. 49.**

LOT E

1. **Operation No 220/90** ⁽¹⁾: Commission Decision of 14. 7. 89.
2. **Programme**: 1989
3. **Recipient** ⁽²⁾: Cooperative Republic of Guyana (Ministry of Finance, Box 101009, Main & Urquhart streets, Georgetown, Guyana).
4. **Representative of the recipient** ⁽³⁾: Ambassade de Guyana, Avenue des Arts 21/22, B-1040 Brussels
(Tel: (02) 230 60 65; Tlx: 26180 GUYIC B).
5. **Place or country of destination**: Guyana
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾:
(see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.1 — I.1.A.2))
8. **Total quantity**: 350 tonnes.
9. **Number of lots**: one
10. **Packaging and marking** ⁽²⁾: 25 kg
and OJ No C 216, 14. 8. 1987, p. 4 and 5 (I.1.B.4. and I.1.B.4.2)
Supplementary marking on packaging:
'ACTION NO 220/90 / SKIMMED-MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GUYANA'
and see OJ No C 216, 14. 8. 1987, p. 3 (I.1.A.4).
11. **Method of mobilization of product**: Community market.
The manufacture of the skimmed-milk powder must be carried out after the award of the tender.
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Livestock Development Company Storage Bond, Fort and Cowan Streets, Kingston.
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 4. — 15. 6. 1990
18. **Deadline for the supply**: 13. 7. 1990.
19. **Procedure for determining the costs of supply**: invitation to tender.
20. **In the case of an invitation to tender, date of expiry of the period allowed for the submission of tenders** ⁽⁴⁾: 12 noon on 21. 5. 1990.
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 28. 5. 1990;
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 11. — 22. 6. 1990;
 - (c) deadline for the supply: 20. 7. 1990
22. **Amount of tendering security**: ECU 20 per tonne.
23. **Amount of delivery security**: 10 % of the tender in ecus.
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 Rue de la Loi,
B-1049 Brussels
(telex: AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer** ⁽⁵⁾: Refund applicable on 30. 3. 1990, fixed by Commission Regulation (EEC) No 767/90 in OJ No L 83 of 29. 3. 1990, p. 49.

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer is to deliver a certificate from an official entity and certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in OJ No C 227, 7. 9. 1985, p. 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - by porter at the office referred to in point 24 of this Annex, or
 - by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁵) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 24. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁸) Once the successful tenderer has been informed of the award of the contract, he shall immediately contact the beneficiary with a view to determining what documents are required for the consignment and their distribution.
- (⁹) Shipment to take place in 20-foot containers. The containers must be able to be kept for at least 15 days.
- (¹⁰) Commission delegate to be contacted by successful tenderer :

Mr C. Falkowski, P.O. Box 926794, Amman, Jordan.
Telex : (0493) 22260 DELEURJO.

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

Designación de la partida Parti Bezeichnung der Partie Χαρακτηρισμός της παρτίδας Lot Désignation de la partie Designazione della partita Aanduiding van de partij Designação da parte	Cantidad total de la partida (en toneladas) Totalmængde (tons) Gesamtmenge der Partie (in Tonnen) Συνολική ποσότητα της παρτίδας (σε τόνους) Total quantity (in tonnes) Quantité totale de la partie (en tonnes) Quantità totale della partita (in tonnellate) Totale hoeveelheid van de partij (in ton) Quantidade total (em toneladas)	Cantidades parciales (en toneladas) Delmængde (tons) Teilmengen (in Tonnen) Μερικές ποσότητες (σε τόνους) Partial quantities (in tonnes) Quantités partielles (en tonnes) Quantitativi parziali (in tonnellate) Deelhoeveelheden (in ton) Quantidades parciais (em toneladas)	Beneficiario Modtager Empfänger Δικαιούχος Beneficiary Bénéficiaire Beneficiario Begunstigde Beneficiário	Pais destinatario Modtagerland Bestimmungsland Χώρα προορισμού Recipient country Pays destinataire Paese destinatario Bestemmingsland País destinatário	Acción nº Aktion nr. Maßnahmen Nr. Δράση αριθ. Operation No Action nº Azione n. Maatregel nr. Acção nº	Inscripción en el embalaje Emballagens påtegning Aufschrift auf der Verpackung Ένδειξη επί της συσκευασίας Markings on the packaging Inscription sur l'emballage Iscrizione sull'imballaggio Aanduiding op de verpakking Inscrição na embalagem
A	50		Licross	Yemen Arab Republic	147/90	Action No 147/90 / (1) / DSM / Action of the League of Red Cross and Red Crescent Societies (Licross) / For free distribution / Sana'a
B	100		Licross	Maroc	921/89	Action nº 921/89 / (1) / Lait écrémé en poudre vitaminé / Action de la Ligue des Sociétés de la Croix Rouge et du Croissant rouge (Licross) / Pour distribution gratuite / Casablanca
C	50		Licross	Guyana	924/89	Action No 924/89 / (2) / DSM / Action of the League of Red Cross and Red Crescent Societies (Licross) / For free distribution / Georgetown

(1) Una media luna roja con las puntas orientadas hacia la derecha.

(1) En rød halvmåne, hvis spidser vender mod højre.

(1) Ein roter Halbmond, dessen Enden nach rechts gerichtet sind.

(1) Κόκκινο μισοφέγγαρο με τις γωνίες προς τα δεξιά.

(1) A red crescent with the points towards the right.

(1) Un croissant rouge points orientés vers la droite.

(1) Una mezzaluna rossa con le punte orientate verso la destra.

(1) Een rode halve maan waarvan de punten naar rechts gericht zijn.

(1) Um crescente vermelho com as pontas orientadas para a direita.

(2) Una cruz roja.

(2) Et rødt kors.

(2) Ein rotes Kreuz.

(2) Κόκκινος σταυρός.

(2) A red cross.

(2) Une croix rouge.

(2) Una croce rossa.

(2) Een rood kruis.

(2) Uma cruz vermelha.

COMMISSION REGULATION (EEC) No 1148/90

of 4 May 1990

reimposing the levying of customs duties applicable to third countries on certain
products originating in Yugoslavia

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

Having regard to the Cooperation Agreement between the
European Economic Community and the Socialist Federal
Republic of Yugoslavia ⁽¹⁾, and in particular Protocol No 1
thereto,

Having regard to Council Regulation (EEC) No 3606/89
of 20 November 1989 establishing ceilings and Commu-
nity supervision for imports of certain products origina-
ting in Yugoslavia (1990) ⁽²⁾, and in particular Article 1 ;

Whereas the abovementioned Protocol No 1 and Article
15 of the Cooperation Agreement provide that the
products listed in the Annex are imported exempt of
Customs duty into the Community, subject to the ceilings
shown, above which the Customs duties applicable to
Third Countries may be re-established ;

Whereas imports into the Community of those products,
originating in Yugoslavia, have reached those ceilings ;

whereas the situation on the Community market requires
that customs duties applicable to third countries on the
products in question be reimposed,

HAS ADOPTED THIS REGULATION :

Article 1

From 8 May to 31 December 1990, the levying of
customs duties applicable to third countries shall be reim-
posed on imports into the Community of the products
listed in the Annex, originating in Yugoslavia.

Article 2

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

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

Done at Brussels, 4 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 352, 4. 12. 1989, p. 1.

ANNEX

Order No	CN code	Description of goods	Ceiling (tonnes)
01.0010	3102 3102 10 10	Mineral or chemical fertilizers, nitrogenous : — — Urea containing more than 45 % by weight of nitrogen on the dry anhydrous product	3 897
01.0030	3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium ; other fertilizers ; goods of this chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg	54 369
01.0060	4011 4011 10 00 4011 20 00 4011 30 4011 30 90 4011 91 00 4011 99 00 4012 4012 10 ex 4012 10 90 4012 20 ex 4012 20 90 4013 4013 10 4013 10 10 4013 10 90 4013 90 90	New pneumatic tyres, of rubber : — Of a kind used on motor cars (including station wagons and racing cars) — Of a kind used on buses or lorries — Of a kind used on aircraft : — — Other : — Other : — — Having a 'herring-bone' or similar tread — — Other Retreaded or used pneumatic tyres of rubber ; solid or cushion tyres, interchangeable tyre treads and tyre flaps, of rubber : — Retreaded tyres : — — Other : — Other than of the kind used on bicycles or cycles with auxiliary motor, on motor-cycles or motor-scooters — Used pneumatic tyres : — — Other : — Other than of the kind used on bicycles or cycles with auxiliary motor, on motor-cycles or motor-scooters Inner tubes, of rubber : — Of a kind used on motor cars (including station wagons and racing cars), buses or lorries : — — Of the kind used on motor cars (including station wagons and racing cars) — — Of the kind used on buses or lorries — Other : — — Other	5 229

COMMISSION REGULATION (EEC) No 1149/90

of 4 May 1990

correcting Regulation (EEC) No 886/90 opening an invitation to tender for the sale for export of baled tobacco held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 886/90 ⁽³⁾ provides for the sale for export of baled tobacco held by the Italian intervention agency;

Whereas a check has shown that one of the quantities does not correspond to the measures submitted for an opinion to the Management Committee; whereas the Regulation in question should accordingly be corrected,

Article 1

In Article 1 of Regulation (EEC) No 886/90, the quantity '10 952 657 kilograms' is replaced by '11 174 411 kilograms'.

Article 2

In the Annex to Regulation (EEC) No 886/90 the figure '1 022 791' opposite lot No 5 (Mavra) is replaced by '1 244 545'.

Article 3

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

It shall apply from 10 April 1990.

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

Done at Brussels, 4 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 10.

⁽³⁾ OJ No L 92, 7. 4. 1990, p. 20.

COMMISSION REGULATION (EEC) No 1150/90

of 4 May 1990

laying down detailed rules for the application of the arrangements applicable to imports of certain milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, and in particular Article 27 (1) thereof,

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 ⁽²⁾, as last amended by Regulation (EEC) No 3879/89 ⁽³⁾, and in particular Article 28 thereof,

Whereas Regulation (EEC) No 715/90 established, *inter alia*, arrangements for reducing import levies on certain products in the milk and milk products sector within the limit of a quota; whereas detailed rules for the application of that Regulation should be adopted as regards the milk products concerned with a view to administering the quota concerned; whereas those detailed rules are either supplementary to or derogate from Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁴⁾, as last amended by Regulation (EEC) No 1903/89 ⁽⁵⁾;

Whereas, in order to ensure proper administration of the quota, a security should be required for applications for import licences and certain conditions should be laid down as regards applicants themselves; whereas the quota and the period during which licences one valid should be staggered over the year;

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

Article 1

All imports into the Community under Regulation (EEC) No 815/90 of products covered by CN codes 0402 and 0406 shall be subject to the submission of an import licence.

Licences shall be issued under the conditions laid down in this Regulation and within the limit of the quota fixed by Regulation (EEC) No 715/90.

Article 2

1. The overall quota of 500 tonnes referred to in Article 7 of Regulation (EEC) No 815/90 shall be staggered over the year as follows:

- 50 % in the period 1 January to 30 June,
- 50 % in the period 1 July to 31 December.

2. However, the following shall apply for 1990:

- 50 % in the period 1 April to 31 July 1990,
- 50 % in the period 1 August to 31 December 1990.

Article 3

In order to qualify under the import arrangements provided for in Regulation (EEC) No 715/90:

- (a) applicants for an import licence must be natural or legal persons who, at the time the application is submitted must prove to the satisfaction of the competent authorities in the Member States that they have been engaged in commercial activity in the milk and milk products sector for at least the preceding 12 months;
- (b) an application for a licence may relate to the quota provided for in Article 7 of Regulation (EEC) No 715/90 for a licence. It may comprise several products covered by CN codes 0402 and 0406 exported from one of the African, Caribbean and Pacific States (ACP States) or in overseas countries and territories (OCT). In such cases, all the CN codes shall be indicated in section 16 and their description in section 15;
- (c) section 7 of licence applications and licences shall show the country which certified the origin of the product in question; licences shall carry with them an obligation to import from the country indicated;

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽³⁾ OJ No L 378, 27. 12. 1989, p. 1.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 184, 30. 6. 1989, p. 22.

(d) the heading 'notes' and section 24 of licence applications and licences shall show respectively one of the following :

- Exacción reguladora reducida en un 50 %, Producto ACP/PTUM — Reglamento (CEE) n° 715/90,
- Nedsættelse af importafgiften med 50 %, AVS/OLT-varer — forordning (EØF) nr. 715/90,
- Verminderung der Abschöpfung um 50 %, AKP/ÜLG-Erzeugnis — Verordnung (EWG) Nr. 715/90,
- Μειωμένη εισφορά κατά 50 %, Προϊόν ΑΚΕ/ΥΧΕ — κανονισμός (ΕΟΚ) αριθ. 715/90,
- Levy reduced by 50 %, ACP/OCT-Product — Regulation (EEC) No 715/90,
- Prélèvement réduit de 50 %, produit ACP/PTOM — règlement (CEE) n° 715/90,
- Prelievo ridotto del 50 %, Prodotto ACP/PTOM — regolamento (CEE) n. 715/90,
- Heffing verminderd met 50 %, ACS/LGO-produkt — Verordening (EEG) nr. 715/90,
- Direito nivelador reduzido de 50 %, Produto ACP/PTOM — Regulamento (CEE) n° 715/90.

Section 8 of the EUR 1 movement certificate referred to in Article 12 of Protocol 1 to the Fourth ACP-EEC Convention signed on 15 December 1989 shall indicate the Combined Nomenclature code of the product in question. A separate certificate shall be drawn up for each product.

Article 4

1. Licence applications may be lodged during the first 10 days of each six-monthly period only. However, in the case of the first six months of 1990, applications may be lodged from 7 to 17 May 1990.
2. The Member States shall notify the Commission on the third working day following the end of the application submission period, of applications lodged for each of the products covered by the quota in question. Such notification shall comprise a list of applicants, the product code and quantities applied for by quota and the countries of provenance. All notifications, including notifications of nil applications, shall be made by telex or telecopy on the working day stipulated.
3. Subject to a decision on acceptance of applications by the Commission, licences shall be issued on the 21st

day of each six-monthly period. However, in the case of the first six months of 1990, licences shall be issued on 31 May 1990.

4. The Commission shall decide to what extent quantities may be awarded in respect of applications as referred to in Article 3.

If quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reducing the quantities applied for.

If the overall quantity covered by applications is less than the quantity available, the Commission shall calculate the quantity remaining, which shall be added to the quantity available in respect of the following six-monthly period.

Article 5

Pursuant to Article 21 (2) of Regulation (EEC) No 3719/88, import licences shall be valid for 180 days from the date of actual issue

Import licences issued pursuant to this Regulation shall not be transferable.

Article 6

A security of ECU 30 per 100 kilograms shall be lodged together with import licence applications for all products referred to in Article 1.

Article 7

Without prejudice to the provisions of this Regulation, Regulation (EEC) No 3719/88 shall apply.

However, by way of derogation from Article 8 (4) of that Regulation, the quantity imported under Regulation (EEC) No 715/90 may not exceed that indicated in sections 17 and 18 of import licences. The figure 0 shall be entered to that effect in section 19 of such licences.

Article 8

The Member States concerned shall notify the Commission, each six months in respect of the preceding six-monthly period, of the quantities actually imported by country of origin.

Article 9

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

It shall apply from 1 March 1990.

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

Done at Brussels, 4 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1151/90**of 4 May 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 1126/90 ⁽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 5 May 1990.

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

Done at Brussels, 4 May 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 112, 3. 5. 1990, p. 22.

ANNEX

to the Commission Regulation of 4 May 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	28,86 ⁽¹⁾
1701 11 90	28,86 ⁽¹⁾
1701 12 10	28,86 ⁽¹⁾
1701 12 90	28,86 ⁽¹⁾
1701 91 00	32,22
1701 99 10	32,22
1701 99 90	32,22 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 May 1989

on aid granted by the Italian Government to the newsprint industry

(Only the Italian text is authentic)

(90/215/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice in accordance with the above Article to interested parties to submit their comments, and having regard to those comments,

Whereas :

I

The Ente Nazionale per la Cellulosa e per la Carta (ENCC) is a corporation under public law consisting of all producers of paper and cellulose as well as undertakings using cellulose in Italy. It was founded by Law No 1453 of 13 June 1935.

The ENCC has the statutory task of promoting the development of cellulose production in Italy; of facilitating the production and use of national raw materials for the production of cellulose; of organizing the production and sale of paper; of collecting and providing information concerning the production of cellulose and paper.

In order to achieve these objectives, the ENCC aids silviculture and paper-making research and afforestation; the ENCC also channels aid to publishers, notably to the press, linked — *inter alia* — to their consumption of newsprint.

The ENCC's activities are partly financed by means of levies charged on home-produced cellulose and on certain types of paper and board, as well as on similar imported

products, and partly by means of funds provided directly by the Italian Government, which are earmarked for publishers.

The modalities of the aid measures granted through the ENCC have repeatedly been altered. The Commission only accepted these alterations after having verified their compatibility with the common market.

Thus, in November 1974, the Commission closed the procedure provided for in Article 93 (2) of the EEC Treaty with respect to the ENCC's interventions after having been assured by the Italian Government that aid to the consumers of Italian newsprint and of newsprint imported by the ENCC would also be granted to publishers who import newsprint directly from other Member States; that no aid would be granted for publications in other languages than Italian, if such publications were to be exported; that research in paper-making would no longer be financed by means of the yield of the levy on imports from other Member States.

On 16 June 1976 the Commission took a final Decision 76/574/EEC⁽¹⁾ on a new aid scheme in favour of the press (Law No 172 of 6 June 1975) demanding that the Italian Government publish that these aids are granted, regardless of whether the publisher purchases the paper from the ENCC or imports it directly.

In November 1983 the Commission decided to close the Article 93 (2) procedure which it had opened in April 1982 with respect to yet a new aid scheme in favour of publishers operated via the ENCC (Law No 416 of 5 August 1981). The procedure was closed further to the Italian Government's statement that aid measures for

⁽¹⁾ OJ No L 185, 9. 7. 1976, p. 32.

newsprint production in southern Italy had not been included in the law and that aid measures in favour of cultural publications were subject to restrictions, which would prevent any alteration of trading conditions in the Community to an extent contrary to the common interest.

The Court of Justice gave preliminary rulings relating to the compatibility with the EEC Treaty of the Italian levies on cellulose and paper and the aid measures financed by means of these levies on 19 June 1973 (*Capolongo versus Maya*, Case 77/72), on 18 June 1975 (*IGAV versus ENCC*, Case 94/74) and on 22 March 1977 (*Ianelli & Volpi versus Meroni*, Case 74/76).

II

By letter dated 2 February 1987 the Italian Government informed the Commission pursuant to Article 93 (3) of the EEC Treaty of its intention to renew and modify Law No 416/81, which had expired on 31 December 1985. Without awaiting the Commission's approval, the Italian Government adopted the successor scheme as Law No 67/87 on 25 February 1987. Additional information regarding the new scheme was provided to the Commission by letter dated 4 May 1987. After a first scrutiny the Commission doubted the compatibility with the common market of the new law for three reasons: Article 8 (12) of Law No 67/87 permitted the ENCC to substitute quantities of newsprint for up to 30 % of the subsidies to the press; the ENCC had allegedly been subsidizing transport costs of the Italian manufacturer of newsprint, *Cartiera di Arbatax* in Nuovo province, Sardinia, and this operating aid could continue under Law No 67/87; the buying and selling of newsprint by the ENCC's subsidiary *SIVA* would allegedly cost Lit 14,5 billion in 1986 and Lit 28 billion in 1987 and part of these sums could favour the Italian newsprint industry.

Consequently the Commission feared that Law No 67/87 in favour of publishers in Italy could contain elements of State aid in favour of Italian newsprint producers as well and therefore decided to initiate the procedure provided for in Article 93 (2). The Italian Government was informed of this decision by letter dated 6 July 1987 and was invited to submit its observations, as well as specific information concerning the ENCC's interventions on the newsprint market, within the framework of the procedure.

The Italian Government submitted its observations by letter dated 3 November 1987. Regarding Article 8 (12) of Law No 67/87 the Italian Government did not agree with the Commission's view that the possibility for the ENCC to substitute quantities of newsprint for part of the subsidies to the press could affect trade between Member

States. Nevertheless, in order to remove any doubts the Commission might still have, the Italian Government would instruct the ENCC to refrain from using the opportunity offered by Article 8 (12) of Law No 67/87; the said opportunity had so far not been used. With respect to the alleged agreement between the ENCC and *Cartiera di Arbatax*, the Italian Government stated that this convention no longer existed. With respect to the ENCC's interventions on the market for newsprint, the Italian Government confirmed that these had amounted to Lit 14,5 billion in 1986 and were expected to amount to Lit 21 billion in 1987. The legal basis of these interventions was however not Law No 67/87 but Law No 1453/35 and a Presidential Decree dated 18 April 1979.

The Italian Government failed to provide the whole of the specific information the Commission had requested in its letter of 6 July 1987.

Within the framework of the Article 93 (2) procedure observations were also submitted by, among others, the government of a third country with which the Community has a free trade Agreement. This government claimed that the ENCC procured newsprint from the national industry at higher prices than the ones paid for newsprint imported from other Member States and at much higher prices than those applied by certain non-EEC suppliers.

In view of these new allegations and of the still missing information on the ENCC's buying and selling of newsprint the Commission, by telex dated 29 January 1988, repeated its earlier requests to be informed on all aspects of the ENCC's interventions on the newsprint market, as well as on the repartition of the yield of the levies on paper and cellulose between the ENCC's various activities. The Commission also invited the Italian Government to comment on the alleged high prices paid by the ENCC to Italian newsprint manufacturers, as stated by the EFTA third country in its complaint.

The Italian Government replied by telex dated 25 April 1988 that all information requested by the Commission regarding Law No 67/87 had already been provided and that Law No 67/87 was the only scheme against which the procedure provided for in Article 93 (2) had been initiated. The observations of the third country mentioned by the Commission bore no relation to this scheme, according to the Italian Government.

The Commission decided on 22 June 1988 to close the Article 93 (2) procedure regarding Law No 67/87, considering that its three objections to this law had been met by the Italian Government: the possibility of substitution of quantities of newsprint for subsidies to the press by the ENCC provided for in Article 8 (12) of the law had never been used and would not be used in the future either; the agreement between the ENCC and *Cartiera di Arbatax*

had been discontinued; the ENCC's buying and selling of newsprint was not financed by means of Law No 67/87.

At the same time the Commission decided to initiate a new Article 93 (2) procedure regarding the alleged aid elements in favour of the Italian newsprint industry contained in the ENCC's interventions on the newsprint market, interventions based on Law No 1453/35 and the Presidential Decree of 18 April 1979. By letter dated 7 July 1988 the Italian Government was invited to submit its observations within the framework of the procedure and notably to provide proof that the ENCC's interventions had not favoured Italian producers of newsprint. The Commission also requested data regarding the levies on cellulose, paper and cardboard and the use of the yield of these levies by the ENCC and regarding the ENCC's interventions on the newsprint market.

III

The Italian Government submitted observations within the framework of the procedure by letter dated 24 November 1988, according to which the ENCC had indeed paid higher prices for Italian-produced newsprint in 1987 than for newsprint from other Member States and much higher than for newsprint imported from third countries.

As these figures did not allow for an exact calculation of the total amount of aid provided to the Italian manufacturers of newsprint, the Commission requested, by letter dated 4 January 1989, that the Italian Government complete the data provided, notably the amounts of Italian, Community and third-country newsprint bought by the ENCC in 1987, as well as the corresponding data on prices and amounts for 1985 and 1986.

Not having received any reply, the Commission sent a reminder letter to the Italian Government on 1 March 1989, in which it announced that a final decision would be taken on the basis of the information in its possession if the Italian Government did not provide all the necessary data within two weeks. The Italian Government provided part of the missing data in a letter dated 14 March 1989, however not the separate quantities of Italian, Community and third-country newsprint bought

by the ENCC in 1985, 1986 and 1987, but only the total quantities.

In the context of the consultation of other interested parties within the framework of the procedure, the Governments of two other Member States and a manufacturer of newsprint in a third Member State submitted information.

IV

The use of public funds in a Member State to finance an agency which buys and sells newsprint on behalf of the domestic press contains elements of State aid in favour of the newsprint manufacturers in the Member State concerned, if this agency gives preferences to domestically produced rather than imported newsprint, be it in terms of quantities or prices.

Although the Italian Government failed to provide all the information requested by the Commission, the available evidence shows that the ENCC, through its subsidiary SIVA of which it is the majority shareholder, does indeed give preference to Italian newsprint.

In 1984 the ENCC bought 81 417 tonnes of Italian and 6 279 tonnes of imported newsprint; in 1985 it bought 74 082 tonnes of Italian and 20 119 tonnes of imported newsprint; in 1986 it bought 145 098 tonnes of Italian newsprint and 27 405 tonnes of imported newsprint. Italian newsprint thus accounted for 85 % of the ENCC's purchases from 1984 to 1986.

In 1987 the ENCC bought 221 024 tonnes of newsprint, the origin of which is not stated in the information provided by the Italian Government. On the basis of the available data on prices and quantities it would seem that these 221 024 tonnes are almost entirely of Italian origin.

The amount of Italian newsprint purchased by the ENCC represented 39 % of Italian production in 1984, 42 % in 1985, 68 % in 1986 and approximately 85 % in 1987, whereas the total amount of newsprint purchased by the ENCC represented 25 % of Italian consumption in 1984, 25 % in 1985, 37 % in 1986 and 43 % in 1987.

As regards the prices the ENCC pays for Italian, Community and third-country newsprint, the Italian Government provided the following data (prices in lire per kilogram):

Year	Kind of newsprint (g/m ²)	Origin		
		Italy	EEC	Others
1985	45	802	800	721
	48	764	675	668
1986	45	827	676	723
	48	772	—	—
1987	45	820	763	696
	48	756	—	—

No newsprint of 48 g/m² of non-Italian origin was bought by the ENCC in 1986 and 1987. Newsprint of 45 g/m² constituted 88 % of the quantities bought by the ENCC in 1985, 95 % in 1986 and 98 % in 1987.

The newsprint was sold to the Italian press for a uniform price of Lit 830 per kilogram in 1985, Lit 805 per kilogram in 1986 and Lit 790 per kilogram in 1987 for newsprint of 45 g/m². For newsprint of 48 g/m² these prices were Lit 795 per kilogram, Lit 766 per kilogram and Lit 756 per kilogram respectively.

The Commission draws the following conclusions: the ENCC has become more important over the years as a provider of newsprint to the Italian press; the ENCC mainly and increasingly buys Italian newsprint; the ENCC pays higher prices to Italian newsprint manufacturers than to their competitors in other Member States and in third countries.

Consequently the Italian Government grants aid to the domestic newsprint industry by means of the ENCC.

The Commission estimates that the Italian newsprint industry received an aid of some Lit 900 million in 1985, Lit 21 billion in 1986 and Lit 12 billion in 1987; the total aid in these three years amounted to approximately Lit 34 billion (ECU 23 million). This sum does not include the additional advantage the Italian newsprint manufacturers have, as they can sell the bulk of their production to one single purchaser.

V

The aid to the Italian newsprint industry results from a misuse of the aid scheme in favour of silvicultural and paper-making research, afforestation and publishers, to which the Commission did not object in 1974.

VI

There is competition between manufacturers of newsprint in the Community and there is trade in newsprint between Member States, even though the Community as a whole imports more than half of the newsprint it needs from third countries.

Intra-Community trade in newsprint represented 17 % of Community production in 1984; 17,6 % in 1985; 19,4 % in 1986; 21,6 % in 1987. Italian newsprint manufacturers participate in intra-Community competition.

According to the data collected annually by the European Confederation of Pulp, Paper and Board Industries, Cepac, Italy produced 207 000 tonnes of newsprint in 1984, 178 000 tonnes in 1985, 212 000 tonnes in 1986 and 242 000 tonnes in 1987, representing some 10 % of

Community production and some 4 % of Community consumption. By far the largest manufacturer of newsprint in Italy is Cartiera di Arbatax, which has a productive capacity of some 200 000 tonnes per year.

Italy exported 29 000 tonnes of newsprint in 1984, 28 000 tonnes in 1985, 11 000 tonnes in 1986 and 28 000 tonnes in 1987, mainly to the USA.

In 1984 Italy imported 177 000 tonnes of newsprint, of which 62 000 tonnes (35 %) from other Member States; in 1985 232 000 tonnes, of which 85 000 tonnes (37 %) from other Member States; in 1986 imports amounted to 268 000 tonnes, of which 104 000 tonnes (39 %) from other Member States; in 1987 Italy imported 303 000 tonnes of newsprint, of which 125 000 tonnes (41 %) from other Member States.

VII

Where financial assistance from the State strengthens the position of certain enterprises compared with that of others competing with them in the Community, it must be deemed to affect those other enterprises.

Consequently, the aid which the Italian Government grants to its domestic newsprint industry affects trade between Member States and distorts or threatens to distort competition within the meaning of Article 92 (1).

Article 92 (1) provides that, in principle, any aid fulfilling the criteria set out therein is incompatible with the common market.

The exceptions to this principle set out in Article 92 (2) of the Treaty are inapplicable in this case in view of the nature and objectives of the proposed aid.

VIII

Article 92 (3) of the Treaty lists the aid which may be considered compatible with the common market. Compatibility with the Treaty must be viewed in the context of the Community as a whole and not in that of a single Member State. In order to ensure the proper functioning of the common market and taking into account the principles laid down in Article 3 (f) of the Treaty, the exceptions to the principle of Article 92 (1) set out in paragraph 3 of that Article must be interpreted strictly when any aid scheme or any individual aid award is examined.

In particular, they may be applied only where the Commission establishes that, without the aid, market forces alone would be insufficient to induce potential recipients to act in such a manner as to contribute to the attainment of one of the objectives sought by the exceptions in Article 92.

To apply the exceptions to cases which do not contribute to the attainment of such an objective, or where the aid is not essential to that end, would be tantamount to granting undue advantages to the industries or firms of certain Member States, the financial position of which would be bolstered, and might affect trade between Member States and distort competition without this being justified in any way by the common interest within the meaning of Article 92 (3).

The Italian Government has been unable to give, or the Commission to discover, any justification for a finding that the aid in question falls into any of the categories of exception provided for in Article 92 (3).

IX

With regard to the exceptions provided for in Article 92 (3) (a) and (c) for aid that promotes or facilitates the development of certain areas, it should be noted that the Italian Government has not advanced any considerations of a regional nature for the grant of the aid in question.

Regarding the exception provided for in Article 92 (3) (a) ⁽¹⁾ in favour of aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious underemployment, the Commission is aware of the fact that the largest Italian manufacturer of newsprint Cartiera di Arbatax is located on the Island of Sardinia, which meets these definitions. Even though the Commission as a matter of principle does not consider operating aids compatible with the common market, it decided on 2 March 1988 by Decision 88/318/EEC ⁽²⁾ to apply the exemption in Article 92 (3) (a) to Law No 64/86, which provides for special interventions in the Mezzogiorno for, *inter alia*, aids to alleviate the transport costs of Sardinian companies.

Consequently, the disadvantages which Cartiera di Arbatax faces due to its location in Sardinia are offset by a specific aid scheme and there is no regional justification for additional aid in the form of the purchase of this company's products at inflated prices by the ENCC.

The application of the exemption laid down in Article 92 (3) (c), in favour of aid to contribute to the development of certain economic areas, does not appear relevant in this case, as it is the Commission's well-established policy only to apply this exception to aid linked to investments or job creation in certain less-favoured regions where such aid can be justified. The aid granted to the Italian newsprint industry is linked neither to investments nor to job

creation but only to the amounts of paper sold to the ENCC.

As regards the exceptions provided for in Article 92 (3) (b), the aid in favour of the Italian newsprint industry is intended neither to promote the execution of an important project of common European interest nor to remedy a serious disturbance in the Italian economy; neither has the Italian Government advanced any arguments in favour of a possible application of these exceptions.

As regards the exceptions provided for in Article 92 (3) (c) in favour of aid to facilitate the development of certain economic activities, where such aid does not adversely affect trading conditions to an extent contrary to the common interest, the Commission considers that aid in the form of the purchase of increasing quantities of Italian newsprint by the ENCC at inflated prices does not facilitate the development of the domestic newsprint industry, but merely serves artificially to preserve the *status quo* in this sector. Such operating aid enables Italian manufacturers to postpone necessary adaptations, which would have allowed them to compete on equal terms with manufacturers in other Member States and in third countries.

The Commission also considers that aid which determines quantities sold and sales prices distorts competition and affects trade to a much larger extent than e.g. investment aid. Such operating aid in favour of the domestic newsprint industry therefore adversely affects trading conditions to an extent contrary to the common interest.

X

Conclusion

As set out in I of this Decision, the Commission has dealt with successive specific aid schemes in favour of Italian publishers, all of which were operated by the ENCC, a public corporation with the statutory task of promoting the interests of forestry and the cellulose and paper industry in Italy. The Commission notably needed to ensure that these aid schemes did not contain provisions which could favour the domestic paper industry.

The Commission now notes that misuse by the ENCC of aid schemes in favour of the Italian press — in order to favour the Italian paper industry as well — does take place; the special position of the ENCC *vis-à-vis* the paper industry makes this possible.

The aid awarded by the Italian Government to the Italian newsprint industry within the framework of the application of Law No 1453/35 and of the Presidential Decree dated 18 April 1979 — in the form of acquisitions of increasing amounts of domestically produced newsprint

⁽¹⁾ Method for application of Article 92 (3) (a) and (c) to regional aid: OJ No C 212, 12. 8. 1988, p. 2.

⁽²⁾ OJ No L 143, 10. 6. 1988, p. 37.

by the ENCC, as well as in the form of artificially high purchase prices in comparison with the market price — is incompatible with the common market. By granting this aid, the Italian Government has misused the aid scheme financed by means of levies, to which the Commission decided not to object in November 1974. Where the Commission finds that aid is being misused, it decides that the State concerned shall abolish or alter such aid,

HAS ADOPTED THIS DECISION:

Article 1

The aid awarded by the Italian Government to the Italian newsprint industry within the framework of the application of Law No 1453/35 and of the Presidential Decree dated 18 April 1979 — in the form of acquisitions of increasing amounts of domestically produced newsprint by the ENCC, as well as in the form of artificially high purchase prices in comparison with the market price — is

incompatible with the common market and therefore must be abolished from the date of notification of this Decision.

Article 2

The Italian Government shall inform the Commission within two months of the date of notification of this Decision of the measures it has taken to comply herewith.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 3 May 1989.

For the Commission

Leon BRITTAN

Vice-President

CORRIGENDA

Corrigendum to Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community

(Official Journal of the European Communities No L 92 of 7 April 1990)

On page 45 in Article 9 :

At the end of the first subparagraph 7 paragraph 1 delete :

'... or distributor specially approved by the competent authority of the Member State of destination'.

In the introductory words to paragraph 2, add :

'... by the competent authority of the Member State of destination.', after '... for that purpose'.

Corrigendum to Commission Regulation (EEC) No 1128/90 of 3 May 1990 amending Regulation (EEC) No 1876/89 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients and rates required for their application

(Official Journal of the European Communities No L 115 of 7 May 1990)

On page 47:

Annexe II is hereby replaced as follows:

ANNEX II

Monetary coefficients

Products	Member States										
	Germany	Nether-lands	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland	Spain	Portugal
— Beel and veal	—	—	1,150	—	—	1,010	—	1,287	—	0,968	
— Milk and milk products	—	—	1,188	—	—	1,010	—	1,287	—	0,968	
— Pigmeat	—	—	1,114	—	—	—	—	1,029	—	—	
— Sugar	—	—	1,197	—	—	1,010	—	1,110	—	0,977	1,021
— Cereals	—	—	1,197	—	—	1,015	—	1,110	—	0,977	
— Eggs and poultry and albumins	—	—	1,153	—	—	—	—	1,205	—	—	
— Wine	—					—	—	1,075		—	
— Processed products (Regulation (EEC) No 3033/80):											
— to be applied to charges	—	—	1,188	—	—	1,010	—	1,287	—	0,968	1,021
— to be applied to refunds:											
— cereals	—	—	1,197	—	—	1,015	—	1,110	—	0,977	
— milk	—	—	1,188	—	—	1,010	—	1,287	—	0,968	
— sugar	—	—	1,197	—	—	1,010	—	1,110	—	0,977	
— Jams and marmalades (Regulation (EEC) No 426/86)	—	—	1,197	—	—	—	—	1,110	—	—	—
— Olive oil sector	—	—	1,112	—	—	—	—	1,025	—	—	—