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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1731/90**of 26 June 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 1340/90⁽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 25 June 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 27 June 1990.

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

Done at Brussels, 26 June 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 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 4.

ANNEX

to the Commission Regulation of 26 June 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	132,11 ⁽²⁾ ⁽³⁾
0712 90 19	39,80	132,11 ⁽²⁾ ⁽³⁾
1001 10 10	49,77	192,85 ⁽¹⁾ ⁽³⁾
1001 10 90	49,77	192,85 ⁽¹⁾ ⁽³⁾
1001 90 91	40,78	154,52
1001 90 99	40,78	154,52
1002 00 00	65,46	136,37 ⁽⁶⁾
1003 00 10	56,71	131,90
1003 00 90	56,71	131,90
1004 00 10	48,11	123,39
1004 00 90	48,11	123,39
1005 10 90	39,80	132,11 ⁽²⁾ ⁽³⁾
1005 90 00	39,80	132,11 ⁽²⁾ ⁽³⁾
1007 00 90	56,71	145,10 ⁽⁴⁾
1008 10 00	56,71	43,92
1008 20 00	56,71	106,93 ⁽⁴⁾
1008 30 00	56,71	10,74 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	56,71	10,74
1101 00 00	71,56	230,79
1102 10 00	106,11	206,12
1103 11 10	91,98	313,39
1103 11 90	75,71	247,67

⁽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 1732/90

of 26 June 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 1340/90 ⁽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 25 June 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 27 June 1990.

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

Done at Brussels, 26 June 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 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 187, 1. 7. 1989, p. 4.

ANNEX

to the Commission Regulation of 26 June 1990 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	2,23	2,23	2,23
1001 10 90	0	2,23	2,23	2,23
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 1733/90

of 26 June 1990

fixing 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 1340/90⁽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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products

and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽⁹⁾, as last amended by Regulation (EEC) No 1009/86⁽¹⁰⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of 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)⁽¹¹⁾;

Whereas Council Regulation (EEC) No 3899/89 of 18 December 1989 reducing for 1989 the levies on certain agricultural products originating in developing countries⁽¹²⁾ reduces by 50 % the levy or importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹⁰⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

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

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 3846/89⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

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⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾,

- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 374, 22. 12. 1989, p. 3.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 26 June 1990 fixing 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 (*)	40,43	108,22	114,87
0714 10 91	37,41	111,85 (*) (*)	111,85
0714 10 99	40,43	110,04	114,87
0714 90 11	37,41	111,85 (*) (*)	111,85
0714 90 19	40,43	110,04 (*)	114,87
1102 20 10	72,96	230,22	236,26
1102 20 90	40,94	130,46	133,48
1102 30 00	8,22	182,90	185,92
1102 90 10	73,38	201,33	207,37
1102 90 30	58,33	187,88	193,92
1102 90 90	58,19	144,61	147,63
1103 12 00	58,33	187,88	193,92
1103 13 11	72,96	230,22	236,26
1103 13 19	72,96	230,22	236,26
1103 13 90	40,94	130,46	133,48
1103 14 00	8,22	182,90	185,92
1103 19 10	89,13	209,57	215,61
1103 19 30	73,38	201,33	207,37
1103 19 90	58,19	144,61	147,63
1103 21 00	43,46	236,27	242,31
1103 29 10	89,13	209,57	215,61
1103 29 20	73,38	201,33	207,37
1103 29 30	58,33	187,88	193,92
1103 29 40	72,96	230,22	236,26
1103 29 50	8,22	182,90	185,92
1103 29 90	58,19	144,61	147,63
1104 11 10	41,18	114,09	117,11
1104 11 90	80,86	223,70	229,74
1104 12 10	32,65	106,47	109,49
1104 12 90	64,14	208,76	214,80
1104 19 10	43,46	236,27	242,31
1104 19 30	89,13	209,57	215,61
1104 19 50	72,96	230,22	236,26
1104 19 91	14,88	310,59	316,63
1104 19 99	103,40	255,19	261,23
1104 21 10	62,88	178,96	181,98
1104 21 30	62,88	178,96	181,98
1104 21 50	99,57	279,63	285,67
1104 21 90	41,18	114,09	117,11
1104 22 10 10 (*)	32,65	106,47	109,49
1104 22 10 90 (*)	55,31	187,88	190,90
1104 22 30	55,31	187,88	190,90
1104 22 50	49,50	167,01	170,03
1104 22 90	32,65	106,47	109,49
1104 23 10	62,51	204,64	207,66
1104 23 30	62,51	204,64	207,66

(ECU/tonne)

CN code	Import levies		
	Portugal	ACP or OCT	Third countries (other than ACP or OCT)
1104 23 90	40,94	130,46	133,48
1104 29 11	30,67	174,58	177,60
1104 29 15	64,41	154,85	157,87
1104 29 19	89,56	226,83	229,85
1104 29 31	36,28	210,02	213,04
1104 29 35	76,88	186,29	189,31
1104 29 39	89,56	226,83	229,85
1104 29 91	24,23	133,89	136,91
1104 29 95	50,10	118,76	121,78
1104 29 99	58,19	144,61	147,63
1104 30 10	21,63	98,45	104,49
1104 30 90	33,93	95,93	101,97
1106 20 10	40,43	108,22 ^(*)	114,87
1106 20 91	80,41	202,29 ^(*)	226,47
1106 20 99	80,41	202,29 ^(*)	226,47
1107 10 11	47,89	233,64	244,52
1107 10 19	38,53	174,58	185,46
1107 10 91	77,47	199,09	209,97 ^(*)
1107 10 99	60,64	148,76	159,64
1107 20 00	68,87	173,37	184,25 ^(*)
1108 11 00	66,29	288,77	309,32
1108 12 00	80,41	205,92	226,47
1108 13 00	80,41	205,92	226,47 ^(*)
1108 14 00	80,41	102,96	226,47
1108 19 10	38,29	262,28	293,11
1108 19 90	80,41	102,96 ^(*)	226,47
1109 00 00	264,50	525,04	706,38
1702 30 51	174,80	268,59	365,31
1702 30 59	126,35	205,92	272,41
1702 30 91	174,80	268,59	365,31
1702 30 99	126,35	205,92	272,41
1702 40 90	126,35	205,92	272,41
1702 90 50	126,35	205,92	272,41
1702 90 75	178,52	281,38	378,10
1702 90 79	123,38	195,69	262,18
2106 90 55	126,35	205,92	272,41
2302 10 10	19,35	51,94	57,94
2302 10 90	34,61	111,30	117,30
2302 20 10	19,35	51,94	57,94
2302 20 90	34,61	111,30	117,30
2302 30 10	19,35	51,94	57,94
2302 30 90	34,61	111,30	117,30
2302 40 10	19,35	51,94	57,94
2302 40 90	34,61	111,30	117,30
2303 10 11	255,70	255,80	437,14

- (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.
- (⁴) Taric code : clipped oats.
- (⁵) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (⁶) Pursuant to Regulation (EEC) No 3899/89, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed amount of 5 000 tons.
- (⁷) 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.
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COMMISSION REGULATION (EEC) No 1734/90
of 26 June 1990
fixing the import levies on compound feedingstuffs

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 1340/90⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of 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 African, Caribbean and Pacific States or in the overseas countries and territories⁽⁵⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁶⁾, as last amended by Regulation (EEC) No 1806/89⁽⁷⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁸⁾, as last amended by Regulation (EEC) No 3296/88⁽⁹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹⁰⁾, as last amended by Regulation (EEC) No 31/76⁽¹¹⁾, and taking into account the situation with regard to market prices in Portugal; whereas, in the case of imports into Spain, the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87⁽¹³⁾,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 134, 28. 5. 1990, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁷⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁹⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽¹⁰⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽¹¹⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75

Article 2

This Regulation shall enter into force on 1 July 1990.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 June 1990 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies		
	Portugal	ACP and OCT	Third countries (other than ACP and OCT)
2309 10 11	10,88	20,46	31,34
2309 10 13	10,88	675,26	686,14
2309 10 31	10,88	63,95	74,83
2309 10 33	10,88	718,75	729,63
2309 10 51	10,88	127,90	138,78
2309 10 53	10,88	782,70	793,58
2309 90 31	10,88	20,46	31,34
2309 90 33	10,88	675,26	686,14
2309 90 41	10,88	63,95	74,83
2309 90 43	10,88	718,75	729,63
2309 90 51	10,88	127,90	138,78
2309 90 53	10,88	782,70	793,58

COMMISSION REGULATION (EEC) No 1735/90

of 21 June 1990

introducing prior Community surveillance of imports of certain types of footwear originating in South Korea and Taiwan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, as last amended by Regulation (EEC) No 3365/89⁽²⁾, and in particular Article 10 (1) thereof,

Having consulted the committee set up by Regulation (EEC) No 288/82,

Whereas :

PROCEDURE

In August 1988 certain Member States informed the Commission that imports into the Community of footwear originating in South Korea and Taiwan were continuing to rise, in spite of the restrictive measures which Italy⁽³⁾ and France⁽⁴⁾ had been authorized to impose. The said Member States and other Member States opposed to the application of new regional measures asked the Commission to re-examine the trend of imports of footwear into the Community as a whole and their effect on the Community industry.

The Member States supported their request with evidence relating to the trend of imports of the products in question and the terms of sale, including price.

Information was also provided on the impact on Community production of like and competing products.

Having decided, following consultations, that the evidence in its possession was sufficient to warrant an investigation, the Commission published a notice in the *Official Journal of the European Communities*⁽⁵⁾ announcing the opening of a Community investigation into imports into the Community of footwear originating in South Korea and Taiwan.

The Commission officially informed the importers known to be concerned; it gave all interested parties the oppor-

tunity to make their views known in writing and to request a hearing.

Many importers made their views known in writing by completing the questionnaire sent to them by the Commission.

Arguments were put forward on behalf of Community producers by the various national footwear federations and by the European Footwear Confederation (CEC).

The Commission also organized hearings throughout December 1988 in which the following organizations and companies took part :

Producers

- Confédération Européenne de l'Industrie de la Chaussure, B-1030 Bruxelles,
- Fédération nationale de l'industrie de la chaussure de France, F-75008 Paris,
- Hauptverband der Deutschen Schuhindustrie e.V., D-6050 Offenbach a/Main,
- Associazione Nazionale Calzaturifici Italiani, I-20123 Milano,
- Fédération belge de l'industrie de la chaussure, B-1030 Bruxelles,
- Federatie van Nederlandse Schoenfabrikanten, NL-5037 AA Tilburg,
- British Footwear Manufacturers Federation, UK London W1V 5HB,
- Federation of Irish Footwear Manufacturers, IRL Dundalk,
- Skofabrikantforeningen, DK-1358 Kobenhavn K,
- Hellenic Association of Footwear Manufacturers and Exporters, GR-11710 Athens,
- Federación de industrias del calzado español, E-28006 Madrid,
- Associação Portuguesa dos Industrias de Calçado, Componentes e Artigos de Peles e seus Sucedâneos, P-4000 Porto.

Importers into the EEC

- Reebok France, F-78530 Buc,
- Reebok Deutschland GmbH, D-8011 Heimstetten,
- Reebok International Ltd, UK-Bolton BL1 1PP,
- Oppenheimer Wolff & Donnelly, B-1050 Bruxelles, representing : Nike (UK) Ltd, Nike International Ltd (Deutschland),

⁽¹⁾ OJ No. L 35 van 9. 2. 1982, p. 1.

⁽²⁾ OJ No. L 325 van 10. 11. 1989, p. 1.

⁽³⁾ OJ No. L 54 van 1. 3. 1988, p. 59.

⁽⁴⁾ OJ No. L 166 van 1. 7. 1988, p. 6.

⁽⁵⁾ OJ No. C 215 van 17. 8. 1988, p. 6.

- British Sports and Allied Industries Federation, UK-Croydon CRO 9XY,
- Federation of Irish Sports Distributors, IRL Dublin 4,
- Hi-Tec Sports plc, UK-Essex SS2 6GH,
- Foreign Trade Association, B-1200 Bruxelles,

Non-EEC exporters

- Oppenheimer Wolff & Donnelly, B-1050 Bruxelles, representing: Korean Footwear Exporters Association.

During its investigation the Commission endeavoured to collect and verify all the information it considered necessary, and carried out inspection visits in Belgium, Spain, Greece, Portugal and the United Kingdom.

The Commission visited the following companies:

Belgium:

Producers:

- Euro-Vana, B-3290 Diest,
- NV Monarca, B-2500 Lier;

Importer:

- Joggingsport, B-1080 Bruxelles;

Spain:

Producers:

- Alex Shoes SL, E-03204 Elche,
- Peter SA, E-03204 Elche,
- Pikolinos, E-0329 Elche,
- Grupp International SA, E-Alicante,
- Lois Shoes-Valiente, E-03400 Villena,
- Divine Shoes SL, E-03600 Elda,
- Juan Gomez, E-97 Elda,
- Lucas Calzados SA, E-03400 Villena,
- Petit Shoes, E-03400 Villena,

Greece:

Producers:

- 'Last' Paliokostas Bros SA, GR-Liossa Athens,
- John Dourambeis, GR-Piraeus,
- Attica SA, GR-Athens,
- Diana, GR-Neon Iraklion Attique,
- A Dynamides SA, GR-Athens,
- Omega SA, GR-Athens,
- Ropa-Rodopes Shoe Ind., GR-Athens,
- Athanasios Tsigiras SA Shoe Ind., GR-Athens,
- Vergina Shoes Ltd, GR-Athens,
- Vioghian SA, GR-Athens;

Importer:

- Dicas — Dimitris S. Kasimis, GR-Athens;

Portugal:

Producers:

- Kyaia, P-4802 Guimarães,
- Sanjo, P-3701 São João da Madeira,
- Rillago, P-4523 Feira,
- Lima's/Halley, P-3702 São João da Madeira,
- Pratik — Jefaris, P-Felgueiras,
- Basilius — Calçado SA, P-3706 São João da Madeira,
- Mariano & Mariano Ltd, P-3703 São João da Madeira;

United Kingdom:

Producers:

- J. H. Hirst Ltd, Rossendale, UK-Lancs BB4 9HT,
- Fiona Footwear Ltd, UK-MD Glan CF31 1DN,
- Eatough Ltd, UK-Leicester,
- Asworth & Hoyle Ltd, UK-Lancs BB4 4PW,
- Mansfield Shoe Co. (1981) Ltd, UK-Notts NG18 5QA,
- K-Shoes Ltd — Clarks, UK-Cumbria LA9 7BT.

PRODUCTS CONCERNED AND LIKE PRODUCTS

The investigation covered all types of footwear falling within CN codes 6401, 6402, 6403, 6404 and 6405 imported from South Korea and Taiwan.

The wide variety of footwear sold on the Community market can be classified according to a variety of criteria such as material, use, shape, price, etc.

In view of the wide variety of products, for the purposes of determining the injury suffered by the Community industry, the Commission examined Community products which are like the imported products or which compete directly with term.

To that end, the Commission started by analysing the Community market to identify the criteria according to which footwear is marketed. For marketing purposes footwear is classified according to criteria relating to the user (men's women's and children's footwear) and to the intended use (town wear, sportswear, leisure wear, etc.).

However, it was not possible to apply those criteria for the purposes of calculating the injury suffered, since the statistics available on sales, production and imports were not compiled on a comparable basis.

The classification used by the Statistical Office of the European Communities and the European Footwear Confederation, based essentially on the materials used for the upper part of the footwear, was accordingly considered to be the most appropriate.

This classification divides footwear into six categories: four main categories (footwear with uppers of leather⁽¹⁾, synthetic materials⁽²⁾, rubber⁽³⁾ and textile⁽⁴⁾) and two residual categories (slippers⁽⁵⁾ and other footwear (espadrilles and sandals)⁽⁶⁾).

Although it can be broken down into these categories, all footwear has the same basic characteristics.

Moreover, footwear of different categories can be used for the same purposes and footwear of a given category can be used for several different purposes. Thus the various categories of footwear are generally interchangeable.

The degree of interchangeability varies from one category to another. It is very low for slippers, is, for climatic reasons low in certain Member States and high in others for other footwear (espadrilles and sandals), whereas it is high for the four main categories and is very high for footwear with uppers of leather and footwear with uppers of synthetic materials which, besides being used for the same purposes, look so similar that in most cases an inexperienced observer would be unable to distinguish between them⁽⁷⁾.

The consumer makes use of this interchangeability according to a wide variety of factors such as fashion, advertising, season, climate and location, but his final choice is determined by price and by the possibility of using the same type of footwear for different purposes. Thus, for a given use or series of uses, he may choose a 'synthetic' shoe instead of a 'leather', 'textile', 'rubber' shoe, sandal, espadrille or a slipper.

The Commission accordingly considers that the similarities between footwear classified as 'leather', 'synthetic', 'textile', 'rubber' 'other' or 'slippers', in terms of basic characteristics and possible uses outweigh the differences. Footwear belonging to these categories can therefore be considered to be sufficiently like and competing.

PRODUCER INDUSTRY

For the purposes of identifying the branch of Community industry liable to suffer serious injury or the threat of serious injury as a result of imports originating in South Korea and Taiwan it should be noted that the Community industry produces footwear identical to all types

(1) CN codes 6403 11 00, 19 00, 20 00, 30 00, 40 00, 51 11, 51 15, 51 19, 51 91, 51 95, 51 99, 59 11, 59 31, 59 35, 59 39, 59 91, 59 95, 59 99, 91 11, 91 13, 91 16, 91 18, 91 91, 91 93, 91 96, 91 98, 99 11, 99 31, 99 33, 99 36, 99 38, 99 91, 99 93, 99 96 and 99 98.

(2) CN codes 6401 10 90, 91 90, 92 90, 99 90, 6402 11 00, 19 00, 20 00, 30 90, 91 90, 99 31, 99 39, 99 91, 99 93, 99 96 and 99 98.

(3) CN codes 6401 10 10, 91 10, 92 10, 99 10, 6402 30 10, 91 10 and 99 10.

(4) CN codes 6404 11 00, 19 90 and 20 90.

(5) CN codes 6402 99 50, 6403 59 50, 6403 99 50, 6404 19 10, 6404 20 10 and 6405 20 91.

(6) CN codes 6405 10 10, 10 90, 20 10, 20 99, 90 10 and 90 90.

(7) Interchangeability between these two categories ('leather' and 'synthetic'), particularly at the lower end and middle of the range, extends to the manufacturing process, where only minor changes are required to switch between manufacturing 'leather' and 'synthetic' products.

imported from the said countries and concerned by this investigation.

The Community industry is located in all Member States, although production of certain categories is limited to certain Member States.

Footwear with uppers of leather is the main product in each Member State, whereas at the opposite end of the scale production of rubber shoes is marginal and falling.

Community production of products like those in question breaks down as follows: 'leather' footwear 65 %, 'synthetic' footwear 16 %, slippers 10 %, 'textile' footwear 5,4 %, 'other' footwear 2,1 % and 'rubber' footwear 1,5 %.

CONSUMPTION IN THE COMMUNITY

Overall consumption of footwear is very stable — it increased only slightly from 1 189 million pairs in 1985 to 1 219 million pairs in 1988.

Between 1985 and 1988 consumption of 'leather' footwear fell slightly from 597,7 million pairs to 594,5 million pairs, and that of 'synthetic' footwear fell from 206,3 million pairs to 176,3 million pairs. Between the same dates consumption of 'textile' footwear increased from 166,7 million pairs to 179 million pairs, that of 'other' footwear (espadrilles and sandals) increased from 30,9 million pairs to 88,5 million pairs, that of 'rubber' footwear increased from 15,4 million pairs to 17,2 million pairs, and that of slippers increased from 172,6 million to 179,1 million pairs.

IMPORTS OF THE FOOTWEAR IN QUESTION ORIGINATING IN SOUTH KOREA AND TAIWAN

Overall imports of footwear originating in South Korea and Taiwan increased significantly between 1985 and 1988; however, imports of certain categories peaked in 1987. This was because of the regional measures introduced in Italy and France in 1988 resulted in a slight fall in imports of these products.

(a) Overall imports

During the reference period (1985 to 1988), imports originating in South Korea and Taiwan continued to rise rapidly. Imports from South Korea increased from 37,1 million pairs in 1985 to 47,7 million pairs in 1986, 79 million pairs in 1987 and 87,5 million pairs in 1988; imports from Taiwan increased from 63,4 million pairs in 1985 to 80,4 million pairs in 1986 and 106,8 million pairs in 1987, falling back to 99,4 million pairs in 1988.

As a result South Korea's market share increased from 3,1 % in 1985 to 7,2 % in 1988, and Taiwan's market share increased from 5,3 % in 1985 to 8,2 % in 1988. Their overall market share increased from 8,4 % to 15,4 %

(b) Imports by category

Imports of footwear with uppers of leather

Imports into the Community of footwear with uppers of leather originating in South Korea increased from 2,9 million pairs in 1985 to 6,1 million pairs in 1986, 12,7 million pairs in 1987 and 23,6 million pairs in 1988; imports originating in Taiwan increased from 4,8 million pairs in 1985 to 9 million pairs in 1986, 16,8 million pairs in 1987 and 20,6 million pairs in 1988.

In 1988 South Korea accounted for 4 % and Taiwan for 3,5 % of the market in footwear with uppers of leather. Their overall market share increased from 1,3 % in 1985 to 7,5 % in 1988.

Imports of footwear with uppers of synthetic materials

Imports of 'synthetic' footwear originating in South Korea increased from 0,9 million pairs in 1985 to 1,5 million pairs in 1986 and 3,6 million pairs in 1987, and remained at 3,6 million pairs in 1988, and imports originating in Taiwan increased from 16,2 million pairs in 1985 to 21,3 million pairs in 1986 and 36,3 million pairs in 1987, falling back to 31,3 million pairs in 1988.

Taiwan had a particularly large share of the market for 'synthetic' footwear: its share increased from 7,9 % in 1985 to 17,8 % in 1988.

Overall South Korea and Taiwan increased their share of the market for 'synthetic' footwear from 8,3 % in 1985 to 19,8 % in 1988.

Imports of footwear with uppers of textile materials

Imports of 'textile' footwear originating in South Korea increased from 22,2 million pairs in 1985 to 23,9 million pairs in 1986 and 38,6 million pairs in 1987, falling back to 34,6 million pairs in 1988; imports originating in Taiwan increased from 32,8 million pairs in 1985 to 37,7 million pairs in 1986 and 39,1 million pairs in 1987, falling back to 36,2 million pairs in 1988.

In 1988 South Korea and Taiwan accounted for 19,3 and 20,2 % respectively of the market for 'textile' footwear. Their overall market share increased from 33 % in 1985 to 39,5 % in 1988.

Imports of 'other' footwear (espadrilles and sandals)

Imports of 'other' footwear originating in South Korea increased from 0,9 million pairs in 1985 to 1,6 million pairs in 1986, remained at 1,6 million pairs in 1987 and fell back to 1,5 million pairs in 1988; imports originating in Taiwan increased from 1,3 million pairs in 1985 to 2,9 million pairs in 1986 and 3,3 million pairs in 1987, falling back to 2 million pairs in 1988.

In 1988 South Korea and Taiwan accounted for 1,7 and 2,3 % respectively of the market for 'other' footwear. Their overall market share fell from 7,1 % in 1985 to 4 % in 1988.

Imports of footwear with uppers of rubber

Imports of 'rubber' footwear originating in South Korea increased from 0,7 million pairs in 1985 to 0,9 million pairs in 1986 and 1 million pairs in 1987, falling back to 0,9 million pairs in 1988; imports originating in Taiwan increased from 0,2 million pairs in 1985 to 0,4 million pairs in 1986 and 0,6 million pairs in 1987, falling back to 0,2 million pairs in 1988.

In 1988 South Korea and Taiwan accounted for 5,2 and 1,2 % respectively of the market in 'rubber' footwear. Their overall market share increased from 5,8 % in 1985 to 6,4 % in 1988.

(c) Imports of slippers

Imports of 'slippers' originating in South Korea increased from 9,5 million pairs in 1985 to 13,7 million pairs in 1986, 21,5 million pairs in 1987 and 23,3 million pairs in 1988; imports originating in Taiwan increased from 8,1 million pairs in 1985 to 9,1 million pairs in 1986 and 11,7 million pairs in 1987, falling back to 9,7 million pairs in 1988.

In 1988 South Korea and Taiwan accounted for 14,2 and 5,5 % respectively of the market for 'slippers'. Their overall market share increased from 10,2 % in 1985 to 19,7 % in 1988.

PRICES

The Commission compared the prices of footwear imported from South Korea and Taiwan with the prices of Community products.

Prices were compared for each type of footwear. The comparisons showed that the imported products substantially undercut the prices of Community products. The cif price of imported footwear was generally some 60 % lower than the price of Community products.

'Leather' footwear originating in South Korea undercut Community prices by between 34 % (Ireland and Spain) and 67 % (Netherlands); 'leather' footwear originating in Taiwan undercut Community prices by between 25 % (Ireland and Italy) and 71 % (Netherlands).

'Synthetic' footwear originating in South Korea undercut prices by between 32 % (Ireland) and 72 % (France) and 'synthetic' footwear originating in Taiwan undercut Community prices by between 16 % (Ireland) and 80 % (Greece).

'Textile' footwear originating in South Korea and Taiwan undercut prices in France by 33 and 32 % respectively.

INJURY TO COMMUNITY INDUSTRY

The situation of the Community footwear industry deteriorated throughout the period 1985 to 1988, as witness the downward trend of the main economic indicators:

— capacity utilization in the Community as a whole fell by about 8 %: the falls varied from 21 % in Greece to 15 % in France, 11 % in Spain, 10 % in Italy and

BLEU, 9 % in Ireland and 4 % in Portugal and the United Kingdom. In 1988 capacity utilization was 46 % in Greece, 75 % in Denmark, 70 % in Spain, 72 % in Italy and BLEU, 92 % in Germany, 95 % in Portugal and 96 % in the United Kingdom,

- total production fell from 1 194 million pairs to 1 048 million pairs. The production of 'leather' footwear fell from 749,9 million pairs to 679,4 million pairs, the production of 'synthetic' footwear fell from 196,4 million pairs to 163,9 million pairs, the production of 'textile' footwear fell from 71,1 million pairs to 57 million pairs, the production of 'other' footwear fell from 27,7 million pairs to 22,5 million pairs, the production of 'rubber' footwear fell from 20,2 million pairs to 16,2 million pairs, and the production of slippers fell from 130,2 million pairs to 106,6 million pairs,
- Community producers' share of the Community market fell from 74,4 to 57,2 %. Their share of the Community market for 'leather' footwear fell from 88 to 77,6 %, for 'synthetic' footwear from 81,4 to 60,6 %, for 'textile' footwear from 43 to 18,6 %, for 'other' footwear from 22,3 to 20 %, for 'rubber' footwear from 81,6 to 68,8 % and for slippers from 89,5 to 73,5 %,
- the fall in sales was accompanied by a substantial increase in stocks. Stocks increased from 19,3 million pairs to 76 million pairs,
- most footwear manufacturers made considerable losses,
- substantial investment in new technology and modern structures, in spite of the precarious overall situation, has not yielded the desired results in terms of a return to profitability. The financial situation of many firms has made it difficult for them to gain access to funding,
- the number of firms active in the sector fell from 16 318 in 1985 to about 15 000 in 1988, and the workforce fell from 387 400 to 347 600.

Causality

The Commission found that the collapse of Community production was directly linked to the increase in imports from South Korea and Taiwan.

The Community industry's loss of market share between 1985 and 1988 (17 %) coincided with and approximately equalled the increase in the market share of the two countries concerned (15,4 %).

The impact of the imports varied from one category to another: it was more marked in the case of 'synthetic' and 'textile' footwear than in the case of 'leather' footwear. However, the investigation showed that because footwear is interchangeable the sharp rise in imports of 'synthetic' and 'textile' footwear contributed directly to the fall of more than 70 million pairs in Community production of 'leather' footwear.

Since the price of footwear is a decisive factor for marketing, price undercutting by the countries in question obliged Community producers to reduce their prices. This effect was more marked in the case of highly interchangeable categories of footwear.

This was confirmed by inspection visits to Community producers and importers, which clearly established a link between the supply of low-price imports, the fall in the prices of Community products and the loss of orders diverted to imported products.

The pressure of low-price sales compromised the success of efforts to restructure the industry.

The impact of the imports was aggravated by the fact that the Community industry consists of many small and medium-sized firms, many of which were unable to cope with the market conditions resulting from growth in low-price imports.

Other factors contributing to the injury

The Commission investigated whether the injury to the Community industry could be attributed to other factors.

The Commission noted that consumption had increased slightly (3 %). Thus the injury to the Community industry cannot be attributed to a drop in consumption.

Certain importers claimed that the Community industry was not sufficiently competitive. Although the Community has higher labour costs, it has compensated this by rationalizing production and investing in new technology. It is competitive overall, particularly in the 'leather' footwear sector, as witness the substantial exports, amounting to 263 million parts in 1988 or 25 % of total production, and 70 % of 'leather' footwear production.

As regards imports originating in countries other than South Korea and Taiwan, the Community's other main suppliers during the reference period (1985 to 1988), in decreasing order of market share, were China (12,3 %), Thailand (1,7 %) and Brazil (1,7 %).

Although imports of footwear originating in Brazil and Thailand increased sharply (by 240 and 125 % respectively), their impact has so far been extremely small. Thus they cannot have made a significant contribution to the fall in Community production.

However, in case imports from these two countries continue to rise sharply, on 31 January 1990 the Commission adopted Regulation (EEC) No 274/90⁽¹⁾ introducing retrospective surveillance of such imports.

Although imports originating in China obtained a large share of the community market, they consisted mainly of slippers, espadrilles and sandals, and to a lesser extent 'textile' footwear, of very low unit value.

China's share of the market for 'other' footwear (mainly espadrilles) increased slightly (by 5 %). The only substantial increase other than slippers was of 'textile' footwear, which accounted for a very low proportion (5,4 %) of Community footwear production.

Although imports of footwear originating in Brazil, China and Thailand had a negative impact on the situation of the Community industry, for the reasons set out above and taking overall imports into account, they did not contribute substantially during the period 1985 to 1988 to the injury suffered by the Community industry within the meaning of Regulation (EEC) No 288/82.

Conclusion

The Commission finds that the increase in the volume and market share of footwear originating in South Korea and Taiwan and the difference between the prices of imported products and of like and directly competing Community products has caused serious injury to Community producers. These two factors can be considered to be the main cause, if not the only cause, of the injury observed.

Community interest

The Commission accordingly considers that it is in the Community interest to ensure that the Community industry is protected against the danger of a further deterioration in its situation, to slow down the fall in employment and to find a solution for the social problems caused thereby.

The Commission notes that the Community industry has already taken the necessary steps to adapt itself to the new competitive conditions on the Community market and to

increase its competitiveness. The Community industry has already started to innovate in the fields of new technology, materials processing and materials testing (improvement and standardization of components). However, these activities require adequate funding to finance the necessary investment. Under present circumstances most firms are making little or no profit from selling their products and are therefore unable to obtain the resources needed for such investment.

Against this background, on 19 March 1990 the Commission presented to the Council, which approved it, a communication proposing ways and means of improving the environment of the sector to enable it to complete its restructuring before the end of 1992.

The Commission accordingly believes that appropriate measures would enable the Community industry to realize the objectives of the restructuring currently under way.

The Commission also considered the argument that protective measures were not in the Community interest because they would run counter to the interest of consumers in having a wide choice at low prices. The Commission does not underestimate the weight of this argument in the short term. However, it fears that the deterioration in the situation of the Community industry which would result if appropriate measures were not adopted would, in the medium term, have far more negative consequences for consumers. The repercussions which such measures would have on prices would be offset by the continuation of high-quality production and wider choice. The presence on the market of high-quality Community products would afford consumers protection against the danger of diminishing quality of imports.

However, the Commission considers that the case of slippers is different.

Given the overall situation in the Community, the advantages of adopting measures with regard to such imports do not appear to outweigh the interest of consumers. The production of slippers accounts for only a small proportion of the value of Community footwear production. Protection of the Community industry in this sector would in most Member States have only a small positive impact and would therefore be of only very limited benefit.

Moreover, the market of the Member State which is the main producer of such products is already protected by a regional measure against imports from the Community's main supplier country.

The Community reserves the right to re-examine the situation of slipper production when the said regional measures expire.

⁽¹⁾ OJ No L 30, 1. 2. 1990, p. 54.

Under these conditions, and given the very low degree of interchangeability of slippers, the Commission believes that it is at present not in the Community interest to adopt measures with regard to imports of slippers originating in South Korea and Taiwan.

At the close of its investigation, the Commission informed the Korean authorities and the Taiwan Footwear Manufacturer's Association of the findings set out above.

The Korean authorities undertook, in a letter to the Commission, to make exports to the Community of 'leather', 'synthetic', 'textile', 'rubber' and 'other' footwear subject from 1 July 1990 to presentation of an export licence and restrict the issue of such licences until 31 December 1992 to traditional trade flows within the following quantitative limits for exports of such products to the Community:

1 July to 31 December 1990:	26 000 000 pairs
1991:	55 120 000 pairs
1992:	58 420 000 pairs

The Taiwan Footwear Manufacturers' Association informed the Commission by letter that from 1 July 1990 exports to the Community of 'leather', 'synthetic', 'textile', 'rubber' and 'other' footwear would be subject to emitting by exporters of an export declaration and would be limited to traditional trade flows within the following quantitative limits for exports of such products to the Community:

1 July to 31 December 1990:	45 300 000 pairs
1991:	96 000 000 pairs
1992:	101 700 000 pairs

The Commission has noted these undertakings and considers that at this stage these measures are sufficient to make good the injury suffered by the Community industry without recourse to Community measures restricting imports.

However, since imports under these conditions still threaten to cause serious injury to the Community producers concerned, the Commission considers it necessary to introduce prior Community surveillance of such imports. Entry of the footwear in question for free circulation in the Community should therefore be made subject to the issue of an import document. The said document shall be issued automatically, free of charge, for any quantity requested and without delay to any importer established within the Community within five working days following submission of a request to that end accompanied by an export licence issued by the competent body in Korea or an export declaration by the exporter from Taiwan for the same products appearing on the said export document,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1990 entry for free circulation in the Community of products listed in the Annex originating in South Korea and Taiwan shall be subject to prior Community surveillance in accordance with the procedure described in Articles 11 and 14 of Regulation (EEC) No 288/82.

Article 2

1. Entry of the products referred to in Article 1 for free circulation in a Member State shall be subject to presentation of an import document issued by the competent authorities of the importing Member State.

2. The import document referred to in paragraph 1 shall be issued automatically by the competent authority of the importing Member State, free of charge, for any quantity requested, within a maximum of five working days from the day on which a request is presented by any Community importer, wherever he is established in the Community, on presentation of an export licence to the Community issued by the competent body in South Korea or an export declaration by the exporter from Taiwan for the same products appearing on the said export document. The import document may be used during a period of three months from the date on which it is received by the importer.

3. The request presented by the importer shall contain the following information:

(a) the name and address of the importer and of the exporter;

(b) description of the product indicating:

- its trade description,
- its CN code,
- country of origin,
- country of last export;

(c) free-at-frontier cif price and quantity in pairs;

(d) proposed date(s) and place(s) of import;

and shall be accompanied by the export licence issued by the competent body in South Korea or of the export declaration by the exporter from Taiwan.

Article 3

Within 10 days of the end of each month the Member States shall inform the Commission of the quantities of footwear (in pairs) for which import documents were issued in that month.

The Member States' returns shall be broken down by product (trade description, CN code) and country of origin.

Article 4

The CN codes of the products referred to in Article 1 shall be inserted into Annex II to Regulation (EEC) No 288/82, followed by the sign '+' in the 'EUR' column.

Article 5

The Community investigation of the trend of imports into the Community of footwear originating in South Korea and Taiwan is hereby terminated.

Article 6

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 July 1990 to 31 December 1992.

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

Done at Brussels, 21 June 1990.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

CN code	Description
6401	Waterproof footwear with outer soles and uppers of rubber or of plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes
6402	Other footwear with outer soles and uppers of rubber or plastics excluding slippers and other indoor footwear falling within CN code 6402 99 50
6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather, excluding slippers and other indoor footwear falling within CN codes 6403 59 50 and 6403 99 50
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials, excluding slippers and other indoor footwear falling within CN codes 6404 19 10 and 6404 20 10
6405	Other footwear excluding : — slippers and other indoor footwear falling within CN code 6405 20 91

COMMISSION REGULATION (EEC) No 1736/90

of 26 June 1990

opening an invitation to tender for the free supply of olive oil to Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 12 (4) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1889/87⁽⁴⁾, and in particular Article 12 thereof,

Having regard to Council Regulation (EEC) No 473/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for olive oil⁽⁵⁾, and in particular Article 7 thereof,

Whereas pursuant to Article 12 (1) of Regulation No 136/66/EEC the Spanish intervention agency has bought in virgin olive oil and lampante virgin olive oil;

Whereas pursuant to Article 12 (2a) of Regulation No 136/66/EEC it may be decided that certain quantities of olive oil should be supplied by way of a gift as part of specific emergency relief operations;

Whereas conditions in Poland are such that it is entitled to receive emergency relief; whereas olive oil suitable for human consumption should be supplied by way of a gift; whereas the conditions for refining, packaging and transporting the oil to its destination should be laid down; whereas the tendering system is the most suitable procedure for ensuring that these operations are carried out without discrimination and as economically as possible; whereas, in these circumstances, the provisions of Commission Regulation (EEC) No 2960/77⁽⁶⁾, as last amended by Regulation (EEC) No 3818/85⁽⁷⁾, should be taken into consideration;

Whereas it is necessary to verify that the olive oil is actually delivered to Poland and to specify what evidence must be furnished as proof that the goods have been imported into that country in accordance with Article 18

of Commission Regulation (EEC) No 3665/87⁽⁸⁾; as last amended by Regulation (EEC) No 1615/90⁽⁹⁾;

Whereas the product is to be supplied by way of a gift; whereas, therefore, neither the export refund provided for in Article 20 of Regulation No 136/66/EEC nor the consumption aid provided for in Article 11 of that Regulation may be granted in respect of the oil exported under this Regulation;

Whereas neither monetary compensatory amounts nor accession compensatory amounts should be applied to olive oil supplied by way of a gift to Poland;

Whereas products held by intervention agencies for export are subject to Commission Regulation (EEC) No 569/88⁽¹⁰⁾, as last amended by Regulation (EEC) No 1682/90⁽¹¹⁾; whereas the Annex to the said Regulation should be extended as regards the special endorsements to be entered;

Whereas Commission Regulation (EEC) No 2669/89⁽¹²⁾ opens an invitation to tender for the free supply to Poland of 5 000 tonnes of olive oil; whereas owing in particular to the conditions governing the carriage of the goods, the quantity delivered to the Polish authorities turned out to be smaller than that awarded; whereas an invitation to tender should accordingly be opened for the missing quantities;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Spanish intervention agency, Servicio Nacional de Productos Agrarios (Spain), hereinafter called 'SENPA', shall open an invitation to tender in accordance with the provisions of this Regulation for the supply to Poland, by way of a gift, of 240 tonnes of olive oil as defined in point 3 of the Annex to Regulation No 136/66/EEC.

2. The following raw materials required for the preparation of 240 tonnes of olive oil shall be supplied free of charge for this tendering procedure by the intervention agency or agencies:

⁽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. 6.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 53, 1. 3. 1986, p. 43.

⁽⁶⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁷⁾ OJ No L 368, 31. 12. 1985, p. 20.

⁽⁸⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 152, 16. 6. 1990, p. 33.

⁽¹⁰⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽¹¹⁾ OJ No L 157, 22. 6. 1990, p. 26.

⁽¹²⁾ OJ No L 257, 2. 9. 1989, p. 20.

- 24 tonnes of virgin olive oil other than lampante grade,
- the necessary quantity of lampante virgin olive oil to obtain 216 tonnes of refined olive oil in accordance with the formula laid down in Article 17 of Regulation (EEC) No 2960/77.

The book value of the products shall be ECU 1 100 per tonne. Conversion into national currency shall be at the agricultural conversion rate obtaining on 15 July 1990.

3. The end product, obtained by mixing refined olive oil with virgin olive oil other than lampante grade, must be suitable for direct consumption and put up in one-litre containers. The words 'Olive oil — Product of the European Economic Community' must appear on the packaging in Polish and one of the official languages of the Community, together with a code number identifying the packaging plant. No other markings shall be permitted.

4. Offers submitted in response to the invitation to tender shall take account of all the costs involved in the operation, including the withdrawal, refining, mixing, and packaging costs and the cost of delivering the product to the Polish authorities. The product shall be delivered cif to the Polish seaports of Gdynia, Gdansk or Szczecin or, in the case of another form of delivery, at the place indicated by the Polish authorities, according to the following timetable:

- 240 tonnes before 15 September 1990.

Article 2

The invitation to tender shall be published on 2 July 1990.

The batches of oil for which contracts are to be awarded, each corresponding to 240 tonnes of the end product, and the place where they are stored shall be displayed by 'SENPA', at its head office in Calle Beneficiencia 8, Madrid 28004, Spain.

The invitations to tender shall indicate the delivery period for each batch. A copy of the invitation to tender shall be forwarded forthwith to the Commission.

Article 3

The tenders for 240 tonnes must reach SENPA, Calle Beneficiencia 8, Madrid 28004, Spain, not later than 2 p.m. (local time) on 16 July 1990. They must cover all the costs referred to in Article 1. They shall not be accepted unless they are accompanied by evidence that a security of Pta 2 800 per 100 kg (whichever is applicable) has been lodged.

Article 4

SENPA shall forward to the Commission not later than three days after the expiry of the time limit fixed for the submission of tenders a list without names indicating the amounts tendered for the batch, expressed in national currency. On the basis of the tenders received, the Commission shall award the batch to the tenderer offering the lowest amounts. Where several identical tenders are submitted for a batch to be awarded, lots shall be drawn. The Commission's decision shall be notified immediately to the Member States concerned.

Article 5

1. The competent authorities in the Member States shall verify that the oil has been refined, packaged and exported in accordance with the conditions laid down in this Regulation.

2. Removal of the goods shall be conditional on the lodging of a security of Pta 80 985 600.

3. The security referred to in Article 3 shall be released if the tender is not accepted or, where a contract is awarded, as soon as the security referred to in paragraph 2 has been lodged.

4. Except in cases of *force majeure*, the security referred to in paragraph 2 shall, by way of derogation from Article 18 of Regulation (EEC) No 3665/87, be released on presentation of the transport document and the taking-over certificate provided for in the Annex and duly endorsed by the competent Polish authorities.

Article 6

The products dispatched pursuant to this Regulation shall not qualify for export refunds or consumption aid arrangements and shall not be subject to the system of monetary compensatory amounts or accession compensatory amounts.

Article 7

In Part II of the Annex to Regulation (EEC) No 569/88 entitled 'Products subject to a use and/or destination other than that mentioned under I', the following item 35 and footnote are added:

'35. Commission Regulation (EEC) No 1736/90 of 26 June 1990 opening an invitation to tender for the free supply of olive oil to Poland⁽³⁾.

(a) on the dispatch of lampante virgin olive oil for refining:

— section 104 of the control copy T5:
for refining and export to Poland
(Regulation (EEC) No 1736/90),

— section 106 of the control copy T5:
product not subject to a monetary or
accession compensatory amount or export
refund;

— section 106 of the control copy T5:
product not subject to a monetary or
accession compensatory amount or export
refund.

(³⁵) OJ No L 161, 27. 6. 1990, p. 21.

(b) on the export of the olive oil:

— section 104 of the control copy T5:
for export to Poland (Regulation (EEC)
No 1736/90),

Article 8

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, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

I. Model of the taking-over certificate

I the undersigned:

(family name, forename, business name)

on behalf of the Polish Government hereby certify that the goods listed below have been taken over:

— Place and date of taking over:

— Product:

— Tonnage (net, gross or gross for net weight) taken over:

— Packaging:

— Number of items:

— Net weight per item (kilograms):

— Marked (endorsement):

The goods delivered are of the quality specified.

Observations:

.....

.....

II. Competent authority responsible for filling in and stamping the certificate:

PZ AGROS

ZOFIA GABER-SOVIERALSKA

WARSAWA VI CHALUBINSKIEGO 8

(Tel: 30 06 14; Telex: 814391-pl.; 812691-pl)

COMMISSION REGULATION (EEC) No 1737/90

of 26 June 1990

amending Regulation (EEC) No 109/80 on the application of the lowest rate of export refund for certain products in the eggs and poultrymeat sectors

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular Article 9 (3) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽³⁾, as last amended by Regulation (EEC) No 1235/89, and in particular Article 9 (3) thereof,

Having regard to Council Regulation (EEC) No 2774/75 of 29 October 1975 laying down general rules for granting export refunds on eggs and the criteria fixing the amount for such refunds ⁽⁴⁾, and in particular Article 7 (2) thereof,

Having regard to Council Regulation (EEC) No 2779/75 of 29 October 1975 laying down general rules for granting export refunds on poultrymeat and criteria for fixing the amount for such refunds ⁽⁵⁾, and in particular Article 7 (2) thereof,

Whereas Commission Regulation (EEC) No 109/80 ⁽⁶⁾ indicates the headings or subheadings of products for which the fact that no refund on exports to the United States of America is fixed is not to be taken into consideration in certain cases;

Whereas, to take account of present circumstances in the German Democratic Republic and their effects on the market situation, no refund should be fixed on eggs and poultrymeat products exported to that country; whereas the fact that the refund is not fixed should not be taken into account for the purposes of determining the lowest rate of the refund granted;

Whereas products falling within CN code 16 02 39 11 and for which a refund on export to the United States of

America or to the German Democratic Republic is not fixed should be added to the products referred to in Regulation (EEC) No 109/80;

Whereas Article 11 (2) of Commission Regulation (EEC) No 192/75 ⁽⁷⁾ was replaced by Article 20 (2) of Commission Regulation (EEC) No 3665/87 ⁽⁸⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 109/80 is hereby replaced by the following:

Article 1

The fact that no refund is fixed for products falling within CN codes 0105 11, 0105 19, 0207 (excluding 0207 31, 0207 39 90 and 0207 50), 0407, 0408 and 1602 39 11 and which are exported to the United States of America or the German Democratic Republic shall not be taken into consideration:

- for determining the lowest rate of refund for the purposes of Article 20 (2) of Commission Regulation (EEC) No 3665/87 ^(*),
- for applying Articles 4 (7) and 5 (3) of Council Regulation (EEC) No 565/80 ^(**).

^(*) OJ No L 351, 14. 12. 1987, p. 1.

^(**) OJ No L 62, 7. 3. 1980, p. 5.

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 with effect from 2 June 1990.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁶⁾ OJ No L 14, 19. 1. 1980, p. 30.

⁽⁷⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁸⁾ OJ No L 351, 14. 12. 1987, p. 1.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1738/90

of 26 June 1990

determining the prices and amounts in ecus applicable in the sugar sector for the 1990/91 marketing year which are reduced as a result of the monetary realignment of 5 January 1990

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Articles 6 (3) and 12 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 ⁽³⁾, as last amended by Regulation (EEC) No 1069/89 ⁽⁴⁾;

Whereas 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 ⁽⁵⁾ draws up the list of prices and amounts in the sugar sector to be divided by 1,00172 from 1 July 1990 under the arrangements for the automatic dismantlement of negative monetary gaps; whereas Article 3 of Regulation (EEC) No 784/90 provides that the resulting reduction in particular for prices and amounts fixed in ecus by the Council for the 1990/91 marketing year should be specified and those reduced prices and amounts should be fixed;

Whereas Council Regulation (EEC) No 1312/90 ⁽⁶⁾ fixes certain prices in the sugar sector and the standard quality

of beet for the 1990/91 marketing year; whereas Council Regulation (EEC) No 1313/90 ⁽⁷⁾ fixes the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A beet and B beet, the threshold prices, the reimbursement for the equalization of storage costs and the prices applicable in Spain and Portugal;

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 prices and the amounts fixed in ecus by the Council for the 1990/91 marketing year in the sugar sector and reduced in accordance with Article 2 of Regulation (EEC) No 784/90 after division by the coefficient referred to in Article 1 of that Regulation shall be as indicated 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 1 July 1990.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽⁵⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽⁶⁾ OJ No L 132, 23. 5. 1990, p. 1.

⁽⁷⁾ OJ No L 132, 23. 5. 1990, p. 3.

ANNEX

Description of prices and amounts	Prices and amounts divided by 1,00172
1. Target price for white sugar	ECU 55,79/100 kg
2. Intervention price for white sugar for the areas of the Community not suffering from a shortfall, with the exception of Spain	ECU 53,01/100 kg
3. Basic price for beet applying in the Community with the exception of Spain and Portugal, at the collection centre delivery stage	ECU 40,00/tonne
4. Derived intervention prices for white sugar :	
(a) for all areas in the United Kingdom	ECU 54,22/100 kg
(b) for all areas in Ireland	ECU 54,22/100 kg
(c) for all areas in Italy	ECU 54,95/100 kg
5. Intervention price for raw sugar	ECU 43,94/100 kg
6. Minimum price for A beet applying in the Community with the exception of Spain and Portugal	ECU 39,20/tonne
7. Minimum price for B beet applying in the Community with the exception of Spain and Portugal and subject to the application of Article 28 (5) of Regulation (EEC) No 1785/81	ECU 27,20/tonne
8. Prices for Spain and Portugal :	
(a) For Spain :	
(aa) intervention price for white sugar	ECU 61,61/100 kg
(bb) price for beet	
— basic price	ECU 47,09/tonne
— minimum price for A beet	ECU 46,29/tonne
— minimum price for B beet subject to the application of Article 28 (5) of Regulation (EEC) No 1785/81	ECU 34,29/tonne
(b) For Portugal :	
(aa) intervention price for white sugar	ECU 52,47/100 kg
(bb) price for beet	
— basic price	ECU 42,83/tonne
— minimum price for A beet	ECU 42,03/tonne
— minimum price for B beet subject to the application of Article 28 (5) of Regulation (EEC) No 1785/81	ECU 30,03/tonne
9. Threshold prices :	
(a) for white sugar	ECU 64,40/100 kg
(b) for raw sugar	ECU 55,06/100 kg
(c) for molasses	ECU 6,89/100 kg
10. Reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81	ECU 0,52/100 kg/month

COMMISSION REGULATION (EEC) No 1739/90**of 26 June 1990****fixing, for the 1990/91 marketing year, the flat-rate amount provided for under the system of minimum stocks in the sugar sector**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1069/89⁽²⁾, and in particular Article 12 (3) thereof,

Having regard to Council Regulation (EEC) No 1789/81 of 30 June 1981 laying down general rules concerning the system of minimum stocks in the sugar sector⁽³⁾,

Whereas Articles 3 (b) and 6 (a) of Regulation (EEC) No 1789/91 provides for the reimbursement of the pecuniary advantage included in the intervention price on account of the costs involved in maintaining the minimum stock ;

Whereas, in order to determine that pecuniary advantage, Commission Regulation (EEC) No 189/77 of 28 January 1977 laying down detailed rules for the application of the system of minimum stocks in the sugar sector⁽⁴⁾, as amended by Regulation (EEC) No 1920/81⁽⁵⁾, provides for a flat-rate amount to be fixed for each marketing year ;

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 1990/91 marketing year, the flat-rate amount referred to in Article 6 of Regulation (EEC) No 189/77 shall be ECU 0,162 per 100 kilograms of sugar expressed as white sugar.

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 1 July 1990.

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

Done at Brussels, 26 June 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 177, 1. 7. 1981, p. 39.

⁽⁴⁾ OJ No L 25, 29. 1. 1977, p. 27.

⁽⁵⁾ OJ No L 189, 11. 7. 1981, p. 23.

COMMISSION REGULATION (EEC) No 1740/90
of 26 June 1990

amending Regulation (EEC) No 904/90 laying down detailed rules for the application of the arrangements applicable to imports of certain pigmeat products originating in the African, Caribbean and Pacific States (ACP) 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 Article 27 thereof,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽²⁾, as last amended by Regulation (EEC) No 1249/89 ⁽³⁾, and in particular Article 22 thereof,

Whereas Regulation (EEC) No 715/90 introduces in particular a system for reducing import levies on certain products in the pigmeat sector within the limit of a quota; whereas Commission Regulation (EEC) No 904/90 ⁽⁴⁾ lays down detailed rules for applying that Regulation as regards the products concerned in the pigmeat sector in order to permit the administration of the quota concerned; whereas those detailed rules supplement the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EEC) No 1599/90 ⁽⁶⁾;

Whereas Regulation (EEC) No 904/90 should be amended in the light of practical experience gained in implementing the special arrangements provided for in Regulation (EEC) No 715/90, in particular as regards the

staggering of the quota, the quantity per licence application and the validity of import licences;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 904/90 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

The overall quota of 250 tonnes referred to in Article 8 of Regulation (EEC) No 715/90 shall be staggered over the year as follows:

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

2. Article 3 (1) (c) is replaced by the following:

'(c) licence applications must relate to at least one tonne and not more than 100 % of the quantity available under the quota and the six-monthly period in respect of which licence applications are lodged.'

3. In Article 4 (1) (2) and (4) and the third subparagraph of Article 4 (5), the word 'quarter' is replaced by 'six-monthly period'.

4. The first and second paragraphs of Article 5 are replaced by the following:

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

Article 2

This Regulation shall enter into force on 1 July 1990.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽⁴⁾ OJ No L 93, 10. 4. 1990, p. 23.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 151, 15. 6. 1990, p. 29.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1741/90

of 26 June 1990

amending Regulation (EEC) No 903/90 laying down detailed rules for application of the arrangements applicable to imports of certain poultrymeat products originating in the African, Caribbean and Pacific States (ACP) 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 Article 27 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽²⁾, as last amended by Regulation (EEC) No 1235/89 ⁽³⁾, and in particular Article 15 thereof,

Whereas Regulation (EEC) No 715/90 introduces in particular a system for reducing import levies on certain products in the poultrymeat sector within the limit of quotas; whereas Commission Regulation (EEC) No 903/90 ⁽⁴⁾ lays down detailed rules for applying that Regulation as regards the products concerned in the poultrymeat sector in order to permit the administration of the quotas concerned; whereas those detailed rules supplement the provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EEC) No 1599/90 ⁽⁶⁾;

Whereas Regulation (EEC) No 903/90 should be amended in the light of practical experience gained in implementing the special arrangements provided for in Regulation (EEC) No 715/90, in particular as regards the

staggering of quotas, the quantity per licence application and the validity of import licences;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 903/90 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

The overall quota of 200 tonnes referred to in Article 6 (1) of Regulation (EEC) No 715/90 and the overall quota of 250 tonnes referred to in Article 6 (2) of that Regulation shall be staggered over the year as follows:

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

2. Article 3 (1) (c) is replaced by the following:

'(c) licence applications must relate to at least one tonne and not more than 100 % of the quantity available under the quota and the six-monthly period in respect of which licence applications are lodged.'

3. In Article 4 (1) (2) and (4) and the third subparagraph of Article 4 (5), the word 'quarter' is replaced by 'six-monthly period'.

4. The first and second paragraphs of Article 5 are replaced by the following:

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

Article 2

This Regulation shall enter into force on 1 July 1990.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽³⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽⁴⁾ OJ No L 93, 10. 4. 1990, p. 20.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 151, 15. 6. 1990, p. 29.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1742/90
of 26 June 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 1403/90⁽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 2 July 1990.

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

Done at Brussels, 26 June 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 133, 24. 5. 1990, p. 76.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

ANNEX

to the Commission Regulation of 26 June 1990 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 27 from 2 to 8 July 1990	Week No 28 from 9 to 15 July 1990	Week No 29 from 16 to 22 July 1990	Week No 30 from 23 to 29 July 1990	Week No 31 from 30 July to 5 August 1990
0204 30 00	149,748	142,653	139,735	138,318	137,785
0204 41 00	149,748	142,653	139,735	138,318	137,785
0204 42 10	104,824	99,857	97,815	96,823	96,450
0204 42 30	164,723	156,918	153,709	152,150	151,564
0204 42 50	194,672	185,449	181,656	179,813	179,121
0204 42 90	194,672	185,449	181,656	179,813	179,121
0204 43 00	272,541	259,628	254,318	251,739	250,769
0204 50 51	149,748	142,653	139,735	138,318	137,785
0204 50 53	104,824	99,857	97,815	96,823	96,450
0204 50 55	164,723	156,918	153,709	152,150	151,564
0204 50 59	194,672	185,449	181,656	179,813	179,121
0204 50 71	194,672	185,449	181,656	179,813	179,121
0204 50 79	272,541	259,628	254,318	251,739	250,769

⁽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 1743/90

of 26 June 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 1402/90⁽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 sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1990.

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

Done at Brussels, 26 June 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 133, 24. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

ANNEX

to the Commission Regulation of 26 June 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 27 from 2 to 8 July 1990	Week No 28 from 9 to 15 July 1990	Week No 29 from 16 to 22 July 1990	Week No 30 from 23 to 29 July 1990	Week No 31 from 30 July to 5 August 1990
0104 10 90 ⁽¹⁾	92,745	88,299	86,471	85,582	85,249
0104 20 90 ⁽¹⁾	92,745	88,299	86,471	85,582	85,249
0204 10 00 ⁽²⁾	197,330	187,870	183,980	182,090	181,380
0204 21 00 ⁽²⁾	197,330	187,870	183,980	182,090	181,380
0204 22 10 ⁽²⁾	138,131	131,509	128,786	127,463	126,966
0204 22 30 ⁽²⁾	217,063	206,657	202,378	200,299	199,518
0204 22 50 ⁽²⁾	256,529	244,231	239,174	236,717	235,794
0204 22 90 ⁽²⁾	256,529	244,231	239,174	236,717	235,794
0204 23 00 ⁽²⁾	359,141	341,923	334,844	331,404	330,112
0204 50 11 ⁽²⁾	197,330	187,870	183,980	182,090	181,380
0204 50 13 ⁽²⁾	138,131	131,509	128,786	127,463	126,966
0204 50 15 ⁽²⁾	217,063	206,657	202,378	200,299	199,518
0204 50 19 ⁽²⁾	256,529	244,231	239,174	236,717	235,794
0204 50 31 ⁽²⁾	256,529	244,231	239,174	236,717	235,794
0204 50 39 ⁽²⁾	359,141	341,923	334,844	331,404	330,112
0210 90 11 ⁽²⁾	256,529	244,231	239,174	236,717	235,794
0210 90 19 ⁽²⁾	359,141	341,923	334,844	331,404	330,112

⁽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 Regulations (EEC) No 19/82, (EEC) No 1249/90 and (EEC) No 1580/90.

⁽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 1744/90

of 26 June 1990

amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender

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

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 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EEC) No 1513/90 ⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and the first indent of (5) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the

Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EEC) No 1627/89 are hereby replaced by the Annexes hereto.

Article 2

This Regulation shall enter into force on 27 June 1990.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 4. 3. 1989, p. 43.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 141, 2. 6. 1990, p. 51.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1(1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1 lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no nº 1 do artigo 1º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique/België		x	x			
Danmark		x	x			
Deutschland	x	x				
España	x	x	x			
France	x	x	x			x
Italia			x			
Luxembourg			x			

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 2 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 2

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 2 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 2

Member States or regions of a Member State and quality groups referred to in Article 1 (2)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 2

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 2

In artikel 1 lid 2 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 2 do artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Ireland				x	x	x
Northern Ireland				x	x	x
Great Britain				x	x	x

COMMISSION REGULATION (EEC) No 1745/90**of 26 June 1990****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1069/89 ⁽²⁾, and in particular Article 16 ⁽⁸⁾ thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1920/89 ⁽³⁾, as last amended by Regulation (EEC) No 1729/90 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 27 June 1990.

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

Done at Brussels, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 114, 27. 4. 1989, p. 1.

⁽³⁾ OJ No L 187, 1. 7. 1989, p. 13.

⁽⁴⁾ OJ No L 160, 26. 6. 1990, p. 37.

ANNEX

to the Commission Regulation of 26 June 1990 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	33,70 ⁽¹⁾
1701 11 90	33,70 ⁽¹⁾
1701 12 10	33,70 ⁽¹⁾
1701 12 90	33,70 ⁽¹⁾
1701 91 00	36,91
1701 99 10	36,91
1701 99 90	36,91 ⁽²⁾

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

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

COMMISSION REGULATION (EEC) No 1746/90

of 26 June 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 1683/90 ⁽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 157, 22. 6. 1990, p. 30.

⁽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 2 July 1990.

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

Done at Brussels, 26 June 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 26 June 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 1747/90

of 26 June 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 75, 23. 3. 1977, p. 10.

⁽²⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽³⁾ OJ No L 119, 11. 5. 1990.

⁽⁴⁾ OJ No L 121, 12. 5. 1990, p. 30.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁶⁾ OJ No L 61, 4. 3. 1989, p. 43.

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 1683/90 ⁽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 157, 22. 6. 1990, p. 30.

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 2 July 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, 26 June 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 26 June 1990 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia (?)	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 1748/90

of 26 June 1990

amending Regulations (EEC) No 1384/90, (EEC) No 1385/90 and (EEC) No 1386/90 opening standing invitations to tender for the export of cereals held by the intervention agencies

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 1340/90⁽²⁾, and in particular Article 7 (6) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2418/87⁽⁴⁾,

Whereas the last partial invitation to tender under Regulations (EEC) No 1384/90⁽⁵⁾, (EEC) No 1385/90⁽⁶⁾ and (EEC) No 1386/90⁽⁷⁾ should be postponed;

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

Article 4 (3) of Regulations (EEC) No 1384/90, (EEC) No 1385/90 and (EEC) No 1386/90 is hereby replaced by the following:

'3. The last partial invitation to tender shall expire on 18 July 1990.'

Article 2

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

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

Done at Brussels, 26 June 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 134, 28. 5. 1990, p. 1.
(³) OJ No L 202, 9. 7. 1982, p. 23.
(⁴) OJ No L 223, 11. 8. 1987, p. 5.
(⁵) OJ No L 133, 24. 5. 1990, p. 28.
(⁶) OJ No L 133, 24. 5. 1990, p. 31.
(⁷) OJ No L 133, 24. 5. 1990, p. 34.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 May 1990

approving the programme of measures submitted by the Italian Government for 1990 on the restructuring of the system for agricultural surveys in Italy

(Only the Italian text is authentic)

(90/328/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 81/518/EEC of 6 July 1981 on the restructuring of the system for agricultural surveys in Italy⁽¹⁾, as last amended by Council Decision 89/624/EEC⁽²⁾, and in particular Article 4 (3) thereof,

Whereas, as required by Article 4 (1) of Decision, 81/518/EEC, the Italian Government has submitted the annual programme of measures planned for 1990;

Whereas the programme that has been submitted is such as to attain the objectives of organizing in Italy a system of surveys on agricultural matters which will satisfy Community requirements in respect of statistical information in this field;

Whereas the Italian Government has submitted also a report on the execution of the preceding annual programme;

Whereas the measures provided for by this Decision comply with the opinion of the Standing Committee on Agricultural Statistics,

HAS ADOPTED THIS DECISION:

Article 1

The programme of measures on the restructuring of the system for agricultural surveys in Italy submitted by the Italian Government for 1990 is approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 22 May 1990.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

⁽¹⁾ OJ No L 195, 18. 7. 1981, p. 48.

⁽²⁾ OJ No L 359, 8. 12. 1989, p. 8.

COMMISSION DECISION

of 23 May 1990

approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by the Kingdom of Belgium

(Only the Dutch and French texts are authentic)

(90/329/EEC)

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

Having regard to Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽¹⁾, and in particular Article 4 thereof,

Whereas, conforming to Article 1 of Decision 89/455/EEC Belgium shall set up large-scale pilot projects in accordance with Article 3 for the eradication or prevention of rabies in the wild life of the Community using vaccines for the oral immunization of foxes;

Whereas the pilot projects as presented by Belgium include the adjacent border areas of France, Luxembourg, the Federal Republic of Germany and the Netherlands;

Whereas the pilot project is part of a cross border cooperation with France, Luxembourg, the Federal Republic of Germany and the Netherlands;

Whereas by letter dated 28 December 1989 Belgium notified the Commission of pilot projects for the control of rabies with a view to its eradication or prevention;

Whereas, after examination the pilot project was found to comply with Decision 89/455/EEC; whereas the conditions for financial participation by the Community are therefore met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The pilot projects for the eradication and prevention of rabies, presented by Belgium are hereby approved.

Article 2

Belgium shall bring into force by 1 September 1989 the laws, regulations and administrative provisions for implementing the pilot projects referred to in Article 1.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 223, 2. 8. 1989, p. 19.

COMMISSION DECISION

of 23 May 1990

approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by the Federal Republic of Germany

(Only the German text is authentic)

(90/330/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽¹⁾, and in particular Article 4 thereof,

Whereas, conforming to Article 1 of Decision 89/455/EEC the Federal Republic of Germany shall set up large-scale pilot projects in accordance with Article 3 for the eradication or prevention of rabies in the wild life of the Community using vaccines for the oral immunization of foxes;

Whereas the pilot projects as presented by the Federal Republic of Germany include the adjacent border areas of the German Democratic Republic, Czechoslovakia, Austria and the Netherlands;

Whereas the pilot project is part of a cross border cooperation with the German Democratic Republic, Czechoslovakia, Austria and the Netherlands;

Whereas by letters dated 19 September 1989 and 30 January 1990 the Federal Republic of Germany notified the Commission of pilot projects for the control of rabies with a view to its eradication or prevention;

Whereas, after examination the pilot project was found to comply with Decision 89/455/EEC whereas the condi-

tions for financial participation by the Community are therefore met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The pilot projects for the eradication and prevention of rabies, presented by the Federal Republic of Germany are hereby approved.

Article 2

The Federal Republic of Germany shall bring into force by 1 September 1989 the laws, regulations and administrative provisions for implementing the pilot projects referred to in Article 1.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 223, 2. 8. 1989, p. 19.

COMMISSION DECISION

of 23 May 1990

approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by the Netherlands

(Only the Dutch text is authentic)

(90/331/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽¹⁾, and in particular Article 4 thereof,

Whereas, conforming to Article 1 of Decision 89/455/EEC the Netherlands shall set up large-scale pilot projects in accordance with Article 3 for the eradication or prevention of rabies in the wild life of the Community using vaccines for the oral immunization of foxes;

Whereas the pilot projects as presented by the Netherlands include the adjacent border areas of Belgium and the Federal Republic of Germany;

Whereas the pilot project is part of a cross border cooperation with Belgium and the Federal Republic of Germany;

Whereas by letters dated 30 October 1989 and 25 January 1990 the Netherlands notified the Commission of pilot projects for the control of rabies with a view to its eradication or prevention;

Whereas, after examination the pilot project was found to comply with Decision 89/455/EEC; whereas the conditions for financial participation by the Community are therefore met;

Whereas the measure provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The pilot projects for the eradication and prevention of rabies, presented by the Netherlands are hereby approved.

Article 2

The Netherlands shall bring into force by 1 September 1989 the laws, regulations and administrative provisions for implementing the pilot projects referred to in Article 1.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 223, 2. 8. 1989, p. 19.

COMMISSION DECISION

of 23 May 1990

approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by Luxembourg

(Only the French text is authentic)

(90/332/EEC)

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

Having regard to Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽¹⁾, and in particular Article 4 thereof,

Whereas, conforming to Article 1 of Decision 89/455/EEC Luxembourg shall set up large-scale pilot projects in accordance with Article 3 for the eradication or prevention of rabies in the wild life of the community using vaccines for the oral immunization of foxes;

Whereas the pilot projects as presented by Luxembourg include the adjacent border areas of Belgium, France and the Federal Republic of Germany;

Whereas the pilot project is part of a cross border cooperation with Belgium, France and the Federal Republic of Germany;

Whereas by letter dated 1 September 1989 Luxembourg notified the Commission of pilot projects for the control of rabies with a view to its eradication or prevention;

Whereas, after examination the pilot project was found to comply with Decision 89/455/EEC; whereas the conditions for financial participation by the Community are therefore met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The pilot projects for the eradication and prevention of rabies, presented by Luxembourg are hereby approved.

Article 2

Luxembourg shall bring into force by 1 September 1989 the laws, regulations and administrative provisions for implementing the pilot projects referred to in Article 1.

Article 3

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 223, 2. 8. 1989, p. 19.

COMMISSION DECISION

of 23 May 1990

approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by Italy

(Only the Italian text is authentic)

(90/333/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽¹⁾, and in particular Article 4 thereof,

Whereas, conforming to Article 1 of Decision 89/455/EEC Italy shall set up large-scale pilot projects in accordance with Article 3 for the eradication or prevention of rabies in the wild life of the Community using vaccines for the oral immunization of foxes;

Whereas the pilot projects as presented by Italy include the adjacent border areas of Austria and Yugoslavia;

Whereas the pilot project is part of a cross border cooperation with Austria and Yugoslavia;

Whereas by letter dated 31 January 1990 Italy notified the Commission of pilot projects for the control of rabies with a view to its eradication or prevention;

Whereas, after examination the pilot project was found to comply with Decision 89/455/EEC; whereas the conditions for financial participation by the Community are therefore met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The pilot projects for the eradication and prevention of rabies, presented by Italy are hereby approved.

Article 2

Italy shall bring into force by 1 September 1989 the laws, regulations and administrative provisions for implementing the pilot projects referred to in Article 1.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 223, 2. 8. 1989, p. 19.

COMMISSION DECISION

of 23 May 1990

approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by France

(Only the French text is authentic)

(90/334/EEC)

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

Having regard to Council Decision 89/455/EEC of 24 July 1989 introducing Community measures to set up pilot projects for the control of rabies with a view to its eradication or prevention⁽¹⁾, and in particular Article 4 thereof,

Whereas, conforming to Article 1 of Decision 89/455/EEC France shall set up large-scale pilot projects in accordance with Article 3 for the eradication or prevention of rabies in the wild life of the Community using vaccines for the oral immunization of foxes;

Whereas the pilot projects as presented by France include the adjacent border areas of Switzerland, the Federal Republic of Germany, Luxembourg and Belgium;

Whereas the pilot project is part of a cross border cooperation with Switzerland, the Federal Republic of Germany, Luxembourg and Belgium;

Whereas by letter dated 11 January 1990 France notified the Commission of pilot projects for the control of rabies with a view to its eradication or prevention;

Whereas, after examination the pilot project was found to comply with Decision 89/455/EEC; whereas the conditions for financial participation by the Community are therefore met;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The pilot projects for the eradication and prevention of rabies, presented by France are hereby approved.

Article 2

France shall bring into force by 1 September 1989 the laws, regulations and administrative provisions for implementing the pilot projects referred to in Article 1.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 23 May 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 223, 2. 8. 1989, p. 19.