

Official Journal

of the European Communities

ISSN 0378-6978

L 133

Volume 33

24 May 1990

English edition

Legislation

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Price : ECU 12,00

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1370/90

of 21 May 1990

amending Regulation (EEC) No 2592/79 laying down rules for carrying out the registration of crude oil imports in the Community provided for in Regulation (EEC) No 1893/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas the Council, by means of Regulation (EEC) No 1893/79 ⁽¹⁾, as last amended by Regulation (EEC) No 4152/88 ⁽²⁾, which expires on 31 December 1991, introduced registration for crude oil and/or petroleum product imports in the Community;

Whereas the Council, by means of Regulation (EEC) No 2592/79 ⁽³⁾, as last amended by Regulation (EEC) No 4152/88, which also expires on 31 December 1991, laid down the rules for carrying out the registration of crude oil imports in the Community provided for in Regulation (EEC) No 1893/79;

Whereas the Member States and the Commission must be kept regularly informed of crude oil supply costs;

Whereas it is necessary to adapt the reporting requirements provided for pursuant to Regulation (EEC) No 2592/79 to accord with the trading conditions prevailing in international oil markets, to relieve operators of the obligation to report certain data no longer indispensable to analysing the supply costs of the Community and, as far as possible, to bring reporting requirements into line with those of national administrations and international organizations,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2592/79 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

For the purposes of Article 1 of Regulation (EEC) No 1893/79, the characteristics of each import of crude oil into a Member State shall include:

- the designation of the crude oil, including the API gravity,
- the quantity in barrels,
- the cif price paid per barrel.

2. Article 4 is replaced by the following:

Article 4

The information which Member States are obliged to communicate to the Commission pursuant to Article 2 of Regulation (EEC) No 1893/79 shall be forwarded within one month of the end of each month referred to in Article 3 of this Regulation. This information shall consist, for each type of crude oil, of an aggregation of the data which the Member States receive from persons and undertakings. For each type of crude oil, the information shall comprise:

- the designation of the crude oil, including the average API gravity,
- the quantity in barrels,
- the average cif price,
- the number of companies reporting.

Article 2

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

⁽¹⁾ OJ No L 220, 30. 8. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1988, p. 7.

⁽³⁾ OJ No L 297, 24. 11. 1979, p. 1.

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

Done at Brussels, 21 May 1990.

For the Council

The President

R. MOLLOY

COUNCIL REGULATION (EEC) No 1371/90**of 21 May 1990****amending Regulations (EEC) No 4054/89 allocating, for 1990, Community catch quotas in Greenland waters and (EEC) No 4052/89 laying down for 1990 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands**

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⁾, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 4054/89 ⁽²⁾ allocates, for 1990, catch quotas between Member States for vessels fishing in Greenland waters;

Whereas Regulation (EEC) No 4052/89 ⁽³⁾ lays down, for 1990, certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands;

Whereas the Community and the Home Government of the Faroe Islands have held further consultations regarding their fisheries relations in 1990, resulting in a decision to exchange catch possibilities of deep-water prawns between the waters east and west of Greenland;

Whereas it is for the Community, pursuant to Article 3 of Regulation (EEC) No 170/83, to determine the conditions

subject to which this additional catch quota may be used by Community fishermen;

Whereas, to ensure efficient management of the catch possibilities available, they should be shared among the Member States by means of quotas in accordance with Article 4 of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The data relating to deep-water prawns set out in the Annex to Regulation (EEC) No 4054/89 are hereby replaced by those set out in Annex I to this Regulation.

Article 2

The data relating to Northern deep-water prawns set out in Annex I.2 to Regulation (EEC) No 4052/89 are hereby replaced by those set out in Annex II to this Regulation.

Article 3

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

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

Done at Brussels, 21 May 1990.

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 389, 30. 12. 1989, p. 65.

⁽³⁾ OJ No L 389, 30. 12. 1989, p. 55.

ANNEX I

Allocation of Community catch quotas in Greenland waters for 1990

Species	Area	Community Catch quotas (tonnes)	Quotas allocated to member States (tonnes)	Allocations for Norway (tonnes) (shown for information only)	Faroese quotas in Greenland waters according to EEC-Greenland Fisheries Protocol (1) (tonnes) (shown for information only)
1	2	3	4	5	6
Deep-water prawns	NAFO 0/1	776	Denmark	388	224 (2)
			France	388	
	ICES XIV/V	3 574	Denmark	537	926
			France	537	
				2 500	

(1) These Faroese quotas are additional to the Community catch quotas and form part of the fishery arrangement for 1990 agreed on by the Community and the Faroe Island.

(2) South of 68° N in NAFO 0/1.

ANNEX II

Quotas for Faroese vessels fishing in Greenland waters according to Article 1 (3) of EEC/ Greenland Fisheries Protocol (1) (shown for information only)

Species	Fishing zones : ICES division of NAFO sub-area	Quantity (tonnes)
Northern deep-water prawn (<i>Pandalus borealis</i>)	NAFO 0/1 (2)	224
	XIV/V	926

(1) OJ No L 389, 30. 12. 1989, p. 83.

(2) South of 68° N.

COUNCIL REGULATION (EEC) No 1372/90**of 21 May 1990****amending for the 12th time Regulation (EEC) No 351/79 concerning the addition
of alcohol to products in the wine sector**

THE COUNCIL 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 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1325/90 ⁽²⁾, and in particular Article 25 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, pending the adoption of provisions supplementing or harmonizing the definitions of semi-sparkling wines and products falling within CN code 2205, the period of validity of the provisions of Article 4 of Regulation (EEC) No 351/79 ⁽³⁾, as last amended by Regulation (EEC) No 3904/88 ⁽⁴⁾, should be extended by one year; whereas, moreover, experience gained shows that such an extension would give rise to no drawbacks,*Article 1*

In Article 4 of Regulation (EEC) No 351/79, '31 December 1989' is hereby replaced by '31 December 1990'.

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

It shall apply with effect from 1 January 1990.

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

Done at Brussels, 21 May 1990.

*For the Council**The President*

M. O'KENNEDY

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.⁽²⁾ OJ No L 132, 23. 5. 1990, p. 19.⁽³⁾ OJ No L 54, 5. 3. 1979, p. 90.⁽⁴⁾ OJ No L 347, 16. 12. 1988, p. 9.

COUNCIL REGULATION (EEC) No 1373/90
of 21 May 1990
suspending the import levy on live sheep and goats

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, in the context of the recent adjustments to the common organization of the market in sheepmeat and goatmeat, it was considered necessary to adjust the voluntary restraint agreements concluded with certain non-Community countries in this sector in order to stabilize imports and improve import prices;

Whereas negotiations were conducted to that effect with the countries concerned and agreements were concluded with Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and Yugoslavia⁽¹⁾; whereas those agreements provide for the complete suspension of the import levy on live sheep and goats until 31 December 1992 as a counter concession by the Community;

Whereas the Community has voluntary restraint agreements with Austria and Romania⁽²⁾ and equivalent unilateral arrangements, established by Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import arrangements applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986⁽³⁾, as last amended by Regulation (EEC) No 3939/87⁽⁴⁾; whereas no further negotiations will be held on those agreements or arrangements, in view of the small quantities involved;

Whereas, in accordance with the Community's international obligations, the suspension should be extended to all supplier countries, subject to certain quantitative limits,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the voluntary restraint agreements concluded with Austria and Romania respectively, and by way of derogation from Regulation (EEC) No 3643/85, the collection of the levy on imports of live sheep and goats falling within CN codes 0104 10 90 and 0104 20 90 shall be suspended until 31 December 1992, within the quantitative limits laid down in the abovementioned agreements and in the said Regulation respectively.

Article 2

Detailed rules for implementing this Regulation shall be adopted in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 3013/89⁽⁵⁾.

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 1 January 1990.

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

Done at Brussels, 21 May 1990.

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 95, 12. 4. 1990, pp. 2, 7, 12, 17, 21 and 25 respectively.

⁽²⁾ OJ No L 137, 3. 5. 1981, pp. 2 and 21 respectively.

⁽³⁾ OJ No L 348, 24. 12. 1985, p. 2.

⁽⁴⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 289, 7. 10. 1989, p. 1.

COMMISSION REGULATION (EEC) No 1374/90

of 23 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 22 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 24 May 1990.

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

Done at Brussels, 23 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 23 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	133,62 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	133,62 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	190,80 ⁽¹⁾ ⁽³⁾
1001 10 90	49,77	190,80 ⁽¹⁾ ⁽³⁾
1001 90 91	40,78	142,67
1001 90 99	40,78	142,67
1002 00 00	65,46	136,30 ⁽⁴⁾
1003 00 10	56,71	132,02
1003 00 90	56,71	132,02
1004 00 10	48,11	125,91
1004 00 90	48,11	125,91
1005 10 90	39,80	133,62 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	133,62 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	144,74 ⁽⁴⁾
1008 10 00	56,71	39,19
1008 20 00	56,71	110,64 ⁽⁴⁾
1008 30 00	56,71	3,76 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	56,71	3,76
1101 00 00	71,56	214,02
1102 10 00	106,11	205,28
1103 11 10	91,98	310,57
1103 11 90	75,71	229,56

⁽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 1375/90

of 23 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 22 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 24 May 1990.

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

Done at Brussels, 23 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 23 May 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	(ECU/tonne)	
	5	6	7	3rd period	8
0709 90 60	0	0	0	0	0
0712 90 19	0	0	0	0	0
1001 10 10	0	0	0	0	0
1001 10 90	0	0	0	0	0
1001 90 91	0	9,25	9,25	9,25	9,25
1001 90 99	0	9,25	9,25	9,25	9,25
1002 00 00	0	0	0	0	0
1003 00 10	0	0	0	0	0
1003 00 90	0	0	0	0	0
1004 00 10	0	0	0	0	0
1004 00 90	0	0	0	0	0
1005 10 90	0	0	0	0	0
1005 90 00	0	0	0	0	0
1007 00 90	0	0	0	0	0
1008 10 00	0	0	0	0	0
1008 20 00	0	0	0	0	0
1008 30 00	0	0	0	0	0
1008 90 90	0	0	0	0	0
1101 00 00	0	12,93	12,93	12,93	12,93

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	5	6	7	8	9
1107 10 11	0	16,47	16,47	16,47	16,47
1107 10 19	0	12,30	12,30	12,30	12,30
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 1376/90

of 23 May 1990

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 1

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 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽²⁾, as last
amended by Regulation (EEC) No 1075/89⁽³⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 22 (2) of Regulation (EEC) No
3013/89 whereas it is necessary therefore for the Commis-
sion to fix, for the week beginning 30 April 1990, the
level of the premium and the amount to be charged on
products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter premium
is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 1 shall be fixed weekly by the Commis-
sion;

Whereas in the Annex to Commission Regulation (EEC)
No 3618/89 of 1 December 1989 on the application of
the guarantee limitation arrangements for sheepmeat and
goatmeat⁽⁴⁾ the weekly amounts of the guide level are set
out pursuant to Article 25 of Regulation (EEC) No
3013/89;

Whereas, pursuant to the provisions of Article 24 (2) and
(3) of Regulation (EEC) No 3013/89, for the week begin-
ning 30 April 1990, the variable slaughter premium for

sheep certified as eligible in the United Kingdom is to be
in accordance with the amounts fixed in the Annexes
hereto; whereas, for that week, in the light of the Judg-
ment of the Court of Justice of 9 February 1988 in Case
61/86, the provisions of Article 9 (5) of Regulation (EEC)
No 3013/89 and of Article 4 of Regulation (EEC) No
1633/84 lead to the amounts to be charged on products,
leaving region 12, being fixed in accordance with those
Annexes;

Whereas, as regards the controls necessary for the appli-
cation of the provisions relating to the said amounts, the
system of controls provided for by Regulation (EEC) No
1633/84 should be maintained without prejudice to the
preparation of any more specific provisions;

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 1, within the meaning of Article 22
(2) of Regulation (EEC) No 3013/89, for the variable
slaughter premium during the week beginning 30 April
1990, the level of the premium is fixed at ECU 39,464 per
100 kilograms of estimated or actual dressed carcass
weight within the limits laid down by Article 1 (1) (b) of
Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regula-
tion (EEC) No 3013/89 which left the territory of region 1
during the week beginning 30 April 1990, the amounts to
be charged shall be equivalent to those fixed in the
Annexes hereto.

Article 3

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

It shall apply with effect from 30 April 1990.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽³⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 May 1990 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	18,548	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	39,464	0
0204 21 00	39,464	0
0204 50 11		0
0204 22 10	27,625	
0204 22 30	43,410	
0204 22 50	51,303	
0204 22 90	51,303	
0204 23 00	71,824	
0204 30 00	29,598	
0204 41 00	29,598	
0204 42 10	20,719	
0204 42 30	32,558	
0204 42 50	38,477	
0204 42 90	38,477	
0204 43 00	53,868	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	51,303	
0210 90 19	71,824	
1602 90 71 :		
— unboned (bone-in)	51,303	
— boned or boneless	71,824	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 1377/90

of 22 May 1990

establishing unit values for the determination of the customs value of certain perishable goods

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 Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3462/89 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 May 1990.

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

Done at Brussels, 22 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 334, 18. 11. 1989, p. 21.

ANNEX

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59		New potatoes	40,38	1 709	315,71	82,72	278,74	8 168	30,84	60 817	92,99	29,61
1.20	0702 00 10 0702 00 90		Tomatoes	65,50	2 773	512,04	134,16	452,09	13 247	50,02	98 637	150,83	48,02
1.30	0703 10 19		Onions (other than sets)	34,06	1 442	266,30	69,77	235,12	6 889	26,01	51 299	78,44	24,97
1.40	0703 20 00		Garlic	322,43	13 650	2 520,51	660,44	2 225,41	65 211	246,24	485 538	742,46	236,42
1.50	0703 90 00	* 10	Leeks	26,19	1 107	204,09	53,42	180,07	5 121	20,01	39 341	60,10	19,52
1.60	0704 10 10 0704 10 90	* 00 * 00	Cauliflowers	35,35	1 508	278,81	71,89	244,80	6 721	27,24	53 623	81,08	25,69
1.70	0704 20 00		Brussels sprouts	198,22	8 376	1 541,83	406,13	1 362,85	39 847	151,32	297 562	456,65	146,71
1.80	0704 90 10		White cabbages and red cabbages	43,46	1 853	342,72	88,37	300,92	8 262	33,48	65 914	99,66	31,58
1.90	0704 90 90	* 10	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	128,45	5 438	1 004,16	263,11	886,59	25 980	98,10	193 436	295,79	94,18
1.100	0704 90 90	* 92 * 98	Chinese cabbage	39,70	1 681	310,41	81,33	274,06	8 031	30,32	59 795	91,43	29,11
1.110	0705 11 10 0705 11 90		Cabbage lettuce (head lettuce)	69,76	2 953	545,40	142,91	481,54	14 110	53,28	105 064	160,66	51,15
1.120	0705 29 00	* 10	Endives	42,02	1 778	328,71	85,98	288,98	8 292	32,08	63 198	96,79	30,93
1.130	0706 10 00	* 21 * 22 * 23 * 25	Carrots	48,56	2 056	379,63	99,47	335,18	9 822	37,08	73 131	111,83	35,60
1.140	0706 90 90	* 11 * 19	Radishes	90,10	3 814	704,37	184,56	621,90	18 223	68,81	135 687	207,48	66,06
1.150	0707 00 11 0707 00 19		Cucumbers	34,88	1 477	272,72	71,45	240,79	7 055	26,64	52 535	80,33	25,58
1.160	0708 10 10 0708 10 90		Peas (<i>Pisum sativum</i>)	196,33	8 312	1 534,79	402,15	1 355,10	39 708	149,94	295 654	452,10	143,96
1.170	0708 20 10 0708 20 90		Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	108,26	4 583	846,35	221,76	747,26	21 897	82,68	163 037	249,31	79,38
1.180	0708 90 00	* 11 * 12 * 29	Broad beans	34,64	1 464	269,51	70,99	238,22	6 965	26,45	52 014	79,82	25,64
1.190	0709 10 00		Globe artichokes	72,65	3 070	565,14	148,86	499,53	14 605	55,46	109 068	167,38	53,77
1.200			Asparagus :										
1.200.1	0709 20 00	* 11 * 12 * 13 * 14 * 15 * 16	— green	210,29	8 903	1 643,93	430,75	1 451,46	42 532	160,60	316 678	484,25	154,20
1.200.2	0709 20 00	* 91 * 92 * 93 * 94 * 95 * 96	— other	210,92	8 930	1 648,84	432,03	1 455,79	42 659	161,08	317 623	485,70	154,66
1.210	0709 30 00		Aubergines (egg-plants)	74,97	3 174	586,13	153,58	517,51	15 164	57,26	112 909	172,65	54,97
1.220	0709 40 00	* 13 * 14 * 15	Ribbed celery (<i>Apium graveolens</i> , var. <i>dulce</i>)	52,53	2 224	410,70	107,61	362,61	10 625	40,12	79 115	120,98	38,52
1.230	0709 51 30		Chantarelles	556,01	23 931	4 428,22	1 139,98	3 869,16	102 135	429,67	837 139	1 287,01	394,04
1.240	0709 60 10		Sweet peppers	102,74	4 349	803,15	210,44	709,12	20 779	78,46	154 715	236,58	75,33

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.250	0709 90 50		Fennel	39,04	1 651	303,92	79,84	268,32	7 790	29,79	58 659	89,85	28,91
1.260	0709 90 70		Courgettes	51,12	2 164	399,66	104,72	352,87	10 340	39,04	76 990	117,73	37,48
1.270	0714 20 10	* 00	Sweet potatoes, whole, fresh (intended for human consumption)	83,09	3 573	661,63	170,19	578,78	15 258	64,18	125 219	192,08	58,69
2.10	0802 40 00	* 10	Chestnuts (<i>Castanea spp.</i>), fresh	146,09	6 222	1 151,44	295,70	1 011,02	27 507	112,36	221 703	333,97	108,51
2.20	0803 00 10	* 90	Bananas (other than plantains), fresh	45,80	1 939	358,09	93,82	316,16	9 264	34,98	68 981	105,48	33,58
2.30	0804 30 00	* 90	Pineapples, fresh	48,71	2 062	380,80	99,78	336,21	9 852	37,20	73 355	112,17	35,71
2.40	0804 40 10	* 10	Avocados, fresh	148,04	6 267	1 157,27	303,23	1 021,77	29 941	113,06	222 930	340,89	108,55
	0804 40 90	* 10											
2.50	0804 50 00	* 21 * 91	Guavas and mangoes, fresh	125,59	5 317	981,82	257,26	866,87	25 402	95,92	189 134	289,21	92,09
2.60			Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41		— Sanguines and semi-sanguines	58,86	2 487	457,87	120,61	404,72	11 833	44,93	88 366	135,61	43,56
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	50,51	2 138	394,85	103,46	348,62	10 215	38,57	76 062	116,31	37,03
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49		— Others	29,17	1 244	230,04	59,32	201,99	5 546	22,47	44 244	66,89	21,20
2.70			Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	0805 20 10	* 11 * 21	— Clementines	90,96	3 847	708,75	185,51	625,37	17 785	69,52	136 623	208,74	67,79
2.70.2	0805 20 30	* 11 * 21	— Monreales and Satsumas	77,95	3 300	609,42	159,68	538,07	15 767	59,53	117 396	179,51	57,16
2.70.3	0805 20 50	* 12 * 13 * 22 * 23	— Mandarins and Wilkings	39,28	1 662	307,30	80,38	270,15	7 752	29,99	59 082	90,49	28,91
2.70.4	0805 20 70 0805 20 90	* 11 * 21 * 11 * 12 * 13 * 14 * 31 * 32 * 33 * 34	— Tangerines and others	49,21	2 083	384,73	100,81	339,68	9 954	37,58	74 113	113,33	36,08
2.80	0805 30 10	* 11 * 12	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	48,71	2 062	380,83	99,78	336,24	9 853	37,20	73 362	112,18	35,72
2.85	0805 30 90	* 11 * 19	Limes (<i>Citrus auranti-folia</i>), fresh	87,26	3 694	682,19	178,75	602,32	17 650	66,64	131 414	200,95	63,98

Code	CN code	Taric-sub-heading	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.90			Grapefruit, fresh :										
2.90.1	08054000	* 11 * 12	— white	53,48	2 264	418,11	109,55	369,16	10 817	40,84	80 543	123,16	39,21
2.90.2	08054000	* 21 * 22	— pink	107,66	4 558	841,63	220,53	743,09	21 775	82,22	162 128	247,92	78,94
2.100	08061011 08061015 08061019		Table grapes	124,60	5 275	974,04	255,22	860,00	25 200	95,16	187 634	286,92	91,36
2.110	08071010		Water-melons	47,34	2 004	370,07	96,97	326,74	9 574	36,15	71 289	109,01	34,71
2.120			Melons (other than water-melons)										
2.120.1	08071090	* 12 * 13 * 14 * 15 * 21	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	60,99	2 582	476,80	124,93	420,97	12 336	46,58	91 848	140,45	44,72
2.120.2	08071090	* 16 * 17 * 18 * 19 * 29	— Other	107,55	4 553	840,76	220,30	742,32	21 752	82,13	161 960	247,66	78,86
2.130	08081091 08081093 08081099		Apples	63,81	2 701	498,89	130,72	440,48	12 907	48,73	96 103	146,95	46,79
2.140	08082031 08082033 08082035 08082039	* 91 * 98 * 90 * 90	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	84,72	3 587	662,35	173,55	584,80	17 136	64,70	127 592	195,10	62,12
2.150	08091000		Apricots	131,89	5 584	1 031,06	270,16	910,34	26 676	100,73	198 617	303,72	96,71
2.160	08092010 08092090		Cherries	110,27	4 668	862,05	225,88	761,12	22 303	84,21	166 061	253,93	80,86
2.170	08093000	* 91 * 92 * 93 * 97	Peaches	172,66	7 310	1 349,78	353,67	1 191,74	34 922	131,86	260 014	397,60	126,60
2.180	08093000	* 11 * 12 * 13 * 17	Nectarines	187,30	7 930	1 464,21	383,66	1 292,78	37 882	143,04	282 059	431,31	137,34
2.190	08094011 08094019		Plums	211,56	8 957	1 653,82	433,34	1 460,19	42 788	161,57	318 583	487,16	155,12
2.200	08101010 08101090		Strawberries	150,54	6 373	1 176,85	308,36	1 039,06	30 448	114,97	226 702	346,66	110,38
2.205	08102010		Raspberries	574,44	24 307	4 493,31	1 175,29	3 950,18	113 358	438,60	863 888	1 323,12	422,80
2.210	08104030		Fruit of the species <i>Vaccinium myrtillus</i>	179,42	7 780	1 443,17	370,20	1 255,56	32 582	138,91	270 928	418,03	122,25
2.220	08109010		Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	116,38	4 927	909,83	238,39	803,30	23 539	88,88	175 264	268,00	85,34
2.230	08109080	* 31 * 32	Pomegranates	72,77	3 105	573,24	148,25	504,48	13 979	55,95	110 349	167,24	52,51
2.240	08109080	* 41 * 42	Khakis	187,59	7 942	1 466,47	384,25	1 294,77	37 941	143,26	282 493	431,97	137,55
2.250	08109030	* 10	Lychees	160,63	6 800	1 255,69	329,02	1 108,67	32 487	122,67	241 889	369,89	117,78

* = The ninth digit is reserved for the Member States (statistical purposes).

COMMISSION REGULATION (EEC) No 1378/90

of 23 May 1990

correcting Regulation (EEC) No 987/90 determining the extent to which applications lodged in April 1990 for import licences for certain pigmeat products can be accepted

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

Having regard to Council Regulation (EEC) No 3899/89 of 18 December 1989 reducing for 1990 the levies on certain agricultural products originating in developing countries ⁽¹⁾,

Whereas Commission Regulation (EEC) No 987/90 ⁽²⁾ determined the extent to which applications lodged in April 1990 for import licences for certain pigmeat products can be accepted; whereas Article 4 (5) of Regulation (EEC) No 3919/89 ⁽³⁾ stipulates that if the total quantity for which applications have been submitted is less than that available, the Commission shall calculate the quantity remaining, which is to be added to that available for the following quarter;

Whereas a check has shown that an error was made in Article 1 (2) (d) of Regulation (EEC) No 987/90; whereas that Regulation should therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The volume of 2 474,00 tonnes mentioned in Article 1 (2) (d) of Regulation (EEC) No 987/90 is hereby replaced by the volume of 2 470,18 tonnes.

Article 2

This Regulation shall enter into force on 24 May 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 125.

⁽²⁾ OJ No L 100, 20. 4. 1990, p. 20.

⁽³⁾ OJ No L 375, 23. 12. 1989, p. 43.

COMMISSION REGULATION (EEC) No 1379/90

of 22 May 1990

re-establishing the levying of customs duties on woven fabrics of synthetic fibres (staple or waste), products of category 3 (order No 40.0033), originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

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

Having regard to Council Regulation (EEC) No 3897/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of woven fabrics of synthetic fibres (staple or waste), originating in India, products of category 3 (order No 40.0033), the relevant ceiling amounts to 600 tonnes;

Whereas on 7 May 1990 imports of the products in question into the Community, originating in India, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 27 May 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in India:

Order No	Category (Unit)	CN code	Description
40.0033	3 (tonnes)	5512	Woven fabrics of synthetic fibres (staple or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics
		5513	
		5514	
		5515	
		5803 90 30	
		ex 5905 00 70	
		ex 6308 00 00	

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, 22 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

COMMISSION REGULATION (EEC) No 1380/90

of 22 May 1990

re-establishing the levying of customs duties on gloves, mittens and mitts, knitted or crocheted, products of category 10 (order No 40.0100), originating in Pakistan, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

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

Having regard to Council Regulation (EEC) No 3897/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of gloves, mittens and mitts, knitted or crocheted, originating in Pakistan, products of category 10 (order No 40.0100), the relevant ceiling amounts to 1 464 000 pairs;

Whereas on 8 May 1990 imports of the products in question into the Community, originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Pakistan,

HAS ADOPTED THIS REGULATION:

Article 1

As from 27 May 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan:

Order No	Category (Unit)	CN code	Description
40.0100	10 (1 000 pairs)	6111 10 10 6111 20 10 6111 30 10 ex 6111 90 00 6116 10 10 6116 10 90 6116 91 00 6116 92 00 6116 93 00 6116 99 00	Gloves, mittens and mitts, knitted or crocheted

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, 22 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

COMMISSION REGULATION (EEC) No 1381/90

of 22 May 1990

re-establishing the levying of customs duties on babies' garments and clothing accessories, products of category 68 (order No 40.0680), originating in Thailand, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

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

Having regard to Council Regulation (EEC) No 3897/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of babies' garments and clothing accessories, originating in Thailand, products of category 68 (order No 40.0680), the relevant ceiling amounts to 87 tonnes;

Whereas on 8 May 1990 imports of the products in question into the Community, originating in Thailand, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 27 May 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in Thailand:

Order No	Category (Unit)	CN code	Description
40.0680	68 (tonnes)	6111 10 90 6111 20 90 6111 30 90 ex 6111 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sock-ettes, other than knitted or crocheted of category 88

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, 22 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

COMMISSION REGULATION (EEC) No 1382/90

of 22 May 1990

re-establishing the levying of customs duties on tents, products of category 91 (order No 40.0910) and other made up textile articles, woven, products of category 112 (order No 40.1120), originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3897/89 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3897/89 of 18 December 1989 applying generalized tariff preferences for 1990 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3897/89 provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of tents, products of category 91 (order No 40.0910) and other made textile articles, woven, originating in China, products of category 112 (order No 40.1120), the relevant ceiling amounts to 13 and 6 tonnes respectively;

Whereas on 8 May 1990 imports of the products in question into the Community, originating in China, a country covered by preferential tariff arrangements, reached and were charged against the ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 27 May 1990 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3897/89, shall be re-established in respect of the following products, imported into the Community and originating in China:

Order No	Category (Unit)	CN code	Description
40.0910	91 (tonnes)	6306 21 00 6306 22 00 6306 29 00	Tents
40.1120	112 (tonnes)	6307 20 00 ex 6307 90 99	Other made up textile articles, woven, excluding those of categories 113 and 114

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, 22 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 383, 30. 12. 1989, p. 45.

COMMISSION REGULATION (EEC) No 1383/90

of 23 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 Euronaid 1 410 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, 23 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

LOTS A, B and C

1. **Operation Nos** ⁽¹⁾: see Annex II — Commission Decision of 3. 3. 1989
2. **Programme**: 1989
3. **Recipient**: Euronaid, PO Box 77, NL-2340 AB Oegstgeest
4. **Representative of the recipient** ⁽²⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 216, 14. 8. 1987, p. 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 1 410 tonnes
9. **Number of lots**: three (A: 495 tonnes; B: 600 tonnes; C: 315 tonnes)
10. **Packaging and marking** ⁽²⁾: 25 kg and OJ No C 216, 14. 8. 1987, pp. 4 and 6 (under I.1.B.4 and I.1.B.4.3) ...
Supplementary marking on packaging:
see Annex II and OJ No C 216, 14. 8. 1987, p. 6 (under I.1.B.5)
11. **Method of mobilization of product** ⁽⁹⁾ ⁽¹⁰⁾: the Community market
The manufacture of the skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: 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**: 30. 6 — 22. 7. 1990
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽¹⁾: 11. 6. 1990, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 25. 6. 1990, at 12 noon
 - (b) period for making the goods available at the port of shipment: 14. 7 — 5. 8. 1990
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
Attention Mr N. Arend,
Bâtiment Loi 120, bureau 7/58,
200 rue de la Loi,
B-1049 Bruxelles,
(telex AGREC 22037 B or 25670 B)
25. **Refund payable on application by the successful tenderer** ⁽³⁾: refund applicable on 27. 4. 1990, fixed by Commission Regulation (EEC) No 1033/90 (OJ No L 107, 26. 4. 1990, p. 8)

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Shipment to take place in 20-foot containers, condition FCL/LCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal. The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.
- (³) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order 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,
— 235 01 30,
— 236 10 97,
— 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) At the request of the beneficiary the successful tenderer shall deliver for each action number/shipping number a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate for each action number/shipping number.
- (⁸) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin for each action number/shipping number.
- (⁹) The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying the number of bags belonging to each shipping number as specified in the invitation to tender.
The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.
- (¹⁰) The supplier should send a duplicate of the original invoice to :
MM De Keyzer & Schütz BV,
Postbus 1438,
Blaak 16,
NL-3000 BK Rotterdam.
-

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

Designación de la partida	Cantidad total de la partida (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario	Acción nº	Inscripción en el embalaje
Parti	Totalmængde (i tons)	Delmængde (i tons)	Modtager	Modtagerland	Aktion nr.	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland	Maßnahmen Nr.	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού	Δράση αριθ.	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country	Operation No	Markings on the packaging
Désignation de la partie	Quantité totale de la partie (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire	Action n°	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario	Azione n.	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland	Maatregel nr.	Aanduiding op de verpakking
Designação da parte	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário	Acção nº	Inscrição na embalagem
A	495	A1 : 30	Euronaid	Perú	243/90	Acción nº 243/90 / Leche en polvo / Perú / Prosalus / 905500 / Chachapoyas Vía Callao / Destinado a la distribución gratuita
		A2 : 45			244/90	Acción nº 244/90 / Leche en polvo / Perú / Prosalus / 905501 / Arequipa Vía Callao / Destinado a la distribución gratuita
		A3 : 30			245/90	Acción nº 245/90 / Leche en polvo / Perú / Prosalus / 905502 / Lima Vía Callao / Destinado a la distribución gratuita
		A4 : 15			246/90	Acción nº 246/90 / Leche en polvo / Perú / PDF / 97100 / Lima Vía Callao / Destinado a la distribución gratuita
		A5 : 300		República Dominicana	247/90	Acción nº 247/90 / Leche en polvo / República Dominicana / Oxfam B / 900801 / Santo Domingo / Destinado a la distribución gratuita
		A6 : 45			248/90	Acción nº 248/90 / Leche en polvo / República Dominicana / CAM / 902000 / Santo Domingo / Destinado a la distribución gratuita
		A7 : 30			249/90	Acción nº 249/90 / Leche en polvo / República Dominicana / Prosalus / 905516 / Ysura Azua Vía Santo Domingo / Destinado a la distribución gratuita

Designación de la partida	Cantidad total de la partida (en toneladas)	Cantidades parciales (en toneladas)	Beneficiario	País destinatario	Acción nº	Inscripción en el embalaje
Parti	Totalmængde (i tons)	Delmængde (i tons)	Modtager	Modtagerland	Aktion nr.	Emballagens påtegning
Bezeichnung der Partie	Gesamtmenge der Partie (in Tonnen)	Teilmengen (in Tonnen)	Empfänger	Bestimmungsland	Maßnahmen Nr.	Aufschrift auf der Verpackung
Χαρακτηρισμός της παρτίδας	Συνολική ποσότητα της παρτίδας (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δικαιούχος	Χώρα προορισμού	Δράση αριθ.	Ένδειξη επί της συσκευασίας
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Beneficiary	Recipient country	Operation No	Markings on the packaging
Désignation de la partie	Quantité totale de la partie (en tonnes)	Quantités partielles (en tonnes)	Bénéficiaire	Pays destinataire	Action nº	Inscription sur l'emballage
Designazione della partita	Quantità totale della partita (in tonnellate)	Quantitativi parziali (in tonnellate)	Beneficiario	Paese destinatario	Azione n.	Iscrizione sull'imballaggio
Aanduiding van de partij	Totale hoeveelheid van de partij (in ton)	Deelhoeveelheden (in ton)	Begunstigde	Bestemmingsland	Maatregel nr.	Aanduiding op de verpakking
Designação da parte	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Beneficiário	País destinatário	Acção nº	Inscrição na embalagem
B	600	B1 : 45	Euronaid	Bénin	250/90	Action nº 250/90 / Lait en poudre / Bénin / Cinterad / 903400 / Setto via Cotonou / Pour distribution gratuite
		B2 : 135		Burkina Faso	251/90	Action nº 251/90 / Lait en poudre / Burkina Faso / Cinterad / 903401 / Ganzourgou via Lomé / Pour distribution gratuite
		B3 : 165		Congo	252/90	Action nº 252/90 / Lait en poudre / Congo / Caritas France / 900500 / Brazzaville via Pointe Noire / Pour distribution gratuite
		B4 : 90		Zaire	253/90	Action nº 253/90 / Lait en poudre / Zaire / CIM / 901800 / Lubumbashi via Matadi / Pour distribution gratuite
		B5 : 105		Madagascar	254/90	Action nº 254/90 / Lait en poudre / Madagascar / OPEM / 904200 / Ambovombe via Toamasina / Pour distribution gratuite
		B6 : 60		Moçambique	255/90	Acção nº 255/90 / Leite em pó / Moçambique / OPEM / 904201 / Matola via Maputo / Destinado a distribuição gratuita
C	135			Vietnam	256/90	Action No 256/90 / Milk powder / Vietnam / Oxfam B / 900803 / Ho Chi Minh / For free distribution

COMMISSION REGULATION (EEC) No 1384/90

of 23 May 1990

opening a standing invitation to tender for the export of 500 000 tonnes of common bread-making wheat held by the German intervention agency

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

Having regard to Council Regulation (EEC) No 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 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾, as amended by Regulation (EEC) No 195/89⁽⁴⁾, lays down that cereals held by the intervention agencies are to be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 2418/87⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, given the current market situation, a standing invitation to tender should be opened for the export at the beginning of the 1990/91 cereals marketing year of 500 000 tonnes of common wheat of bread-making quality held by the German intervention agency;

Whereas the proposed invitation to tender for the export of intervention stocks is special in that it will be opened at the end of the marketing year, from May 1990, but for deliveries which will not be possible until the new marketing year between 1 July and 31 August 1990; whereas there should therefore be a derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, which provides for a maximum delay of one month between acceptance of the tender and payment and also a derogation from the second paragraph of Article 16 of the said Regulation, application of which would have led to the price accepted already being increased by monthly increments for the removal of the wheat from the intervention store in July, whereas export was not scheduled previously;

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

HAS ADOPTED THIS REGULATION:

Article 1

The German intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a

standing invitation to tender for the export of 500 000 tonnes of common wheat of bread-making quality held by it.

Article 2

1. The invitation to tender shall cover a maximum of 500 000 tonnes of common wheat of bread-making quality to be exported to all third countries, excluding the German Democratic Republic. The wheat must be exported during the period 1 July to 31 August 1990;

2. The regions in which the 500 000 tonnes of common wheat of bread-making quality are stored are stated in Annex I to this Regulation.

Article 3

1. The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until 31 August 1990.

2. Tenders submitted in response to this invitation to tender shall be admissible only if they are accompanied by a written undertaking to export during the period 1 July to 31 August 1990. They may not be accompanied by applications for export licences pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.

Article 4

1. By way of derogation from Article 7 (1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 30 May 1990 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on 27 June 1990 at 1 p.m. (Brussels time).

4. The tenders shall be lodged with the German intervention agency.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

The successful tenderer shall pay for the cereals before they are removed. By way of derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, the time limit of one month between the date on which the statement referred to in Article 15 of the said Regulation is sent and payment shall not be applicable.

By way of derogation from the second paragraph of Article 16 of Regulation (EEC) No 1836/82, the price payable for export shall be that mentioned in the tender where the cereals are removed in July 1990. The price shall be increased by a monthly increment where the cereals are removed in August 1990.

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in Article 8 (2) (c) of the

said Regulation shall not be released until proof is furnished that the export has taken place during the period 1 July to 31 August 1990.

Article 7

The German intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation.

Article 8

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

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

(tonnes)

Place of storage	Quantity
Schleswig-Holstein / Hamburg	98 351
Niedersachsen / Bremen	128 983
Nordrhein-Westfalen	101 574
Hessen	41 375
Rheinland-Pfalz	24 805
Baden-Württemberg	24 430
Bayern	80 413

ANNEX II

Standing invitation to tender for the export of 500 000 tonnes of bread-making wheat held by the German intervention agency

(Regulation (EEC) No 1384/90)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (-) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

COMMISSION REGULATION (EEC) No 1385/90

of 23 May 1990

opening a standing invitation to tender for the export of 500 000 tonnes of common bread-making wheat held by the French intervention agency

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

Having regard to Council Regulation (EEC) No 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 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾, as amended by Regulation (EEC) No 195/89 ⁽⁴⁾, lays down that cereals held by the intervention agencies are to be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, given the current market situation, a standing invitation to tender should be opened for the export at the beginning of the 1990/91 cereals marketing year of 500 000 tonnes of common wheat of bread-making quality held by the French intervention agency;

Whereas the proposed invitation to tender for the export of intervention stocks is special in that it will be opened at the end of the marketing year, from May 1990, but for deliveries which will not be possible until the new marketing year between 1 July and 31 August 1990; whereas there should therefore be a derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, which provides for a maximum delay of one month between acceptance of the tender and payment and also a derogation from the second paragraph of Article 16 of the said Regulation, application of which would have led to the price accepted already being increased by monthly increments for the removal of the wheat from the intervention store in July, whereas export was not scheduled previously;

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

HAS ADOPTED THIS REGULATION:

Article 1

The French intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a

standing invitation to tender for the export of 500 000 tonnes of common wheat of bread-making quality held by it.

Article 2

1. The invitation to tender shall cover a maximum of 500 000 tonnes of common wheat of bread-making quality to be exported to all third countries, excluding the German Democratic Republic. The wheat must be exported during the period 1 July to 31 August 1990.

2. The regions in which the 500 000 tonnes of common wheat of bread-making quality are stored are stated in Annex I to this Regulation.

Article 3

1. The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until 31 August 1990.

2. Tenders submitted in response to this invitation to tender shall be admissible only if they are accompanied by a written undertaking to export during the period 1 July to 31 August 1990. They may not be accompanied by applications for export licences pursuant to Article 44 of Commission Regulation (EEC) No 3719/88 ⁽⁷⁾.

Article 4

1. By way of derogation from Article 7 (1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 30 May 1990 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on 27 June 1990 at 1 p.m. (Brussels time).

4. The tenders shall be lodged with the French intervention agency.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

The successful tenderer shall pay for the cereals before they are removed. By way of derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, the time limit of one month between the date on which the statement referred to in Article 15 of the said Regulation is sent and payment shall not be applicable.

By way of derogation from the second paragraph of Article 16 of Regulation (EEC) No 1836/82, the price payable for export shall be that mentioned in the tender where the cereals are removed in July 1990. The price shall be increased by a monthly increment where the cereals are removed in August 1990.

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in Article 8 (2) (c) of the

said Regulation shall not be released until proof is furnished that the export has taken place during the period 1 July to 31 August 1990.

Article 7

The French intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation.

Article 8

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

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	30 000
Châlons-sur-Marne	70 000
Lille	75 000
Nantes	10 000
Orléans	130 000
Paris	20 000
Poitiers	55 000
Rouen	110 000

ANNEX II

Standing invitation to tender for the export of 500 000 tonnes of bread-making wheat held by the French intervention agency

(Regulation (EEC) No 1385/90)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (—) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

COMMISSION REGULATION (EEC) No 1386/90
of 23 May 1990

**opening a standing invitation to tender for the export of 400 000 tonnes of barley
held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 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 7 (5) thereof,

The German intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 400 000 tonnes of barley held by it.

Article 2

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾, as amended by Regulation (EEC) No 195/89 ⁽⁴⁾, lays down that cereals held by the intervention agencies are to be disposed of by invitation to tender;

1. The invitation to tender shall cover a maximum of 400 000 tonnes of barley to be exported to all third countries, excluding the German Democratic Republic. The wheat must be exported during the period from 1 July to 31 August 1990.

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

2. The regions in which the 400 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 3

Whereas, given the current market situation, a standing invitation to tender should be opened for the export at the beginning of the 1990/91 cereals marketing year of 400 000 tonnes of barley held by the German intervention agency;

1. The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until 31 August 1990.

Whereas the proposed invitation to tender for the export of intervention stocks is special in that it will be opened at the end of the marketing year, from May 1990, but for deliveries which will not be possible until the new marketing year between 1 July and 31 August 1990; whereas there should therefore be a derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, which provides for a maximum delay of one month between acceptance of the tender and payment and also a derogation from the second paragraph of Article 16 of the said Regulation, application of which would have led to the price accepted already being increased by monthly increments for the removal of the wheat from the intervention store in July, whereas export was not scheduled previously;

2. Tenders submitted in response to this invitation to tender shall be admissible only if they are accompanied by a written undertaking to export during the period from 1 July to 31 August 1990. They may not be accompanied by applications for export licences under Article 44 of Commission Regulation (EEC) No 3719/88 ⁽⁷⁾.

Article 4

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

1. By way of derogation from Article 7 (1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 30 May 1990 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on 27 June 1990 at 1 p.m. (Brussels time).

4. The tenders shall be lodged with the German intervention agency.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 25, 28. 1. 1989, p. 22.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

The successful tenderer shall pay for the cereals before they are removed. By way of derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, the time limit of one month between the date on which the statement referred to in Article 15 of the said Regulation is sent and payment shall not be applicable.

By way of derogation from the second paragraph of Article 16 of Regulation (EEC) No 1836/82, the price payable for export shall be that mentioned in the tender where the cereals are removed in July 1990. The price shall be increased by a monthly increment where the cereals are removed in August 1990.

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in Article 8 (2) (c) of the

said Regulation shall not be released until proof is furnished that the export has taken place during the period from 1 July to 31 August 1990.

Article 7

The German intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation.

Article 8

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

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein / Hamburg	82 035
Niedersachsen / Bremen	136 164
Nordrhein-Westfalen	89 885
Hessen	5 939
Rheinland-Pfalz	17 508
Baden-Württemberg	12 725
Bayern	55 732

ANNEX II

Standing invitation to tender for the export of 400 000 tonnes of barley held by the German intervention agency

(Regulation (EEC) No 1386/90)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (—) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

COMMISSION REGULATION (EEC) No 1387/90

of 23 May 1990

fixing Community producer prices for carnations and roses for the application of the import arrangements for certain floricultural products originating in Cyprus, Israel, Jordan and Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Article 3 of the abovementioned Regulation (EEC) No 4088/87, Community producer prices applicable for fortnightly periods are fixed twice a year before 15 May and 15 October for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down certain detailed rules for the application of the arrangements for the import into the Community of certain flowers originating in Cyprus, Israel and Jordan⁽³⁾, as amended by Regulation (EEC) No 3556/88⁽⁴⁾, prices for roses are determined on the basis of the average daily prices recorded on the representative producer markets for the pilot varieties of quality grade I in the three preceding years; whereas for carnations those prices are fixed under the same conditions for the bloom and spray types; whereas, for the determination of the average, prices which differ by 40 % and more from the average price recorded on the same market during the

same period during the three preceding years are excluded;

Whereas the Community producer prices for the fortnightly periods to 4 November 1990 should be determined on the basis of data provided by the Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer prices for large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations provided for in Article 3 of Regulation (EEC) No 4088/87 for the fortnightly periods to 4 November 1990 shall be as set out in the Annex hereto.

Article 2

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

It shall apply from 4 June 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁴⁾ OJ No L 311, 17. 11. 1988, p. 8.

ANNEX

Community producer prices

Weeks	Period	(ECU/100 pieces)			
		Uniflorous carnations (bloom)	Multiflorous carnations (spray)	Large-flowered roses	Small-flowered roses
23 and 24	4. 6 to 17. 6. 1990	10,11	11,43	22,88	11,49
25 and 26	18. 6 to 1. 7. 1990	9,89	11,75	17,82	9,16
27 and 28	2. 7 to 15. 7. 1990	9,13	11,81	18,24	9,50
29 and 30	16. 7 to 29. 7. 1990	10,03	12,48	17,44	9,87
31 and 32	30. 7 to 12. 8. 1990	11,36	10,87	17,20	8,73
33 and 34	13. 8 to 26. 8. 1990	9,96	9,20	17,78	9,39
35 and 36	27. 8 to 9. 9. 1990	12,02	9,32	23,03	12,62
37 and 38	10. 9 to 23. 9. 1990	12,88	10,08	22,43	12,21
39 and 40	24. 9 to 7. 10. 1990	12,62	11,23	25,48	12,71
41 and 42	8. 10 to 21. 10. 1990	14,86	12,75	29,55	14,27
43 and 44	22. 10 to 4. 11. 1990	18,62	12,64	31,67	15,29

COMMISSION REGULATION (EEC) No 1388/90

of 23 May 1990

fixing the intervention threshold for cauliflowers, peaches, nectarines, lemons, tomatoes and apples, for the 1990/91 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1197/90 of 7 May 1990 laying down specific measures for the application of certain intervention thresholds in the fruit and vegetables sector for the 1990/91 marketing year⁽¹⁾, and in particular Article 4 thereof;

Whereas the detailed rules for fixing the intervention threshold for cauliflowers, peaches, nectarines, lemons, tomatoes and apples for the 1990/91 marketing year were laid down in Articles 1 and 2 of Regulation (EEC) No 1197/90;

Whereas the 1990/91 marketing year for cauliflowers runs from 1 May 1990 to 30 April 1991; whereas first a threshold should be fixed for that product and that marketing year for the Community with the exception of Portugal and one for Portugal for the period 1 May to 31 December 1990 and secondly a threshold should be fixed for the Community for the period 1 January to 30 April 1991;

Whereas the 1990/91 marketing year for peaches and nectarines runs from 1 May to 31 October 1990; whereas a threshold should be fixed for those products and that marketing year for the Community with the exception of Portugal and one for Portugal;

Whereas the 1990/91 marketing year for lemons runs from 1 June 1990 to 31 May 1991; whereas first a threshold should therefore be fixed for that product and that marketing year for the Community with the exception of Portugal and one for Portugal for the period 1 June to 31 December 1990 and secondly a threshold should be fixed for the Community for the period 1 January to 31 May 1991;

Whereas the 1990/91 marketing year for tomatoes runs from 1 January to 31 December 1990; whereas a threshold should be fixed for that product and that marketing year for the Community with the exception of Portugal and one for Portugal;

Whereas the 1990/91 marketing year for apples runs from 1 July 1990 to 30 June 1991; whereas first a threshold

should therefore be fixed for that product and that marketing year for the Community with the exception of Portugal and one for Portugal for the period 1 July to 31 December 1990 and secondly a threshold should be fixed for the Community for the period 1 January to 30 June 1991;

Whereas the period of 12 consecutive months on the basis of which the overrun in the intervention thresholds for cauliflowers and lemons is assessed pursuant to Article 16b (1) of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽²⁾, as last amended by Regulation (EEC) No 1193/90⁽³⁾, must be determined;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention threshold for cauliflowers, peaches, nectarines, lemons, tomatoes and apples for the 1990/91 marketing year is laid down in the Annex.

Article 2

1. The overrun in the intervention threshold for cauliflowers laid down in Article 1 shall be assessed on the basis of the quantities bought in between 1 February 1990 and 31 January 1991.

2. The overrun in the intervention threshold for lemons laid down in Article 1 shall be assessed on the basis of the quantities bought in between 1 March 1990 and 28 February 1991.

Article 3

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

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 57.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 43.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Intervention threshold for cauliflowers, peaches, nectarines, lemons, tomatoes and apples for the 1990/91 marketing year

(tonnes)			
Products/period	Community with the exception of Portugal	Portugal	Community
Cauliflowers :			
— 1 May to 31 December 1990	35 700	400	—
— 1 January to 30 April 1991	—	—	21 200
Total			57 300
Peaches	332 800	4 100	336 900
Nectarines	52 800	1 100	53 900
Lemons :			
— 1 June to 31 December 1990	166 900	1 000	—
— 1 January to 31 May 1991	—	—	222 500
Total			390 400
Tomatoes	574 500	24 800	599 300
Apples :			
— 1 July to 31 December 1990	182 800	1 900	—
— 1 January to 30 June 1991	—	—	133 800
Total			318 500

COMMISSION REGULATION (EEC) No 1389/90

of 23 May 1990

providing for the administration of a Community quota for molasses originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 products originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, and in particular Articles 1, 17 and 27 thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽²⁾, as last amended by Regulation (EEC) No 1069/89 ⁽³⁾,

Whereas Article 17 of Regulation (EEC) No 715/90 provides for a reduction of ECU 0,5 per 100 kilograms in the levy applicable to imports of molasses falling within CN code 1703 and originating in the ACP States or the OCT and lays down that it is not to be charged when it is ECU 0,5 per 100 kilograms or less; whereas this preferential system applies up to an overall limit of 600 000 tonnes per marketing year, hereinafter called 'the quota';

Whereas equal and continuous access to the said quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas the necessary measures should be taken to ensure efficient Community administration of this quota while providing the opportunity to draw from the quota volume the necessary quantities corresponding to actual imports; whereas this method of administration requires close

cooperation between the Member States and the Commission;

Whereas Protocol 1 annexed to the Fourth ACP-EEC Lomé Convention defines the concept of 'originating product' and the methods of administrative cooperation applicable to the product in question;

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 quota may be carried out by any one of its members;

Whereas Article 17 of Regulation (EEC) No 715/90 repeats provisions which have been applied since 2 June 1989; whereas because a system of administration for the quota has not been established, those concerned have until now been unable to request the grant of preferential terms; whereas it is appropriate to lay down measures applicable from that date;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The levy applicable to imports into the Community of molasses originating in the African, Caribbean and Pacific States or the overseas countries and territories shall be reduced to the level laid down in Article 17 of Regulation (EEC) No 715/90, subject to the limit specified therein, as follows:

Order No	CN code	Description	Amount of quota in tonnes per marketing year ⁽¹⁾	Reduction in the levy ⁽²⁾
09.1631	{ 1703 10 00 1703 90 00	Cane molasses Other molasses	{ 600 000	ECU 0,5 per 100 kg

⁽¹⁾ Amount applicable from 1 July of one year to 30 June of the following year.

⁽²⁾ The levy shall not be charged when it is ECU 0,5 per 100 kg or less.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽³⁾ OJ No L 114, 27. 4. 1989, p. 1.

2. For the application of this Regulation the definitions of the concept of 'originating product' and of the methods of administrative cooperation shall be those laid down in Protocol 1 annexed to the Fourth ACP-EEC Lomé Convention.

Article 2

The quota referred to in Article 1 shall be administered by the Commission, which may take any appropriate measure with a view to ensuring the efficient administration thereof.

Article 3

1. To obtain the preferential benefit, the importer must present the competent authorities of the importing Member State with a declaration of entry into free circulation including a request for the benefit for the product covered by this Regulation. If this declaration is accepted by the competent authorities of that Member State, those authorities shall communicate to the Commission the requests for drawing from the quota involved.

2. The requests for drawing, bearing the date of acceptance of the declaration of entry into free circulation, shall be communicated to the Commission without delay.

3. The drawings are granted by the Commission on the basis of the date of acceptance of the declarations of entry into free circulation by the competent authorities of the importing Member State, to the extent that the available balance so permits.

Any drawing not used shall be returned as soon as possible to the quota for the marketing year for which it was allocated.

When the quantities requested are greater than the available balance of the quota, allocation shall be made on a pro rata basis with respect to the requests. The Commission shall inform Member States of the drawings made as quickly as possible.

Article 4

Each Member State shall ensure that importers of the product concerned have equal and continuous access to

the quota for such time as the residual balance of the quota volume so permits.

Article 5

1. For quantities of molasses originating in the ACP States and in the overseas countries and territories and for which the declaration of entry into free circulation was accepted by the customs authorities of the importing Member State during the periods 2 June 1989 to 30 June 1989 and 1 July 1989 to 30 June 1990, the preferential benefit referred to in Article 17 of Regulation (EEC) No 715/90 shall be granted on written request within the limit of the relevant quota in the form of a repayment within the meaning of Council Regulation (EEC) No 1430/79 ⁽¹⁾ providing that the import levy has been paid and that all the conditions covering the preferential benefit are fulfilled.

2. The importer must present the request referred to in paragraph 1 to the competent authorities of the importing Member State within the time limit referred to in Article 2 (2) of Regulation (EEC) No 1430/79 accompanied by the necessary supporting documents.

3. For declarations of entry into free circulation accepted during the period 2 to 30 June 1989 the quota is hereby fixed at 50 000 tonnes.

4. Requests for repayment shall be accepted by the Commission on the basis of the date of presentation of these requests to the competent authorities of the Member States, to the extent that the available balance so permits.

5. The Commission shall inform Member States of the repayments made.

Article 6

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

Article 7

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

It shall apply from 1 July 1990 with the exception of Article 5 which shall apply from 2 June 1989.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 175, 12. 7. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1390/90

of 23 May 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⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 1179/90⁽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 Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1989/90 marketing year were fixed by Council Regulations (EEC) No 1228/89⁽⁷⁾ and (EEC) No 1229/89⁽⁸⁾;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1990/91 marketing year were fixed by Council Regulations (EEC) No 1317/90⁽⁹⁾ and (EEC) No 1318/90⁽¹⁰⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 1228/89 for the 1989/90 marketing year and by Regulation (EEC) No 1317/90 for the 1990/91 marketing year;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1989/90 and 1990/91

marketing years; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation No 225/67/EEC⁽¹¹⁾, as last amended by Regulation (EEC) No 2869/87⁽¹²⁾;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1989/90 marketing year has been fixed by Commission Regulation (EEC) No 2625/89⁽¹³⁾;

Whereas the abatement of the subsidy for sunflower seed which arises, where appropriate, from the system of maximum guaranteed quantities for the 1989/90 marketing year, has been fixed by Commission Regulation (EEC) No 2957/89⁽¹⁴⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 marketing year, has not yet been fixed; whereas the amount of the subsidy for the 1990/91 marketing year has been calculated provisionally on the basis of the abatement for the 1989/90 marketing year;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹⁵⁾, as last amended by Regulation (EEC) No 1983/82⁽¹⁶⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Regulation No 225/67/EEC provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements

⁽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 119, 11. 5. 1990, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 128, 11. 5. 1989, p. 20.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 22.

⁽⁹⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹¹⁾ OJ No L 136, 30. 6. 1967, p. 2919/67.

⁽¹²⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹³⁾ OJ No L 254, 31. 8. 1989, p. 9.

⁽¹⁴⁾ OJ No L 281, 30. 9. 1989, p. 91.

⁽¹⁵⁾ OJ No L 111, 10. 6. 1967, p. 2196/67.

⁽¹⁶⁾ OJ No L 215, 23. 7. 1982, p. 6.

or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by ECU 0,242;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis

for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1321/90 ⁽²⁾, laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds ⁽³⁾, as last amended by Regulation (EEC) No 534/90 ⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 132, 23. 5. 1990, p. 15.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 55, 2. 3. 1990, p. 8.

with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals ;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86 ⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States ;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽²⁾, as last amended by Regulation (EEC) No 387/90 ⁽³⁾, provision is made for the granting of compensatory aid, subject to certain conditions ; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain ;

Whereas Council Regulation (EEC) No 1920/87 ⁽⁴⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal ; whereas the amount of this subsidy should be fixed ;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ecus resulting from the calculation referred to above plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84 ⁽⁵⁾, as last amended by Regulation (EEC) No 431/89 ⁽⁶⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price less percentage referred to in Article 5, paragraph 1 of the said regulation or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate ;
- (b) for the other Member States, the difference between :
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the

central rate of each of the currencies of the Member States referred to in (a), and

- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week ; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary ;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ecus and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation ; whereas, pursuant to the same Article, the spot and forward exchange rates for the ecu in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1990/91 marketing year for colza and rape will be confirmed or replaced as from 24 May 1990 to take into account the application of the system of maximum guaranteed quantities for colza and rape seed for the 1990/91 marketing year.

Article 2

This Regulation shall enter into force on 24 May 1990.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 42, 16. 2. 1990, p. 8.

⁽⁴⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁵⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁶⁾ OJ No L 50, 22. 2. 1989, p. 7.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

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

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)
1. Gross aids (ECU):						
— Spain	1,170	1,170	1,750	1,750	1,750	1,750
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	27,366	26,987	19,920	19,920	19,920	19,920
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	64,86	63,97	46,64	46,66	46,66	46,85
— Netherlands (Fl)	72,19	71,19	52,55	52,55	52,55	52,76
— BLEU (Bfrs/Lfrs)	1 321,42	1 303,12	961,88	961,88	961,88	961,88
— France (FF)	208,77	205,79	156,41	156,41	156,41	156,41
— Denmark (Dkr)	244,38	241,00	177,89	177,89	177,89	177,89
— Ireland (£ Irl)	23,236	22,905	17,408	17,408	17,408	17,405
— United Kingdom (£)	17,611	17,293	14,412	14,365	14,365	14,230
— Italy (Lit)	45 888	45 224	34 893	34 893	34 893	34 820
— Greece (Dr)	4 779,47	4 667,12	3 986,52	3 932,33	3 932,33	3 787,84
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	178,89	178,89	267,57	267,57	267,57	267,57
— in another Member State (Pta)	3 922,86	3 867,04	2 912,29	2 903,26	2 903,26	2 877,36
(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)	5 659,96	5 581,54	4 411,95	4 391,17	4 391,17	4 333,37

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7 (1)	3rd period 8 (1)	4th period 9 (1)	5th period 10 (1)
1. Gross aids (ECU):						
— Spain	3,670	3,670	4,250	4,250	4,250	4,250
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	29,866	29,487	22,420	22,420	22,420	22,420
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	70,76	69,87	52,49	52,51	52,51	52,70
— Netherlands (Fl)	78,78	77,78	59,14	59,14	59,14	59,35
— BLEU (Bfrs/Lfrs)	1 442,14	1 423,84	1 082,59	1 082,59	1 082,59	1 082,59
— France (FF)	228,01	225,04	176,04	176,04	176,04	176,04
— Denmark (Dkr)	266,71	263,32	200,21	200,21	200,21	200,21
— Ireland (£ Irl)	25,378	25,047	19,593	19,593	19,593	19,590
— United Kingdom (£)	19,372	19,054	16,361	16,314	16,314	16,179
— Italy (Lit)	50 138	49 474	39 272	39 272	39 272	39 199
— Greece (Dr)	5 259,41	5 147,05	4 529,88	4 475,69	4 475,69	4 331,19
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	561,13	561,13	649,81	649,81	649,81	649,81
— in another Member State (Pta)	4 305,10	4 249,28	3 294,53	3 285,50	3 285,50	3 259,60
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	499,40	499,40	517,26	517,26	517,26	517,26
— in another Member State (Esc)	6 159,36	6 080,95	4 929,20	4 908,42	4 908,42	4 850,62

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 5	1st period 6	2nd period 7	3rd period 8 (1)	4th period 9 (1)
1. Gross aids (ECU):					
— Spain	6,890	6,890	6,890	8,600	8,600
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	36,501	36,301	36,101	26,900	26,900
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	86,45	85,98	85,51	63,01	63,01
— Netherlands (Fl)	96,28	95,76	95,23	70,96	70,96
— BLEU (Bfrs/Lfrs)	1 762,52	1 752,86	1 743,21	1 298,92	1 298,92
— France (FF)	278,96	277,39	275,82	211,21	211,21
— Denmark (Dkr)	325,96	324,17	322,38	240,22	240,22
— Ireland (£ Irl)	31,048	30,873	30,698	23,508	23,508
— United Kingdom (£)	23,927	23,759	23,569	19,632	19,632
— Italy (Lit)	61 372	61 022	60 672	47 120	47 120
— Greece (Dr)	6 499,53	6 427,09	6 337,37	5 390,00	5 390,00
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	1 053,45	1 053,45	1 053,45	1 314,91	1 314,91
— in another Member State (Pta)	4 627,53	4 598,07	4 565,10	3 461,29	3 461,29
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	8 097,05	8 054,74	8 000,99	6 430,28	6 430,28
— in another Member State (Esc)	7 920,07	7 878,69	7 826,11	6 289,73	6 289,73
3. Compensatory aids:					
— in Spain (Pta)	4 598,87	4 569,41	4 536,43	3 432,63	3 432,63
4. Special aid:					
— in Portugal (Esc)	7 920,07	7 878,69	7 826,11	6 289,73	6 289,73

(1) Subject to the abatement resulting from the system of maximum guaranteed quantities for the 1990/91 marketing year.

(2) 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 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10
DM	2,048040	2,043880	2,040050	2,036500	2,036500	2,027250
Fl	2,301960	2,297880	2,294020	2,290350	2,290350	2,280050
Bfrs/Lfrs	42,323200	42,306400	42,282900	42,265200	42,265200	42,170600
FF	6,903140	6,898650	6,894230	6,890880	6,890880	6,880020
Dkr	7,818820	7,819890	7,822090	7,822340	7,822340	7,821200
£Irl	0,764033	0,764051	0,764603	0,764961	0,764961	0,767990
£	0,733704	0,736512	0,739123	0,741615	0,741615	0,748699
Lit	1 505,62	1 508,13	1 510,26	1 511,80	1 511,80	1 516,67
Dr	201,71200	204,79300	208,14400	210,94400	210,94400	218,41100
Esc	181,13500	181,90100	182,81700	183,84100	183,84100	186,68900
Pta	127,79300	128,22300	128,63600	129,05200	129,05200	130,24400

COMMISSION REGULATION (EEC) No 1391/90

of 23 May 1990

altering the export refunds on syrups and certain other sugar sector products
exported in the natural state

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 18 June 1981 on the common organization of the
markets in the sugar sector ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1069/89 ⁽²⁾, and in particular Article 19 (4)
thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No 1089/90 ⁽³⁾;

Whereas it follows from applying the rules, criteria and
other provisions contained in Regulation (EEC) No
1089/90 to the information at present available to the

Commission that the export refunds at present in force
should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 1089/90 are hereby
altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 May 1990.

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

Done at Brussels, 23 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 111, 1. 5. 1990, p. 7.

ANNEX

to the Commission Regulation of 23 May 1990 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		29,08
1702 60 10 000		29,08
1702 60 90 000	0,2908	
1702 90 30 000		29,08
1702 90 60 000	0,2908	
1702 90 71 000	0,2908	
1702 90 90 900	0,2908	
2106 90 30 000		29,08
2106 90 59 000	0,2908	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70).
Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 1392/90
of 23 May 1990
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1898/89 ⁽³⁾, as last amended by Regulation (EEC) No 1286/90 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1898/89 to

the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,81 per 100 kilograms.

Article 2

This Regulation shall enter into force on 24 May 1990.

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

Done at Brussels, 23 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 184, 30. 6. 1989, p. 10.

⁽⁴⁾ OJ No L 127, 17. 5. 1990, p. 6.

COMMISSION REGULATION (EEC) No 1393/90

of 23 May 1990

fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 571/88 ⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;

- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;

- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;

- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;

- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;

- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 have been fixed by Council Regulation (EEC) No 1188/90 ⁽⁵⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁶⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990.

⁽⁶⁾ OJ No L 121, 12. 5. 1990, p. 30.

coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the relevant coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas, the price of adult bovine animals recorded on the representative market or markets of the United Kingdom shall be corrected by the amount of the premium granted to producers under Council Regulation (EEC) No 1347/86 ⁽¹⁾, as last amended by Regulation (EEC) No 4132/88 ⁽²⁾ ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽³⁾, as last amended by Regulation (EEC) No 1646/89 ⁽⁴⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several

times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ;

Whereas Council Regulation (EEC) No 715/90 ⁽⁵⁾ lays down the arrangements applicable on 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 various cuts of frozen meat are defined in Regulation (EEC) No 586/77 ;

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁴⁾ OJ No L 162, 13. 6. 1989, p. 22.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets ;

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 Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- 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 rela-

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

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 4 June 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 23 May 1990 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	(¹) 197,163
0202 20 10	(¹) 197,163
0202 20 30	(¹) 157,730
0202 20 50	(¹) 246,454
0202 20 90	(¹) 295,745
0202 30 10	(¹) 246,454
0202 30 50	(¹) 246,454
0202 30 90	(¹) 339,120
0206 29 91	(¹) 339,120

(¹) In accordance with Regulation (EEC) No 715/90, 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.

COMMISSION REGULATION (EEC) No 1394/90

of 23 May 1990

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 10, 0201 10 90, 0201 20 11 and 0201 20 19, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 were fixed by Council Regulation (EEC) No 1188/90 ⁽⁵⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁶⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990.

⁽⁶⁾ OJ No L 121, 12. 5. 1990, p. 30.

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77⁽¹⁾, as amended by Regulation (EEC) No 925/77⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member

State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the appropriate coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage; whereas, the price of adult bovine animals recorded on the representative market or markets of the United Kingdom shall be corrected by the amount of the premium granted to producers under Regulation (EEC) No 1347/86⁽³⁾, as last amended by Regulation (EEC) No 4132/88⁽⁴⁾; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽⁵⁾, as last amended by Regulation (EEC) No 1646/89⁽⁶⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽⁴⁾ OJ No L 362, 30. 12. 1988, p. 4.

⁽⁵⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁶⁾ OJ No L 162, 13. 6. 1989, p. 22.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽²⁾, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia;

Whereas Council Regulation (EEC) No 715/90⁽³⁾ lays down the arrangements applicable on 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 various cuts of beef and veal are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets;

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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾,
- 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, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 4 June 1990.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 May 1990 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	16,963	(⁽¹⁾) 124,192
0102 90 31	21,788	(⁽¹⁾) 16,963	(⁽¹⁾) 124,192
0102 90 33	—	16,963	(⁽¹⁾) 124,192
0102 90 35	21,788	16,963	(⁽¹⁾) 124,192
0102 90 37	21,788	16,963	(⁽¹⁾) 124,192
— Net weight —			
0201 10 10	—	32,230	(⁽¹⁾) 235,964
0201 10 90	41,397	32,230	(⁽¹⁾) 235,964
0201 20 21	—	32,230	(⁽¹⁾) 235,964
0201 20 29	41,397	32,230	(⁽¹⁾) 235,964
0201 20 31	—	25,785	(⁽¹⁾) 188,771
0201 20 39	33,118	25,785	(⁽¹⁾) 188,771
0201 20 51	49,677	38,676	(⁽¹⁾) 283,157
0201 20 59	49,677	38,676	(⁽¹⁾) 283,157
0201 20 90	—	48,345	(⁽¹⁾) 353,946
0201 30 00	—	55,300	(⁽¹⁾) 404,864
0206 10 95	—	55,300	(⁽¹⁾) 404,864
0210 20 10	—	48,345	353,946
0210 20 90	—	55,300	404,864
0210 90 41	—	55,300	404,864
0210 90 90	—	55,300	404,864
1602 50 10	—	55,300	404,864
1602 90 61	—	55,300	404,864

(⁽¹⁾) In accordance with Regulation (EEC) No 715/90, 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.

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

COMMISSION REGULATION (EEC) No 1395/90
of 23 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 1301/90 ⁽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 28 May 1990.

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

Done at Brussels, 23 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 129, 19. 5. 1990, p. 5.

ANNEX

to the Commission Regulation of 23 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⁾)	Third countries (except ACP or OCT) (⁽³⁾)
1006 10 21	—	—	156,25	319,71
1006 10 23	—	233,43	152,02	311,24
1006 10 25	—	233,43	152,02	311,24
1006 10 27	—	233,43	152,02	311,24
1006 10 92	—	—	156,25	319,71
1006 10 94	—	233,43	152,02	311,24
1006 10 96	—	233,43	152,02	311,24
1006 10 98	—	233,43	152,02	311,24
1006 20 11	—	—	196,22	399,64
1006 20 13	—	291,79	190,92	389,05
1006 20 15	—	291,79	190,92	389,05
1006 20 17	—	291,79	190,92	389,05
1006 20 92	—	—	196,22	399,64
1006 20 94	—	291,79	190,92	389,05
1006 20 96	—	291,79	190,92	389,05
1006 20 98	—	291,79	190,92	389,05
1006 30 21	13,05	—	251,59	527,03
1006 30 23	12,97	457,24	292,94	609,65
1006 30 25	12,97	457,24	292,94	609,65
1006 30 27	12,97	457,24	292,94	609,65
1006 30 42	13,05	—	251,59	527,03
1006 30 44	12,97	457,24	292,94	609,65
1006 30 46	12,97	457,24	292,94	609,65
1006 30 48	12,97	457,24	292,94	609,65
1006 30 61	13,90	—	268,29	561,29
1006 30 63	13,90	490,16	314,42	653,55
1006 30 65	13,90	490,16	314,42	653,55
1006 30 67	13,90	490,16	314,42	653,55
1006 30 92	13,90	—	268,29	561,29
1006 30 94	13,90	490,16	314,42	653,55
1006 30 96	13,90	490,16	314,42	653,55
1006 30 98	13,90	490,16	314,42	653,55
1006 40 00	4,91	—	82,89	171,78

(⁽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 1396/90

of 23 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 1302/90 ⁽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 28 May 1990.

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

Done at Brussels, 23 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 129, 19. 5. 1990, p. 7.

ANNEX

to the Commission Regulation of 23 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 1397/90

of 23 May 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 21 and 22 May 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 25 May 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, 23 May 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	50,00 ⁽¹⁾
1509 10 90	50,00 ⁽¹⁾
1509 90 00	60,00 ⁽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	11,00
0711 20 90	11,00
1522 00 31	25,00
1522 00 39	40,00
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1398/90

of 23 May 1990

introducing a countervailing charge on tomatoes originating in Albania

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 830/90 of 30 March 1990 fixing for the 1990 marketing year the reference prices for tomatoes ⁽³⁾ fixed the reference price for products of class I at ECU 136,75 per 100 kilograms net for the month of May 1990;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas the offer price fixed by the Commission is to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽⁴⁾;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74 ⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85 ⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the second indent of Article 1 (2) of Regulation (EEC) No 830/90;

Whereas, for tomatoes originating in Albania the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

Whereas, if the system is to operate normally, the entry price 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 ⁽⁷⁾, as last amended by Regulation No 1636/87 ⁽⁸⁾,
- 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 1,68 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Albania.

Article 2

This Regulation shall enter into force on 26 May 1990.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 118, 29. 4. 1989, p. 12.

⁽³⁾ OJ No L 86, 31. 3. 1990, p. 22.

⁽⁴⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1399/90

of 23 May 1990

introducing a corrective amount on the import of aubergines into the Community of Ten from Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain ⁽¹⁾, and in particular Article 4 (2) thereof,

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

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 575/90 ⁽²⁾ fixed, for the 1990 marketing year, the Community offer price for aubergines applicable with regard to Spain (except Canary Islands);

Whereas the offer price fixed by the Commission is to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 and amending the prices and amounts fixed in ecus for that marketing year ⁽³⁾;

Whereas Commission Regulation (EEC) No 3815/89 ⁽⁴⁾ lays down detailed rules for applying the compensatory

mechanism on imports of fruit and vegetables from Spain (except the Canary Islands);

Whereas, in the case of aubergines, the offer price for the Spanish product as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has remained for two consecutive market days at a level at least ECU 0,6 below the Community offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain (except the Canary Islands);

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

- in the case of currencies the spot market rates for which are maintained in relationship to each other within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾,
- in the case of other currencies, an exchange rate based on the arithmetic mean of the spot market rate for each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

Article 1

On import into the Community of Ten of aubergines (CN code ex 0709 30 00) from Spain (except the Canary Islands) a corrective amount of ECU 12,73 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 26 May 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 59, 8. 3. 1990, p. 18.

⁽³⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁴⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1400/90

of 23 May 1990

repealing Regulation (EEC) No 329/90 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus

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 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus ⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 329/90 ⁽²⁾ applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1252/73, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive

market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Cypriot products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas Regulation (EEC) No 329/90 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 329/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 May 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 113.

⁽²⁾ OJ No L 36, 8. 2. 1990, p. 16.

COMMISSION REGULATION (EEC) No 1401/90

of 23 May 1990

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 201/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1806/89⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1043/90⁽⁷⁾, as last amended by Regulation (EEC) No 1308/90⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁹⁾ amended Council Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

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

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

Whereas these exchange rates being those recorded on 22 May 1990;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1043/90 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 24 May 1990.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1990, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 107, 27. 4. 1990, p. 41.

⁽⁸⁾ OJ No L 129, 19. 5. 1990, p. 19.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

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

Done at Brussels, 23 May 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 23 May 1990 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
0714 10 10 ⁽¹⁾	59,67	129,53	136,18
0714 10 91	56,65	133,16	133,16
0714 10 99	59,67	131,35	136,18
0714 90 11	56,65	133,16	133,16
0714 90 19	59,67	131,35 ⁽²⁾	136,18
1102 90 10	108,01	239,69	245,73
1103 19 30	108,01	239,69	245,73
1103 29 20	108,01	239,69	245,73
1104 11 10	60,80	135,82	138,84
1104 11 90	119,34	266,32	272,36
1104 21 10	93,66	213,06	216,08
1104 21 30	93,66	213,06	216,08
1104 21 50	147,67	332,90	338,94
1104 21 90	60,80	135,82	138,84
1106 20 10	59,67	129,53 ⁽³⁾	136,18
1107 10 91	111,72	237,02	247,90 ⁽³⁾
1107 10 99	86,22	177,10	187,98
1107 20 00	98,69	206,40	217,28 ⁽³⁾

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

COMMISSION REGULATION (EEC) No 1402/90

of 23 May 1990

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3868/89⁽²⁾, as last amended by Regulation (EEC) No 1038/90⁽³⁾;

Whereas Council Regulation (EEC) No 715/90⁽⁴⁾ lays down the arrangements applicable to agricultural products and certain goods resulting from the processing of agri-

cultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3868/89 to the quotations and other 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 on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 June 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 51.

⁽³⁾ OJ No L 107, 27. 4. 1990, p. 32.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

ANNEX

to the Commission Regulation of 23 May 1990 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 23 from 4 to 10 June 1990	Week No 24 from 11 to 17 June 1990	Week No 25 from 18 to 24 June 1990	Week No 26 from 25 June to 1 July 1990
0104 10 90 ⁽¹⁾	113,552	108,185	102,766	97,346
0104 20 90 ⁽¹⁾	113,552	108,185	102,766	97,346
0204 10 00 ⁽²⁾	241,600	230,180	218,650	207,120
0204 21 00 ⁽²⁾	241,600	230,180	218,650	207,120
0204 22 10 ⁽²⁾	169,120	161,126	153,055	144,984
0204 22 30 ⁽²⁾	265,760	253,198	240,515	227,832
0204 22 50 ⁽²⁾	314,080	299,234	284,245	269,256
0204 22 90 ⁽²⁾	314,080	299,234	284,245	269,256
0204 23 00 ⁽²⁾	439,712	418,928	397,943	376,958
0204 50 11 ⁽²⁾	241,600	230,180	218,650	207,120
0204 50 13 ⁽²⁾	169,120	161,126	153,055	144,984
0204 50 15 ⁽²⁾	265,760	253,198	240,515	227,832
0204 50 19 ⁽²⁾	314,080	299,234	284,245	269,256
0204 50 31 ⁽²⁾	314,080	299,234	284,245	269,256
0204 50 39 ⁽²⁾	439,712	418,928	397,943	376,958
0210 90 11 ⁽²⁾	314,080	299,234	284,245	269,256
0210 90 19 ⁽²⁾	439,712	418,928	397,943	376,958

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 1403/90
of 23 May 1990
fixing the import levies on frozen sheepmeat and goatmeat

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 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3869/89⁽²⁾, as last amended by Regulation (EEC) No 1039/90⁽³⁾;

Whereas Council Regulation (EEC) No 715/90⁽⁴⁾ 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 it follows from applying the detailed rules contained in Regulation (EEC) No 3869/89 to the quotations and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 June 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 54.

⁽³⁾ OJ No L 107, 27. 4. 1990, p. 34.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

ANNEX

to the Commission Regulation of 23 May 1990 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 23 from 4 to 10 June 1990	Week No 24 from 11 to 17 June 1990	Week No 25 from 18 to 24 June 1990	Week No 26 from 25 June to 1 July 1990
0204 30 00	182,950	174,385	165,738	157,090
0204 41 00	182,950	174,385	165,738	157,090
0204 42 10	128,065	122,070	116,017	109,963
0204 42 30	201,245	191,824	182,312	172,799
0204 42 50	237,835	226,701	215,459	204,217
0204 42 90	237,835	226,701	215,459	204,217
0204 43 00	332,969	317,381	301,643	285,904
0204 50 51	182,950	174,385	165,738	157,090
0204 50 53	128,065	122,070	116,017	109,963
0204 50 55	201,245	191,824	182,312	172,799
0204 50 59	237,835	226,701	215,459	204,217
0204 50 71	237,835	226,701	215,459	204,217
0204 50 79	332,969	317,381	301,643	285,904

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

COMMISSION REGULATION (EEC) No 1404/90

of 23 May 1990

laying down certain additional detailed rules for the application of the supplementary trade mechanism to fruit and vegetables as regards tomatoes, lettuce, broad-leaf endives, carrots, artichokes, melons, apricots, peaches and strawberries

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 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽²⁾ establishes the list of products subject to the supplementary mechanism applicable to trade in fresh fruit and vegetables from 1 January 1990; whereas those products include tomatoes, lettuce, broad-leaf endives, carrots, artichokes, melons, apricots, peaches and strawberries;

Whereas Commission Regulation (EEC) No 3944/89⁽³⁾, as amended by Regulation (EEC) No 245/90⁽⁴⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter referred to as the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EEC) No 1079/90⁽⁵⁾ determines a period I for the abovementioned products with the exception of strawberries for the period 30 April to 27 May, a period III for strawberries from 30 April to 13 May and a period II within the meaning of Article 2 of Regulation (EEC) No 3210/89 from 14 to 27 May; whereas the outlook for Spanish consignments to the rest of the Community market indicate that a period I should be determined for tomatoes, lettuce, broad-leaf endives, carrots, artichokes, melons and strawberries for June 1990; whereas that outlook indicates that a period II and indicative ceilings should be determined for peaches and apricots for June 1990 also;

Whereas it should be pointed out that the provisions of Regulation (EEC) No 3944/89 on statistical monitoring apply, the use of exit documents for Spanish consignments and the various notifications from the Member States are to apply to ensure that the STM operates;

Whereas the need for accurate information warrants notifications to the Commission on the statistical monitoring of trade to be made at shorter intervals;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For tomatoes (CN code 0702 00 90), cabbage lettuce (CN code 0705 11 10), lettuce other than cabbage lettuce (CN code 0705 19 00), broad-leaf endives (CN code ex 0705 29 00), carrots (CN code ex 0706 10 00), artichokes (CN code 0709 10 00), melons (CN code 0807 10 90), apricots (CN code 0809 10 00) from 28 May to 3 June and from 25 June to 1 July 1990, peaches (CN code ex 0809 30 00) from 28 May to 3 June and from 25 June to 1 July 1990 and strawberries (CN code 0810 10 10) the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be as set in the Annex.

2. For apricots from 4 to 24 June 1990 and peaches from 4 to 24 June 1990:

- the indicative ceilings referred to in Article 83 (1) of the Act of Accession, and
- the periods referred to in Article 2 of Regulation (EEC) No 3210/89

shall be as fixed in the Annex.

Article 2

1. For consignments from Spain to the rest of the Community market excepting Portugal of the products mentioned in Article 1, the provisions of Regulation (EEC) No 3944/89, with the exception of Articles 5 and 7 thereof, shall apply.

However,

- the notifications provided for in Article 2 (2) of Regulation (EEC) No 3944/89 shall be made each Tuesday at the latest in respect of quantities consigned during the preceding week,
- the notifications provided for in Article 8 (2), first indent, of Regulation (EEC) No 3944/89 shall be made twice a week, each Tuesday and Thursday at the latest in respect of quantities consigned since the last notification.

2. The notifications provided for in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 for products subject to a period II or to a period III shall be forwarded to the Commission on Tuesday of each week at the latest in respect of the preceding week.

Article 3

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

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽³⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁴⁾ OJ No L 27, 31. 1. 1990, p. 14.

⁽⁵⁾ OJ No L 108, 28. 4. 1990, p. 79.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and the ceilings provided for in Article 83 of the Act of Accession

Period from 28 May to 1 July 1990

Description	CN code	Period
Tomatoes	0702 00 90	I
Cabbage lettuce	0705 11 10	I
Lettuce other than cabbage lettuce	0705 19 00	I
Broad-leaf endives	ex 0705 29 00	I
Carrots	ex 0706 10 00	I
Artichokes	0709 10 00	I
Melons	0807 10 90	I
Apricots	0809 10 00 (*)	I
Peaches	ex 0809 30 00 (*)	I
Strawberries	0810 10 10	I

(*) 28 May to 3 June and 25 June to 1 July 1990.

Description	CN code	Indicative ceiling (tonnes)	Period
Apricots	0809 10 00	4 to 24 June 1990 : 8 000	II
Peaches	ex 0809 30 00	4 to 24 June 1990 : 15 000	II

**COMMISSION REGULATION (EEC) No 1405/90
of 23 May 1990**

**altering the rates of the refunds applicable to certain products from the sugar
sector exported in the form of goods not covered by Annex II to the Treaty**

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 Regula-
tion (EEC) No 1069/89 ⁽²⁾, and in particular Article 19 (1)
and (2) thereof,

Whereas the rates of the refunds applicable from 1 May
1990 to the products listed in the Annex, exported in the
form of goods not covered by Annex II to the Treaty,
were fixed by Commission Regulation (EEC) No
1098/90 ⁽³⁾;

Whereas it follows from applying the rules and criteria
contained in Regulation (EEC) No 1098/90 to the infor-
mation at present available to the Commission that the
export refunds at present applicable should be altered as
shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No
1098/90 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 May 1990.

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

Done at Brussels, 23 May 1990.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 111, 1. 5. 1990, p. 31.

ANNEX

to the Commission Regulation of 23 May 1990 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar:	29,08	
Raw sugar:	26,45	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$29,08 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:		
The rate fixed above for 100 kg of white or raw sugar used for the dissolution		
Molasses:	—	
Isoglucose ⁽²⁾ :	29,08 ⁽³⁾	

⁽¹⁾ 'S' represents per 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

⁽²⁾ Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

⁽³⁾ Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1406/90

of 23 May 1990

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for

sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 May 1990.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 23 May 1990 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	26,75 ⁽¹⁾	
1701 11 90 910	26,45 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	26,75 ⁽¹⁾	
1701 12 90 910	26,45 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,2908
1701 99 10 100	29,08	
1701 99 10 910	29,08	
1701 99 10 950	28,08	
1701 99 90 100		0,2908

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 1407/90

of 23 May 1990

fixing the maximum export refund for white sugar for the fourth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 983/90

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 983/90 of 19 April 1990 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 983/90, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the fourth partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the fourth partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 983/90 the maximum amount of the export refund is fixed at ECU 31,640 per 100 kilograms.

Article 2

This Regulation shall enter into force on 24 May 1990.

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

Done at Brussels, 23 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 100, 20. 4. 1990, p. 9.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 May 1990

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(90/235/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 Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 89/371/EEC ⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with the third countries concerned based on agreement, requested authorization to extend or renew the above-mentioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and insofar as their provisions are not contrary to existing common policies.

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 164, 15. 6. 1989, p. 42.

Article 2.

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1990.

For the Council

The President

R. MOLLOY

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

Estado miembro	País tercero	Naturaleza y fecha del Acuerdo		Prorrogado o tácitamente reconducido hasta el
Medlemsstat	Tredjeland	Aftalens art og datering		Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens		Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας		Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηράς ανανεώσεως
Member State	Third country	Type and date of Agreement		Prolonged or tacitly renewed until
État membre	Pays tiers	Nature et date de l'accord		Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo		Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord		Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo		Prorrogado ou tácitamente renovado até
(1)	(2)	(3)		(4)
BENELUX	Israël	Accord commercial/Handelsakkoord	29. 8. 1958	31. 8. 1991
	Philippines/ Filippijnen	Accord commercial/Handelsakkoord	14. 3. 1967	11. 10. 1991
ITALIA	Cuba	Scambio di note	9. 9. 1950	8. 9. 1991
	India	Accordo commerciale e scambio di lettere	6. 10. 1959 7. 7. 1964	30. 6. 1991
	Libano	Accordo commerciale	4. 11. 1955	10. 9. 1991
	Svizzera	Accordo commerciale	21. 10. 1950	31. 10. 1991
	Yemen	Protocollo addizionale (al trattato d'amicizia e di relazioni economiche del 4. 9. 1937)	5. 10. 1959	31. 12. 1991
DANMARK	Cameroun	Handelsaftale	8. 10. 1962	7. 10. 1991
DEUTSCHLAND	Ekvador	Handelsabkommen	1. 8. 1953	15. 10. 1991
	Kolumbien	Handelsabkommen	9. 11. 1957	10. 11. 1991
ΕΛΛΑΔΑ	Βραζιλία	Εμπορική συμφωνία	9. 6. 1975	2. 7. 1991
	Αιθιοπία	Εμπορική συμφωνία	22. 6. 1959	22. 6. 1991
	Λίβανος	Εμπορική συμφωνία	3. 7. 1958	2. 5. 1991
	Λιθερία	Εμπορική συμφωνία	29. 6. 1973	29. 6. 1991
	Λιθώη	Εμπορική συμφωνία	16. 3. 1957	23. 5. 1991
	Μεξικό	Εμπορική συμφωνία	12. 4. 1960	20. 6. 1991
	Ιράκ	Εμπορική συμφωνία	26. 4. 1956	1. 5. 1991
ESPAÑA	El Salvador	Acuerdo Comercial	2. 12. 1982	23. 9. 1991
	Nicaragua	Convenio de Cooperación Económica	4. 3. 1974	2. 9. 1991
	Senegal	Acuerdo Comercial	15. 11. 1978	3. 10. 1991

(1)	(2)	(3)	(4)
PORTUGAL	Argélia	Acordo Comercial 16. 6. 1976	15. 10. 1991
	Brasil	Acordo de Comércio 7. 9. 1966	6. 9. 1991
	México	Acordo Económico e Comercial 28. 8. 1980	27. 8. 1991
	Guiné-Bissau	Acordo Comercial 13. 1. 1978	12. 1. 1991
	Marrocos	Acordo Comercial 28. 1. 1977	27. 1. 1991
	Zimbabwe	Acordo Comercial 10. 9. 1982	9. 9. 1991
UEBL/BLEU	Mexique/Mexico	Accord commercial/Handelsakkoord 16. 9. 1950	11. 9. 1991
UNITED KINGDOM	Haiti	Exchange of letters for the establishment of a commercial ' <i>Modus vivendi</i> ' 25. 2. 1928	31. 12. 1991

COMMISSION

COMMISSION DECISION

of 13 March 1990

approving aid from Belgium to the coal industry during 1990

(Only the French and Dutch texts are authentic)

(90/236/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

I

In its letters of 2 October and 6 December 1989 the Belgian Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of the financial measures it intends to take to support the coal industry in 1990.

Pursuant to Decision No 2064/86/ECSC, the Commission must give a ruling on the financial aid schemes submitted to it for approval :

- aid totalling Bfrs 2 922 480 000 to cover operating losses, pursuant to Article 3 of the Decision,
- aid totalling Bfrs 327 900 000 to finance social grant schemes in the coal industry, corresponding to the difference between actual and normal charges,
- aid totalling Bfrs 110 000 000 to cover expenses relating to the system of supplementary holiday for underground workers.

According to the information supplied by the Belgian Government, the measures notified are intended to help implement the restructuring plan for the firm 'Kempense Steenkolenmijnen'.

The measures which the Belgian Government intends to take to support the coal industry comply with the provisions of Article 1 (1) of Decision No 2064/86/ECSC. The Commission must therefore give a ruling, pursuant to

Article 10 of the Decision, as to whether they comply with the objectives and criteria set out in that Decision and whether they are compatible with the proper functioning of the common market.

II

Since the entry into force in 1987 of a restructuring plan made necessary by the lack of economic viability of coal production in the long term, extraction capacities will have been reduced by 80 % to 0,9 million tonnes by 31 December 1990.

The amount of aid will have dropped by 80 % by 31 December 1990 compared with the 1986 figure.

The decreasing levels of aid which the Belgian Government intends to grant, its temporary nature and the implementation of a clearly defined restructuring plan are in accordance with the conditions of application of Decision No 2064/86/ECSC.

The aid to cover operating losses will facilitate continuation of the restructuring programme for the Campine coalfield, as decided by Ministerial Decree in January 1987. The planned aid will cover no more than 85 %, for each tonne produced, of the difference between foreseeable costs and returns, and therefore complies with the provisions of Article 3 (1) of Decision No 2064/86/ECSC.

This aid contributes to solving the social and regional problems related to developments in the coal industry, in conformity with the third indent of Article 2 (1) of Decision No 2064/86/ECSC.

The notification submitted to the Commission regarding the financing of social grants in the coal industry reveals that the aid which the Belgian Government proposes to grant brings the ratio between the burden per mineworker in employment and the benefits per person in receipt of benefit below the corresponding ratio in other industries. This difference should amount to Bfrs 327 900 000 in 1990.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

The exceeding of the limits specified in Article 7 of Decision No 2064/86/ECSC must therefore be considered as indirect aid to current production. The reduction in production costs this entails, which is less than 6 %, does not constitute a significant competitive advantage for the coal industry compared with other Community coal producers, in view of the abnormal burdens that the Belgian industry has to bear owing to the substantial decline in production.

As this measure is linked to the restructuring programme, it is helping to solve the social and regional problems related to developments in the coal industry, in conformity with the third indent of Article 2 (1) of Decision No 2064/86/ECSC.

The aid to cover expenditure relating to the system of supplementary holiday for underground workers constitutes indirect aid to current production. It meets the objectives and conditions defined in Article 2 of Decision No 2064/86/ECSC in view of its modest scale, its temporary nature and the fact that it forms part of the restructuring plan.

III

The aid to be granted by the Belgian Government to the coal industry in 1990 is therefore compatible with the proper functioning of the common market.

This Decision is without prejudice to the compatibility with the Treaties of the rules governing sales of Belgian coal to electricity producers.

Pursuant to Article 11 (2) of Decision No 2064/86/ECSC, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed in particular of

the amounts of the payments and the manner in which they are apportioned,

HAS ADOPTED THIS DECISION :

Article 1

Belgium is hereby authorized to grant aid totalling Bfrs 3 360 380 000 to the Belgian coal industry for the 1990 calendar year. The total amount shall be made up of the following aid :

1. aid to cover operating losses not exceeding Bfrs 2 922 480 000 ;
2. aid to finance social grant schemes in the coal industry, corresponding to the difference between actual and normal charges, not exceeding Bfrs 327 900 000 ;
3. aid to cover expenses relating to the system of supplementary holiday for underground workers, not exceeding Bfrs 110 000 000.

Article 2

The Belgian Government shall inform the Commission not later than 30 June 1991 of the actual amounts of aid paid in 1990.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 13 March 1990.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION DIRECTIVE

of 4 May 1990

amending the Seventeenth Council Directive 85/362/EEC on the harmonization of the laws of the Member States relating to turnover taxes — Exemption from value added tax on the temporary importation of goods other than means of transport

(90/237/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 1251/90⁽²⁾, and in particular Article 15 thereof,

Whereas the classification of goods given in Article 29 (2) of Council Directive 85/362/EEC⁽³⁾ is based on the nomenclature of the Customs Cooperation Council;

Whereas the Customs Cooperation Council has approved the International Convention on the Harmonized Commodity Description and Coding System (hereinafter referred to as the 'HS'); whereas the Council approved the Convention by Decision 87/369/EEC⁽⁴⁾; whereas the HS has been in force since 1 January 1988;

Whereas, accordingly, a combined nomenclature was drawn up with a view to implementation of the HS in the Community; whereas, therefore, the references in Article 29 (2) of Directive 85/362/EEC must be based on the combined nomenclature;

Whereas the aforementioned adaptation of Directive 85/362/EEC to the combined nomenclature is, therefore, simply a technical adaptation which in no way alters the scope of the exemptions laid down in the Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 29 (2) of Directive 85/362/EEC is hereby amended as follows:

1. in the first indent, 'heading No 99.01 of the Common Customs Tariff' is replaced by 'CN code 9701 10 00';
2. in the second indent, 'heading No 99.02 of the Common Customs Tariff' is replaced by 'CN code 9702 00 00';
3. in the third indent, 'heading No 99.03 of the Common Customs Tariff' is replaced by 'CN code 9703 00 00';
4. in the fourth indent, 'heading No 58.03 of the Common Customs Tariff' and 'subheading ex 62.02 B IV of the Common Customs Tariff' are replaced by 'CN code ex 5805 00 00' and 'CN codes ex 6304 92 00, ex 6304 93 00 and ex 6304 99 00' respectively.

Article 2

Member States shall bring into force the measures necessary to comply with this Directive not later than 1 July 1990 and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 4 May 1990.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 121, 12. 5. 1990, p. 29.

⁽³⁾ OJ No L 192, 24. 7. 1985, p. 20.

⁽⁴⁾ OJ No L 198, 20. 7. 1987, p. 1.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 1048/90 of 25 April 1990 imposing a definitive anti-dumping duty on imports of small-screen colour television receivers originating in the Republic of Korea and collecting definitively the provisional duty

(Official Journal of the European Communities No L 107 of 27 April 1990)

Page 56, first line:

for: 'THE COMMISSION OF THE EUROPEAN COMMUNITIES,'

read: 'THE COUNCIL OF THE EUROPEAN COMMUNITIES,'

Corrigendum to Commission Regulation (EEC) No 1105/90 of 30 April 1990 amending Regulation (EEC) No 891/89 on special detailed rules for the application of the system of import and export licences for cereals and rice

(Official Journal of the European Communities No L 111 of 1 May 1990)

Page 48, Article 1:

Third line:

for: '... scientific reference is made to ...',

read: '... specific reference is made to ...';

12th line:

for: '... a quantity covered by te contract ...',

read: '... a quantity covered by the contract ...'.

Corrigendum to Commission Regulation (EEC) No 1365/90 of 22 May 1990, fixing additional amounts for products in the egg sector

(Official Journal of the European Communities No L 131 of 23 May 1990)

In the Annex on page 13 in the column 'Additional amount' on the line referring to CN code No 0407 00 30:

for: '50,00',

read: '40,00'.
